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From: Jonathan Best <Jonathan.Best@arun.gov.uk>
Sent: Monday, March 25, 2024 3:58 PM
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Cc: Jessica Riches <Jessica.Riches@arun.gov.uk>; David Easton <David.Easton@arun.gov.uk>
Subject: AL/11/24/OUT

Land East of Westergate Westergate.

I have reviewed this application with regards to ecology.
My comments are provided below.

I wish to register an objection to this application.

AL/11/24/OUT
Land East of Westergate. Westergate

Hybrid application consisting of: 1) Outline permission for all matters reserved (except access) for up to 400 No dwellings and associated works and 2) Full planning permission for alterations to site access off Westergate Street and through Pine Close and east-west link road including a bridge over the Lidsey Rife. This application also lies within the parish of Barnham, falls within Strategic Site SD5, CIL Zone 1 (Zero Rated), affects the setting of listed buildings, affects the character and appearance of the Eastergate Church Lane Conservation Area, affects public rights of way. This application is the subject of an Environmental Statement.

Ecological habitats baseline:

The site contains a mix of habitats including agricultural and woodland and hedges with a chalk rife running down the eastern side.

Agricultural grassland dominates the site. However Deciduous woodland, wet woodland and chalk streams are present. All are UK BAP priority habitats.

The EIA report 2023 rates the site as of county importance for foraging and commuting Bats.

The site contains species diverse hedgerows and is considered to be of county and local importance for birds. The habitats streams, scrub, woodland and mature trees are of regional value.

The EIA report identifies the loss of habitat and potential indirect effects would have a ***moderate adverse impact*** to habitats of ***Local - Regional*** value from construction.

Relevant Legislation:

The Conservation of Habitats and Species Regulations 2017 (as amended) – protection of Bats

The Environment Act (2021) - protects biodiversity and seeks enhancement of biodiversity

The Wildlife and Countryside Act (1981) (as amended) - protection of species and habitats

Natural Environment and Rural Communities Act (2006) – Lists habitats and species of principal importance for the conservation of biodiversity

Protection of Badgers Act – protects badgers and their setts

The Countryside and Rights of Way Act (2000)

Relevant policies for this application:

WDM2 W DM2 Flood Risk

WSP1 W SP1 Water

ENVDM1 ENV DM1 Designated Sites of Biodiversity or geographical importance

ENVDM3 ENV DM3 Biodiversity Opportunity Areas

ENVDM4 ENV DM4 Protection of trees

ENVDM5 ENV DM5 Development and biodiversity

ENVSP1 ENV SP1 Natural Environment

GISP1 GI SP1 Green Infrastructure and Development

Aldingbourne Neighbourhood Development Plan 2019- 2031 policies

Policy EH2 Green Infrastructure and Ecosystem Services

Policy EH4 Protection of watercourses

Policy EH6 Protection of trees and hedgerows

EH10 'Unlit village' status

Policy EH12 2019 Protection of bat habitats (NEW)

Policy LC6 Designation of Local Green Space - SAVED

Surveys:

The full species surveys have not been provided as part of this application.

The habitat and species surveys have been summarised in the EIA.

The habitat assessment was undertaken at a sub optimal time in January. This is a significant limitation for the results of assessment.

The EIA lacks detail in relation to the survey of Lidsey Rife chalk stream.

Impacts to invertebrates have not been assessed.

Water vole is recorded here. The Water Vole Mitigation Guidance (2016), recommends at least two surveys to meet best practice. The survey was only one visit and did not cover the whole length of Lidsey Rife or survey upstream of the site.

The best period to determine water vole presence is during the breeding season when latrines are regularly visited and marked (see 3.3.23 to 3.3.26). Given that the suitability of habitat for water voles can change markedly over the course of the breeding season, affecting the distribution and apparent population size, two survey visits should be undertaken in most cases: one in the first half of the season (mid-April³ to the end of June) and one in the second half of the season (July to September inclusive). These visits should be undertaken at least two months apart. In some cases it may be possible to justify an

Bat surveys were conducted with a mix of techniques, but the results of the trapping surveys have not been included in the EIA report.

Further species surveys required for:

Water vole - resurvey
Reptiles - resurvey
Bats – resurvey, activity and roost survey
Nesting birds - resurvey
Hedgehogs
Invertebrates
and
Lidsey Rife habitat condition and health of the chalk stream

Impacts to species:

Bats,
It is considered the development will result in a **certain moderate adverse impact** to species of **regional** value.

Reptiles,
It is considered the development will have a **certain moderate adverse impact** to species of **Local** value.

Breeding and nesting birds,
It is considered an adverse impact is possible at the site level if breeding and nesting birds are present. Therefore, it is considered the development will result in a certain adverse impact at the local level.

Water Voles/Stream.
It is considered this will have a **significant adverse impact** at the **local** level.

Mitigation is provided for reptiles through habitat management, fencing and capture and relocation onsite. Suitable relocation areas have not been identified at this stage.

A habitat buffer zone has been set aside along the Lidsey Rife.

Bats

The EIA assessment of bat commuting and foraging is set out below.

6.2.2 Foraging and Commuting Bats

Varying numbers of *Pipistrellus* spp were recorded foraging on site, with the highest trafficked areas shown in Fig 19 (the majority of which were Common Pipistrelle). Occasional Serotine, Noctule, *Plecotus* spp, *Myotis* spp and *Barbastella* (*Barbastella barbastellus*) were also recorded. It is worth noting that location D2 (Fig 4) had a noticeably larger number of Noctule calls. These species are considered common, rarer and rarest in England (Wray et al 2010)). Overall, when considering the results of all the bat survey work undertaken, it was considered there was a high level of Pipistrelle foraging and commuting activity on site, although this was largely restricted to single and low numbers of all other bat species. Guidance on valuing bat foraging and commuting habitat is provided by Wray et al (2010), which uses a points-based system. Using this system, the site scores 34 points for commuting bats and 30 points for foraging bats (see Table

12) and is correspondingly considered to be of **regional** value for commuting bats and **County** value for foraging bats.

Bechstein was recorded in the wet woodland. Rare barbastelle and plecotus species recorded across the site. Both are light sensitive and will likely be disturbed during and after the development.

Reptiles

Interpretation of the results in relation to the Froglife advice sheet 9 suggest the site has significant value for reptiles.

[Froglife Advice Sheet 9 \(wildcare.co.uk\)](http://wildcare.co.uk)

Using the Froglife criteria The results for the reptile survey suggest the site could be considered as a key reptile site due to the numbers of slow worms recorded. Without mitigation the development could result in the loss of significant local populations of reptiles.

Water vole

Impacts to water voles have not been assessed.

Hedgehogs

No hedgehog surveys have been undertaken. There are records of Hedgehogs in the area. Further survey work is advised to establish the status of hedgehogs on the site.

The mitigation proposed for Hedgehogs are acceptable.

Impacts to habitats:

The EIA assessed the site as containing a mix of local and regional value habitats on site.

The majority of the impact area is considered to be of **Site-Local** ecological value, with the site dominated by modified grassland, winter stubble, other neutral grassland with a low number of scattered trees. There are however areas of more mature trees lines, lines of scrub, streams and wet woodland with these habitats considered to be of **Regional** value.

The proposals include the loss of priority habitat. Wet woodland (0.3HA), scrub (1ha), hedgerow and mature trees. This is in contrast to the BEW master plan which advocates protection of priority habitats. No mitigation has been offered for loss of habitats.

Connectivity of habitats is very important for functional ecological resilience. The outline Masterplan proposals could result in habitat fragmentation.

Environmental issues

Noise,

Noise will be generated by the inhabitants themselves and their associated activities. Noise will have implications for all fauna on site resulting in **certain minor negative impacts**.

Light, when the development is operational lighting will be introduced on site via the use of both street lamps and security lighting associated with the properties themselves. As currently there is a limited amount of existing lighting in place this will have **certain major negative impacts** upon nocturnal species such as bats (notably commuting Barbastelles which are of regional ecological value) and Badgers.

Biodiversity Net Gain (BNG):

At the pre app stage it was advised to undertake an BNG assessment using the Biodiversity Metric. No details of BNG have been provided.

A statutory BNG metric should be submitted so we can fully understand the habitat losses and gains. The EIA refers to BNG in para 8.1.5.1 Dark Corridors, but no report has been attached to the application.

Biodiversity Net Gain is required as part of the Environment Act, NPPF and Arun Local Plan.

SINGLETON AND COCKING TUNNELS

A large part of the site falls within the 12km buffer for the Singleton and Cocking Tunnel SAC. Under the Conservation of Habitats and Species Regulations 2017 (as amended) an Appropriate Assessment is required.

Lighting

The lighting must comply with the BCT guidance. There are rare bats foraging and commuting within the site. Dark corridors proposals are included in the EIA 8.1.5.1 *Dark Corridors*. These proposals are acceptable.

Trees:

There are concerns over loss of mature trees and areas of scrub and hedgerows.

New Planting:

avoid willow – invasive
Add black poplar
Add Elm Lutece

Conclusion:

As an outline application it lacks detail on the impacts and mitigation for species and habitats. The assessment of the river and water voles is light, and it is not possible to fully understand impacts to the aquatic habitat and species. Many of the species' surveys will be out of date before the development commences and the habitat survey was conducted at a sub optimal time.

Without more detail on Biodiversity Net Gain, ecological mitigation, landscaping and biodiversity enhancement this application should be refused. The current proposals show a net loss of biodiversity with priority habitats being removed and potentially significant impacts to bats, reptiles and birds. Fragmentation of habitat is also a concern.

Regards,

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Our priorities...



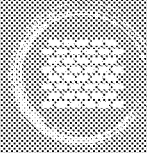
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