



LAND AT TORTINGTON, ARUNDEL

Further Response to Ecology Consultation

Environmental Gain Ltd
The Old Church School
Butts Hill
Frome
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eg17809-EC-CR2-REV00
24/03/21

Planning Ref: AB/135/20/OUT

Introduction

This document sets out further ecological information about the proposed development at 'Land at Ford Road, Arundel'. An initial consultation response from Liz Annals, Environment Officer for Chichester District Council, in an email dated 15th December 2020, was addressed in a previous document (Engain ref: eg17809-EC-CR-REV00 dated 08/02/21). Subsequently, the applicant has been asked to provide a dormouse mitigation plan, confirmation that ditches have been checked for water voles, and conformation of the protection of badger setts. All of this information is provided in this document, which also contains the results of wintering bird surveys undertaken in response to Natural England's comments on the application.



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Dormouse Mitigation Plan

Introduction

Surveys carried out in the course of the project design process found evidence of dormice around the edges of the site (see below).



Key:



Sloe stones found within nest tubes with teeth marks characteristic of dormouse.



Nest found in nest tubes with characteristics indicating that they were made by dormice.

All evidence observed during the November dormouse survey on the 20th of November 2019.
During the Aug 25th 2020 visit the nest within a tube at the southern boundary was still present.



Wood mouse in nest tube during 25th Aug 2020 visit



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The boundaries in which dormice are present are largely being retained, subject to four small areas of habitat removal for pedestrian access (highlighted on the illustrative masterplan below).



The potential impacts resulting from the illustrative masterplan design would therefore be:

- Killing or injury of dormice during construction
- Minor impacts on habitat connectivity after removal of hedgerow
- Increased potential for disturbance of dormice during occupation

Potential avoidance, mitigation and compensation measures are set out below.



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Construction Stage Avoidance / Mitigation / Enhancement

The potential for dormice to be killed or injured during habitat removal will be avoided by implementing precautions, which will be included in a Construction Environmental Management Plan (CEMP). This will comprise:

- Prior to vegetation clearance works commencing, and as far in advance of works commencing as possible (ideally 12 months prior), 30 wooden dormouse nest boxes will be installed in retained hedgerows
- Prior to vegetation clearance (ideally no more than 24 hours prior), vegetation that is due to be removed will be searched by a licence ecologist for any dormice
- Vegetation will be cut back to no less than 150mm outside of the bird and dormice breeding period (*i.e.* from early November to late February)
- The cut stumps and debris will be left *in situ* over winter to protect any hibernating dormice
- In spring, the remaining vegetation and any debris will be removed (by hand as far as practicable) after dormice have emerged from hibernation

These measures will ensure that dormice are not killed or injured during construction.

Mitigation for Impacts on Habitats and Disturbance

The loss of habitat connectivity where the new pedestrian accesses will be provided, will be mitigated by the provision of new areas of planting suitable for dormice. Pedestrian access points will be approximately 4m - 6m wide, meaning a total amount of habitat loss of around 36m of hedge at most. The proposed planting layout includes an area of woodland and scrub planting approximately 175m long and up to 20m wide (equating to approximately 0.5ha). There would therefore be a net increase in the amount of suitable habitat. Potential effects will be further mitigated by providing new dormouse nest boxes in retained habitats.

Monitoring

The effectiveness of the avoidance and mitigations measures will be monitored during the construction phase (in accordance with a CEMP) and after construction in accordance with a Landscape and Ecological Management Plan (LEMP).



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Water Voles

The survey report submitted with the planning application noted (in Paragraph 4.7) that "...there is no suitable habitat on this proposed development site for water voles".

The Flood Risk Assessment submitted with the application (report ref: 173483-01) noted that there is a ditch that runs north-south through the site and then follows Priory Lane east towards Ford Road.

The ditch was walked to check for signs of protected species. This ditch has been dry during every survey of the site, and is largely shaded by overhanging trees and scrub. It has no aquatic or water-margin vegetation indicating that it rarely if ever carries water. It was therefore concluded that the ditch is not suitable for water voles, and they would not be affected by the development proposals.

The ditch should be re-surveyed as part of any reserved matters application, if the occurs more than 12 months from the date of this report.



Badgers

The survey report submitted with the planning application noted that: "There is an excavation at the base of a mature oak tree" and "It is possible that this excavation is an outlying sett used infrequently by individual badgers from a nearby clan".

The illustrative masterplan does not have any development within 30m of the excavation.

At the reserved matters stage, the site should be re-surveyed for badgers and if there are any active setts the development design should provide sufficient space around them so as to allow the avoidance of any disturbance during construction. Details of this and any necessary precautions should be included in a CEMP.



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Wintering Birds

Natural England provided a consultation response dated 27th January 2021 (reference 337350), in which they requested further information in regards to potential impacts on the Arun Valley Special Protection Area / Ramsar site. The Arun Valley SPA / Ramsar is designated for non-breeding Bewick's swans and because it is regularly used by over 20,000 waterfowl. The response from Natural England includes the following statement:

"Due to its location and general habitat composition it is likely that the site of the proposed application could be regularly used by [qualifying bird species], as such it could be considered functionally linked land (FLL) for the non-breeding/wintering birds which are interest features of the Arun Valley SPA/Ramsar sites."

To resolve this issue, in addition to the information already provided with the application, Natural England stated:

"our advice is that survey data from at least two overwinter periods is required".

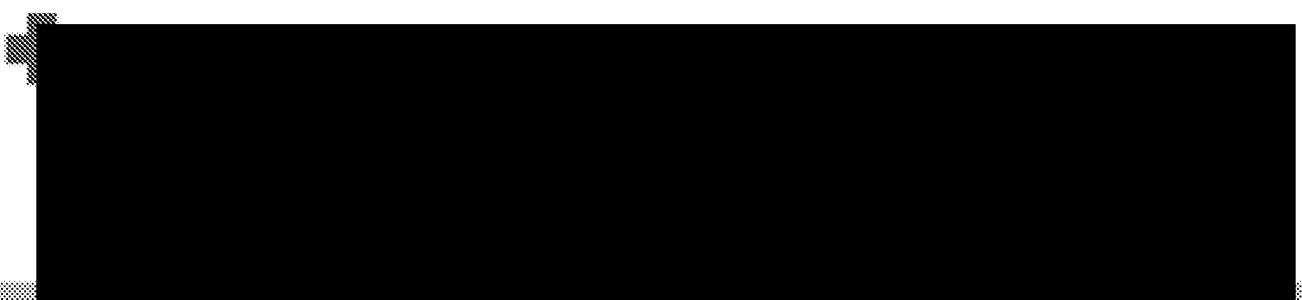
Engain have conducted bird surveys over winter in 2019/20 and 2021 to establish whether the site is functionally linked to the SPA. A summary of the results is provided below.

Survey Date	Water Fowl Observed on Site	Bewick's swans observed on site	Other birds observed on site	Birds observed elsewhere
30th Nov 2019	None	None	65 jackdaws, 13 pheasants, 4 pied wagtails, 4 magpies, 2 carrion crows and single herring gull and kestrel	28 mute swans in a field of brassica to the south of Priory Farm, with three more on the River Adur, and two in fields east of the river. Also present on the river were 19 mallard, 3 herring gull, redshank, common sandpiper, kingfisher and reed bunting, with a little egret in fields to the east.
22nd December 2019	2x little egrets	None	2 magpie, 55 jackdaw, 6 pheasant, 1 carrion crow	10 mute swans south of Priory Farm
12th January 2020	None	None	12 wood pigeon, 2 magpie, 1 carrion crow	Seven mute swans south of Priory Farm Three Bewick's swans were present further north up the river at Burpham
16th February 2021	None	None	6 wood pigeon, 10 magpie, 2 carrion crow	28 mute swans was present in fields further south and adjacent to the river, but no Bewick's swans. 14 Bewick's swans were present at Burpham
27th February 2021	None	None	None	The mute swan herd in fields further south had increased to 60. Last report of Bewick's swans at Burpham from 22nd February
14th March 2021	A pair of mallards in the wet area by Ford Road	None	Singing reed bunting - most probably a passing migrant	Mute swans had decreased to 27 in the fields further south



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The winter surveys did not find any Bewick's swans using the site, and very little activity of any waterfowl species across two seasons of survey. It is therefore concluded that the site is not functionally linked to the Arun Valley SPA, and the proposed development would not therefore result in a loss of land that is functionally-linked to the Arun Valley SPA/Ramsar. The development would not therefore have any significant effects on the Arun Valley SPA/Ramsar.



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Conclusions

The further matters raised in response to the application have been addressed as follows:

- An outline mitigation strategy for dormice is provided in this document
- It is concluded that the site is not suitable for water voles
- There would be no likely impacts on badger setts as a result of the illustrative layout
- The site is not functionally linked to the Arun Valley SPA/Ramsar the proposed development would not have any significant effect on this site.

These and all other ecological matters have therefore been addressed to an appropriate level for the outline application. The protection and enhancement measures committed to during the application process, including all of the enhancements agreed with the planning ecologist and set out in the previous consultation response (Engain reference: eg17809-EC-CR-REV00 dated 08/02/21) can be secured via suitably worded planning commitments.