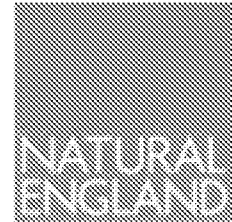


Date: 16 April 2021
Our ref: 348426
Your ref: AB/135/20/OUT



Michael Eastham
Arun District Council
Civic Centre, Maltravers Rd
Littlehampton
West Sussex
BN17 5LF

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

BY EMAIL ONLY

Dear Mr Eastham,

Planning consultation: Outline application with some matters reserved (except for access) for the development of 90 dwellings & associated amenity land, including land for a community building & for a community allotment. This application affects the setting of listed buildings & affects the character & appearance of the Arundel Conservation Area.

Location: Land at Ford Road, Arundel.

Thank you for your consultation on the above dated 30 March 2021 which was received by Natural England on 30 March 2021.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

HABITATS REGULATIONS ASSESSMENT REQUIRED

Despite the proximity of the application to European Sites, the consultation documents provided do not include information to demonstrate that the requirements of regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment.

Possible Functionally Linked Land (FLL)

Natural England previously advised (27th January 2021) that the application site could potentially serve as FLL for the Arun Valley Special Protection (SPA) and Ramsar site, and that further information should be provided – in the form of additional over-wintering bird surveys – in order to ascertain whether there would be a direct loss of supporting habitat for the qualifying features of the aforementioned designated sites.

We therefore welcome the provision of additional over-wintering survey data for the site, as evidenced within 'Land at Tortington, Arundel – Further Response to Ecology Consultation' (24th March 2021). Natural England generally advises that over-wintering bird survey data should cover two full seasons, whereas the additional survey data provided only covers the period of February 2021 – March 2021, albeit with three visits during this period. Nonetheless, it is recognised that within each of the different site surveys, there has been no evidence to indicate that birds that are

qualifying features of the designated sites (i.e. either Bewick's swans and/or species that are part of the waterbird assemblage) are using the development site.

In light of this, Natural England advises that with respect to the Habitats Regulations Assessment, as the competent authority, you should record your decision as to whether it can be concluded that the proposal is unlikely to have a significant effect on any European site or not. Consideration should also be given as to whether this conclusion can be reached, either alone or in-combination with other plans and projects, and whether it can therefore be screened out from any requirement for further Appropriate Assessment or not.

If you have any queries relating to the advice in this letter please contact me at

[REDACTED]

Please consult us again once the information requested above, has been provided.

Yours sincerely

Luke Hasler
Sussex & Kent Area Team