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From: Williams, Suzanna (Capita Public Service) [REDACTED]
Sent: 15 January 2025 08:58
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: FW: Consultations Response - AL/89/24/OUT - Woodgate Nurseries - Arun DC
Importance: High

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Good morning,

Please can this be uploaded to the file. NE consultation response re: AA

Thank you
Suzanna

From: SM-NE-Consultations (NE) [REDACTED]
Sent: 08 January 2025 10:39
To: Williams, Suzanna (Capita Public Service) [REDACTED]
Subject: Consultations Response - AL/89/24/OUT - Woodgate Nurseries - Arun DC
Importance: High

****EXTERNAL****

Please find Natural England's response in relation to the above-mentioned consultation below.

Our ref: 496896
Your ref: AL/89/24/OUT

Dear Ms Williams

Planning consultation: Appropriate Assessment - Outline planning with all matters reserved (except access) for the demolition of existing redundant nursery buildings and other structures and erection of a residential development of with up to 130 No. dwellings, informal and formal public open space, landscaping, drainage, and other associated works.

Location: Land at Woodgate Nurseries Lidsey Road Woodgate

Thank you for your consultation on the above dated 12 December 2024.

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.

Further information on when to consult Natural England on planning proposals is here- [Planning and transport authorities: get environmental advice on planning - GOV.UK \(www.gov.uk\)](#)

Natural England is not able to provide specific advice on this application and therefore has no comment to make on its details. Although we have not been able to assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes, we offer the further advice and references to Standing Advice.

Natural England advises Local Planning Authorities to use the following tools to assess the impacts of the proposal on the natural environment:

Impact Risk Zones:

Natural England has provided Local Planning Authorities (LPAs) with Impact Risk Zones (IRZs) which can be used to determine whether the proposal impacts statutory nature conservation sites. Natural England recommends that the LPA uses these IRZs to assess potential impacts. If proposals do not trigger an Impact Risk Zone then Natural England will provide an auto-response email.

Standing Advice:

Natural England has published Standing Advice. Links to standing advice are in Annex A

If after using these tools, you consider there are significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require Natural England's advice.

Further information on LPA duties relating to protected sites and areas is here- [Protected sites and areas: how to review planning applications - GOV.UK \(www.gov.uk\)](#)

Further guidance is also set out in Planning Practice Guidance on the natural environment [Natural environment - GOV.UK \(www.gov.uk\)](#) and on Habitats Regulations Assessment [Appropriate assessment - GOV.UK \(www.gov.uk\)](#)

Non detailed advice from Natural England does not imply that there are no impacts on the natural environment. It is for the local planning authority to determine whether or not the proposal is consistent with national and local environmental policies. Other bodies and individuals may provide information and advice on the environmental value of this site and the impacts of the proposal on the natural environment to assist the decision making process.

Should the proposal change, please consult us again.

Yours sincerely

Sally Wintle

Officer
Natural England
County Hall
Spetchley Road
Worcester
WR5 2NP

www.gov.uk/natural-england



We strongly recommend using the [SSSI Impact Risk Zones](#) (SSSI IRZs) to decide when to consult Natural England on development proposals that might affect a SSSI. The SSSI IRZs tool is quick and simple to use and gives instant planning advice as a formal consultation response in certain circumstances and can reduce unnecessary delays in the planning process.

Natural England offers two chargeable services - the Discretionary Advice Service, which provides pre-application and post-consent advice on planning/licensing proposals to developers and consultants, and the Pre-submission Screening Service for European Protected Species mitigation licence applications. These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.

For further information on the Discretionary Advice Service see [here](#)

For further information on the Pre-submission Screening Service see [here](#)

From: Williams, Suzanna (Capita Public Service)

Sent: 12 December 2024 14:38

To: SM-NE-Consultations (NE) [REDACTED]
Subject: AL/89/24/OUT - Woodgate Nurseries - Arun DC

Good Afternoon,

Please find attached the Appropriate Assessment that has been carried out by Arun DC. Should you wish to make any comment, please can I have them by Thursday 2nd January 2025.

Many thanks

Suzanna Williams MRTPI
Principal Planning Consultant



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Annex A –Natural England general advice

Protected Landscapes

Paragraph 182 of the [National Planning Policy Framework - GOV.UK \(www.gov.uk\)](#) (NPPF) requires great weight to be given to conserving and enhancing landscape and scenic beauty within Areas of Outstanding Natural Beauty (known as National Landscapes), National Parks, and the Broads and states that the scale and extent of development within all these areas should be limited. Paragraph 183 requires exceptional circumstances to be demonstrated to justify major development within a designated landscape and sets out criteria which should be applied in considering relevant development proposals. Section 245 of the [Levelling-up and Regeneration Act 2023 \(legislation.gov.uk\)](#) places a duty on relevant authorities (including local planning authorities) to seek to further the statutory purposes of a National Park, the Broads or an Area of Outstanding Natural Beauty in England in exercising their functions. This duty also applies to proposals outside the designated area but impacting on its natural beauty.

The local planning authority should carefully consider any impacts on the statutory purposes of protected landscapes and their settings in line with the NPPF, relevant development plan policies and the Section 245 duty. The relevant National Landscape Partnership or Conservation Board may be able to offer advice on the impacts of the proposal on the natural beauty of the area and the aims and objectives of the statutory management plan, as well as environmental enhancement opportunities. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to development and its capacity to accommodate proposed development.

Wider landscapes

Paragraph 180 of the NPPF highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland, or dry-stone walls) could be incorporated into the development to respond to and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape and Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Guidelines for Landscape and Visual Impact Assessment \(GLVIA3\) - Landscape Institute](#) for further guidance.

Biodiversity duty

Section 40 of the [Natural Environment and Rural Communities Act 2006 \(legislation.gov.uk\)](#) places a duty on the local planning authority to conserve and enhance biodiversity as part of its decision making. We refer you to the [Complying with the biodiversity duty - GOV.UK \(www.gov.uk\)](#) for further information.

Designated nature conservation sites

Paragraphs 186-188 of the NPPF set out the principles for determining applications impacting on Sites of Special Scientific Interest (SSSI) and habitats sites (Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). Both the direct and indirect impacts of the development should be considered.

A Habitats Regulations Assessment is needed where a proposal might affect a habitat site (see [Habitats regulations assessments: protecting a European site - GOV.UK \(www.gov.uk\)](#) and Natural England must be consulted on 'appropriate assessments' (see [Appropriate assessment - GOV.UK \(www.gov.uk\)](#) for more information for planning authorities).

Natural England must also be consulted where development is in or likely to affect a SSSI and provides advice on potential impacts on SSSIs either via the [SSSI Impact Risk Zones \(England\) \(arcgis.com\)](#) or as standard or bespoke consultation responses. Section 28G of the Wildlife and Countryside Act 1981 places a duty on all public bodies to take reasonable steps, consistent with the proper exercise of their functions, to further the conservation and enhancement of the features for which an SSSI has been notified ([Sites of special scientific interest: public body responsibilities - GOV.UK \(www.gov.uk\)](#)).

Protected Species

Natural England has produced [Protected species and development: advice for local planning authorities \(gov.uk\)](#) (standing advice) to help planning authorities understand the impact of particular developments on protected species.

Annex A –Natural England general advice

Natural England will only provide bespoke advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances. A protected species licence may be required in certain cases. We refer you to [Wildlife licences: when you need to apply - GOV.UK \(www.gov.uk\)](#) for more information.

Local sites and priority habitats and species

The local planning authority should consider the impacts of the proposed development on any local wildlife or geodiversity site, in line with paragraphs 180, 181 and 185 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity to help nature's recovery. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local environmental records centre, wildlife trust, geoconservation groups or recording societies. Emerging [Local nature recovery strategies - GOV.UK \(www.gov.uk\)](#) may also provide further useful information.

Those habitats and species which are of particular importance for nature conservation are included as 'priority habitats and species' in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest on the Magic website or as Local Wildlife Sites. We refer you to [Habitats and species of principal importance in England - GOV.UK \(www.gov.uk\)](#) for a list of priority habitats and species in England. You should consider priority habitats and species when applying your 'biodiversity duty' to your policy or decision making

Natural England does not routinely hold priority species data. Such data should be collected when impacts on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. We refer you to the [Brownfield Hub - Buglife](#) for more information and Natural England's [Open Mosaic Habitat \(Draft\) - data.gov.uk](#) (Open Mosaic Habitat inventory), which can be used as the starting point for detailed brownfield land assessments.

Biodiversity and wider environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 180(d), 185 and 186. Major development (defined in the [National Planning Policy Framework \(publishing.service.gov.uk\)](#) glossary) is required by law to deliver a biodiversity gain of at least 10% from 12 February 2024 and this requirement is expected to be extended to smaller scale development in spring 2024. For nationally significant infrastructure projects (NSIPs), it is anticipated that the requirement for biodiversity net gain will be implemented from 2025.

For further information on the timetable for mandatory biodiversity net gain, we refer you to [Biodiversity Net Gain moves step closer with timetable set out - GOV.UK \(www.gov.uk\)](#). [Biodiversity net gain - GOV.UK \(www.gov.uk\)](#) provides more information on biodiversity net gain and includes a link to the draft [Biodiversity net gain - GOV.UK \(www.gov.uk\)](#) Planning Practice Guidance.

The statutory biodiversity metric should be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. We refer you to [Calculate biodiversity value with the statutory biodiversity metric - GOV.UK \(www.gov.uk\)](#) for more information. For small development sites, [The Small Sites Metric - JP040 \(naturalengland.org.uk\)](#) may be used. This is a simplified version of the statutory biodiversity metric and is designed for use where certain criteria are met.

The mitigation hierarchy as set out in paragraph 186 of the NPPF should be followed to firstly consider what existing habitats within the site can be retained or enhanced. Where on-site measures are not possible, provision off-site will need to be considered.

Where off-site delivery of biodiversity gain is proposed on a special site designated for nature (e.g. a SSSI or habitats site) prior consent or assent may be required from Natural England. More information is available on [Sites of Special Scientific Interest: managing your land](#)

Annex A –Natural England general advice

Development also provides opportunities to secure wider biodiversity enhancements and environmental gains, as outlined in the NPPF (paragraphs 8, 74, 108, 124, 180, 181 and 186). Opportunities for enhancement might include incorporating features to support specific species within the design of new buildings such as swift or bat boxes or designing lighting to encourage wildlife.

The Environmental Benefits from Nature Tool - Beta Test Version - JP038 (naturalengland.org.uk) may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside the statutory biodiversity metric.

Natural environment - GOV.UK (www.gov.uk) provides further information on biodiversity net gain, the mitigation hierarchy and wider environmental net gain.

Ancient woodland, ancient and veteran trees

The local planning authority should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 186 of the NPPF. The Natural England Access to Evidence - Ancient woodlands Map can help to identify ancient woodland. Natural England and the Forestry Commission have produced Ancient woodland, ancient trees and veteran trees: advice for making planning decisions - GOV.UK (www.gov.uk) (standing advice) for planning authorities. It should be considered when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 180 and 181). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in the Guide to assessing development proposals on agricultural land - GOV.UK (www.gov.uk). Find open data - data.gov.uk on Agricultural Land Classification or use the information available on MAGIC (defra.gov.uk).

The Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (publishing.service.gov.uk) provides guidance on soil protection, and we recommend its use in the design and construction of development, including any planning conditions. For mineral working and landfilling, we refer you to Reclaim minerals extraction and landfill sites to agriculture - GOV.UK (www.gov.uk), which provides guidance on soil protection for site restoration and aftercare. The Soils Guidance (quarrying.org) provides detailed guidance on soil handling for mineral sites.

Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

Green Infrastructure

For evidence-based advice and tools on how to design, deliver and manage green and blue infrastructure (GI) we refer you to Green Infrastructure Home (naturalengland.org.uk) (the Green Infrastructure Framework). GI should create and maintain green liveable places that enable people to experience and connect with nature, and that offer everyone, wherever they live, access to good quality parks, greenspaces, recreational, walking and cycling routes that are inclusive, safe, welcoming, well-managed and accessible for all. GI provision should enhance ecological networks, support ecosystems services and connect as a living network at local, regional and national scales.

Development should be designed to meet the 15 GI How Principles (naturalengland.org.uk). The GI Standards can be used to inform the quality, quantity and type of GI to be provided. Major development should have a GI plan including a long-term delivery and management plan. Relevant aspects of local authority GI strategies should be delivered where appropriate.

Annex A –Natural England general advice

The [Green Infrastructure Map \(naturalengland.org.uk\)](https://naturalengland.org.uk) and [GI Mapping Analysis \(naturalengland.org.uk\)](https://naturalengland.org.uk) are GI mapping resources that can be used to help assess deficiencies in greenspace provision and identify priority locations for new GI provision.

Access and Recreation:

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths, together with the creation of new footpaths and bridleways should be considered. Links to urban fringe areas should also be explored to strengthen access networks, reduce fragmentation, and promote wider green infrastructure.

Rights of Way, Access land, Coastal access and National Trails:

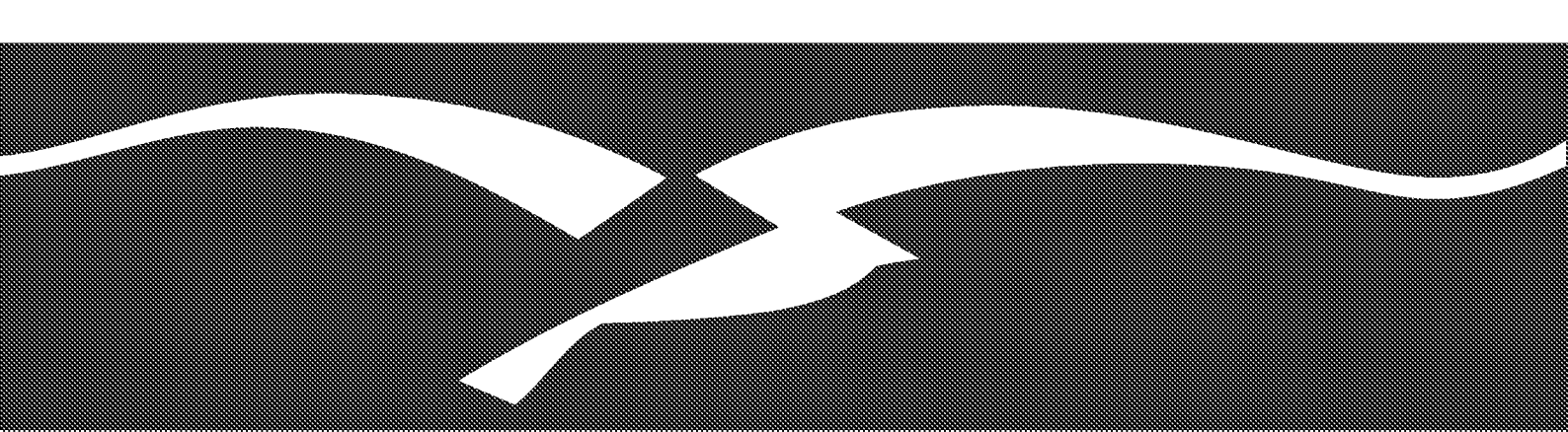
Paragraphs 105, 185, 187 and 193 of the NPPF highlight the importance of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development.

Consideration should also be given to the potential impacts on any nearby National Trails. We refer you to [Find your perfect trail, and discover the land of myths and legend - National Trails](#) for information including contact details for the National Trail Officer.

The King Charles III England Coast Path (KCIIIECP) is a National Trail around the whole of the English Coast. It has an associated coastal margin subject to public access rights. Parts of the KCIIIECP are not on Public Rights of Way but are subject to public access rights. Consideration should be given to the impact of any development on the KCIIIECP and the benefits of maintaining a continuous coastal route.

Appropriate mitigation measures should be incorporated for any adverse impacts on Rights of Way, Access land, Coastal access, and National Trails.

Further information is set out in the Planning Practice Guidance on the [Natural environment - GOV.UK \(www.gov.uk\)](#).



Habitat Regulation Assessment (HRA)

Screening and Appropriate Assessment Statement

PLEASE NOTE: Undertaking the HRA process is the responsibility of the decision maker as the Competent Authority for the purpose of the Habitats Regulations, however, it is the responsibility of the Applicant to provide the Competent Authority with the information that they require for this purpose.

As part of its duty under the Conservation of Habitats and Species Regulations 2017 (as amended) (Habitats Regulations), Arun District Council has produced this document to provide screening, and where necessary appropriate assessment, of the development proposal below.

Details of proposed development

Application ref:	AL/89/24/OUT
Application address:	Land at Woodgate Nurseries Lidsey Road Woodgate
Application description:	Outline planning with all matters reserved (except access) for the demolition of existing redundant nursery buildings and other structures and erection of a residential development of with up to 130 No. dwellings, informal and formal public open space, landscaping, drainage, and other associated works.
Status of Application:	Undecided
Proximity to SPA/SAC/Ramsar.	Is within the 12km consultation zone for the Singleton & Cocking Tunnels Special Area of Conservation (SAC)
Relevant Documents submitted by applicant:	Ecological Impact Appraisal by the Ecology Co-op dated August 2024 Ecological Impact Assessment Update by the Ecology Co-op dated 18 th October 2024
Planning Officer:	Suzanna Williams

Introduction

The competent authority (in this case Arun District Council) must be satisfied that based upon the best available scientific information and in light of any suitable mitigation measures, the proposed scheme will result in no significant adverse effects upon the integrity of the European site through appropriate measures being established, either alone or in combination with other plans or projects in the area.

Where a loss of site integrity cannot be ruled out (i.e., a ‘significant impact’ is likely to occur), the proposals may only be authorised under very exceptional circumstances (such as overriding public interest and with no viable alternative, as detailed in full under Article 6(4)).

Singleton and Cocking Tunnels SAC

The Singleton and Cocking Tunnels, a former railway tunnel, is a SSSI and a SAC, and is designated for its preservation of bat species. Bats are a legally protected species and a key reason for designation (designated feature) of the Singleton and Cocking Tunnels international site in Sussex. In addition to the SAC containing critically important maternity roosting or hibernation sites, due to the highly mobile nature of bats, it is inevitable that the area of habitat crucial to the maintenance of their populations extends beyond the physical limits of the internationally designated site for which they are an interest feature.

This is recognised through the Habitats Regulations Assessment (HRA) for the South Downs Local Plan (SDLP) and the emerging ‘Sussex Bat Special Areas of Conservation (SAC’s) – Planning and Landscape Scale Enhancement Protocol’¹. This habitat is integral to supporting bats for which the SAC is designated and is often referred to as ‘functionally linked’ or ‘supporting habitat’. Such functionally linked habitat includes foraging areas, supporting roost sites, and flight lines/commuting routes for dispersal, and connecting roosts and foraging areas.

The SAC has found Natterer’s *Myotis nattereri*, Daubenton’s *Myotis daubentoni*, brown long-eared *Plecotus auritus* and Brandt’s *Myotis brandti*/whiskered *Myotis mystacinus* and this is

¹ South Downs National Park and Natural England, Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol. Available at: <https://www.southdowns.gov.uk/wp-content/uploads/2018/04/TLL-15-Draft-Sussex-Bat-SAC-Protocol.pdf>

the only known location in Britain for the mouse-eared bat *Myotis myotis*. The SAC has been designated due to the significant presence of the below bat species:

Barbastelle bat *Barbastellus barbastellus*: Barbastelle bats are thought to generally forage along linear features in pastoral landscapes including deciduous woodland, wet meadows and waterbodies. Barbastelles appear to select cracks and crevices in wood for breeding, mostly in old or damaged trees, but cracks and crevices in the timbers of old buildings may also be used. Maternity colonies may move between suitable crevices within a small area, such as a piece of woodland or a complex of buildings. Caves and underground structures may be used for hibernation. The species is very sensitive to disturbance, together with the loss of roost-sites and food resources.

Bechstein's bat *Myotis bechsteinii*: The species is closely associated with mature deciduous woodland and appears to select old woodpecker holes or rot holes in trees for breeding. It also occurs in coniferous woodland in some areas. Maternity colonies may move between suitable crevices within a small area, such as a piece of woodland. It is believed to hibernate in hollow trees and sometimes in underground localities. Foraging is typically in and around woodland.

The conservation objectives² of the SAC are to maintain or restore:

- The extent and distribution of the habitats of qualifying species
- The structure and function of the habitats of qualifying species
- The supporting processes on which the habitats of qualifying species rely
- The populations of qualifying species, and,
- The distribution of qualifying species within the site.

The SDLP and its HRA take a precautionary approach and identify two zones, a 6.5km zone and a 12km zone.

- Within the 6.5km zone all impacts to bats should be considered. These include direct loss to the SAC itself and direct impacts on the SAC itself. It also includes loss or impacts on functionally linked habitat including roosts, greenfield sites, mature vegetation including woodland and hedgerows and riverine environments suitable for foraging areas and flight lines. In addition to direct loss, impacts may arise from

² Natural England (2019) Conservation Objectives and Supplementary Advice for The Singleton & Cocking Tunnels SAC
<http://publications.naturalengland.org.uk/publication/6518329883754496>

disturbance, lighting, or sound/vibration for example during construction. No part of this zone affects the Arun District area.

- Within the 12km zone significant impacts or severance to flight lines should be considered. This includes physical severance of flight lines and severance via impacts such as disturbance which would effectively render it severed if no longer suitable for use by bats, for example, due to lighting impacts. Linear features connected to the wider landscape including mature vegetative features such as woodlands, hedgerows, riverine and wetland habitat should be considered.

Stage 1: Screening

Stage 1: Screening – the ‘Likely Significant Effects test’.

Screening under Regulation 63(1)(a) of the Habitats Regulations – Could there be likely significant effects, alone or in combination with other plans or projects? The assessment must exclude the consideration of mitigation measures following the ‘Sweetman II’³ judgement.

Note that the Sussex Bat Protocol 6.5km and 12km zones have been specifically set in order to capture ‘in combination’ effects that would arise from a small number of developments delivered over a wide area. As such, provided these zones are used a separate explicit ‘in combination’ assessment may not be needed.

Screening Assessment

- (a) Is the development within the Sussex Bat Protocol zones, as identified in the South Downs National Park Local Plan Policy SD10?
- Yes, the development is located within the 12km zone for the Singleton & Cocking Tunnels SAC
- (b) Will there be potentially significant impacts or severance to flight lines of the relevant Sussex Bat SAC(s)?
- Yes

The site comprises sparsely vegetated land, bramble scrub, modified grassland, individual trees, hedgerows, developed land, buildings and running water (consisting of a drainage ditch). It is bordered by farmland and a former plant nursery business.

The site was considered as part of the Ecological Impact Assessment carried out in October 2024 however, follows previous appraisals of the site.

³ The Court of Justice of the European Union (CJEU) judgement in the case of ‘People over Wind and Peter Sweetman v Coillte Teoranta’ (Sweetman II) determined that mitigation (i.e., measures that are specifically introduced to avoid or reduce the harmful effects of a plan or project on European sites) should not be taken into account when forming a view on likely significant effects (i.e. at the screening stage). Mitigation should instead only be considered at the appropriate assessment stage. Appropriate Assessment is not a technical term: it simply means ‘an assessment that is appropriate’ for the plan or project in question’. As such the law purposely does not prescribe what it should consist of or how it should be presented.

There are 107 trees on site, which vary in importance with some potential for roosting bats.

Several redundant buildings within the site were also assessed as part of the appraisal, for which there is also roosting potential. An emergence survey was carried out. No bats were identified emerging from the tree. Bat activity in the area was low with one common pipistrelle *Pipistrellus pipistrellus* and one soprano pipistrelle *Pipistrellus pygmaeus* foraging in the area during the evening. The tree climbing inspection identified a small number of common pipistrelle droppings in a potential roost feature. No roosting bats were found.

It is understood that the proposed scheme will not affect any trees or buildings that have potential roosting features suitable for bats. Therefore, no adverse effects on bat roosts in trees are predicted.

However, the proposed development has potential to result in disturbance to commuting and foraging bats, both during construction and in the long term after completion, particularly through increased artificial lighting, which can disrupt commuting corridors. Loss of habitat of significant importance to bats is likely to be minimal as the majority of tree and hedgerow habitats are retained within the site

Based on the information available, and the likely significant presence of bats and commuting corridors within the site, the proposal has the capacity to disturb foraging and commuting bats due to:

- Construction disturbance (air, noise, vibration, and light pollution).
- Light Pollution through residential development, and ancillary infrastructure such as highways and street lighting.
- Removal of trees and habitats used for roosting, commuting and foraging.
- Cumulative impacts from nearby development.

If yes to both questions proceed to screening conclusion where it can be concluded that there will be likely significant effects.

If no to the above it can be concluded that there will not be likely significant effects.

Screening Conclusion

- (c)** Could the development proposal lead to likely significant effects, alone or in combination with other plans or projects?

Yes – Based on the assessment above likely significant effects on The Singleton & Cocking Tunnels SAC cannot be ruled out.

(If yes, continue to Stage 2. If no, proceed to Overall Conclusion)

Stage 2: Appropriate Assessment

Stage 2: Appropriate Assessment – the 'Integrity Test'

Appropriate Assessment under Regulation 63(1) - if there are any potential significant impacts, the applicant must provide evidence showing avoidance and/or mitigation measures to allow an Assessment to be made as to whether there could be 'adverse effects on the integrity of the relevant European site(s), alone or in combination with other plans or projects. The Applicant must also provide details which demonstrate any long-term management, maintenance and funding of any solution.

Introduction

The Council's Ecology Officer has raised no objection to the scheme subject to any works which will potentially impact the breeding/resting place of dormice shall not in any circumstances commence unless the Local Planning Authority has been provided with either:

- A licence issued by NE to allow activity/development to go ahead,
- A statement in writing from NE to the effect that it does not consider that the specified activity/development will require a licence.

The Ecology Officer also concluded that all works are to be completed as per the EcIA which allows for enhancements and BNG on site.

Impact and Avoidance measures have been set out in section 5 of the Ecological Impact Assessment.

Construction Impacts

Mitigation measures for construction impacts could be addressed through a suitably worded planning condition. This could help ensure wildlife friendly lighting during construction, restrictions on lighting in certain areas, and minimisation of disturbance along key routes during high bat activity periods.

The EcIA indicates that there would be specific enhancements as part of the proposals, these include:

- sowing of SuDS features with species-rich wetland wildflower mixtures such as Mixture EM8 by Emorsgate seeds. This mixture must include no less than 20 native grass and wildflower species sown in the early spring or early autumn. Once established it must not be cut more than twice per year and its management must follow the prescriptions set out within the LEMP.
- neutral wildflower meadow grassland will be established in new greenspace areas,

particularly the areas identified as 'Natural and Semi-natural open space' in Figure 2. The most appropriate seed mixture for this area would be EM3 by Emorsgate seeds, containing 29 native grass and wildflower species.

- new native hedgerow planting will be used to create new boundaries with access roads and other features. These hedgerows will be planted at a density of five hedge trees per linear metre and will comprise of 50% hawthorn *Crataegus monogyna*, with not less than five additional native tree species forming the remainder of the planting mix, including species such as blackthorn *Prunus spinosa*, dogwood *Cornus sanguinea*, field maple *Acer campestre*, hazel *Corylus avellana*, purging buckthorn *Rhamnus cathartica*, wild privet *Ligustrum vulgare* and guelder rose *Viburnum opulus*.
- the provision of no less than 35 new features for roosting bats, including ten cavity wall boxes such as the habibat bat box or vivara pro build-in WoodStone bat box, ten crevice roosting features for buildings, such as the Schwegler 2FE wall mounted shelter or Beaumaris woodstone bat box and fifteen tree mounted bat boxes, such as the general purpose bat box.
- the provision of 45 new features for nesting birds, including 10 swift boxes, 10 house martin cups, 10 house sparrow terraces and 15 general purpose bird boxes

All of these matters could be secured by way of condition.

Habitat Loss and Lighting (Development Design)

The layout of the outline part of the application remains to be determined, and as such a lighting scheme could be suitably conditioned as part of the Reserved Matters application. In addition, orientation, window openings and other design matters impacting upon flight lines could be dealt with at reserved matters stage.

Other than the access forming part of the outline planning application, all other matters are reserved.

Appropriate Assessment Conclusion

Based on the information submitted, the proposal has **the potential to cause impact, however, the LPA are satisfied that this will be appropriately mitigated by the protective measures above** which should not impact upon the integrity of the Singleton & Cocking Tunnels SAC alone or in combination with other plans or projects.

It is therefore concluded that the proposed development, subject to relevant conditions on any approval, would not result in adverse effects on the integrity of the Singleton & Cocking Tunnels SAC alone or in combination with other plans or projects.