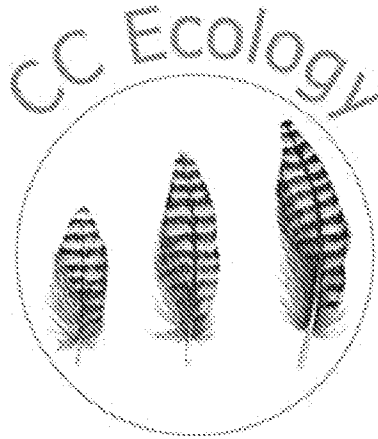




CC Ecology Ltd
44 Allbrook Hill
Eastleigh
Hampshire
SO50 8XX

Ms Catherine Craig

By Email: [REDACTED]

20th March 2022

Dear Catherine,

Re: 8 Gossamer Lane, Aldwick – Preliminary Ecological Appraisal

Thank you for commissioning CC Ecology to undertake a Preliminary Ecological Appraisal (PEA) survey of a site proposed for development on land within the front garden of 8 Gossamer Lane, Aldwick, Bognor Regis (the Site). We have completed a site visit and undertaken a desktop study, including a search for protected species records and statutory wildlife sites within 2 km of the site. I am now writing to inform you of the results of the PEA Survey, any ecological constraints to the proposals for the site and any recommendations for further ecological work and enhancements for biodiversity.

The approach taken within the PEA is in line with guidance in the Chartered Institute of Ecology and Environmental Management (CIEEM) *Guidelines on Ecological Impact Assessment: Terrestrial, Freshwater and Coastal (2018)*. In undertaking this appraisal due regard has been paid to relevant Government Planning Policy (in particular the National Planning Policy Framework), conservation policy under the local planning system, legislation providing protection for sites and species of nature conservation priorities under UK and Hampshire Biodiversity Action Plans. Details of relevant legislation and policy are included within the attached **Annex 1**.

Outline of the Scheme

I understand that you intend to submit a planning application for the construction of a new detached bungalow on land within the front garden of 8 Gossamer Lane, which will be accessed by a new driveway off Gossamer Lane.

Background Information

The land proposed for development is currently part of the amenity garden of the existing house (8 Gossamer Lane). Other properties to the south west of the Site have been developed in the same manner with single detached dwellings in each of the residential property gardens.

Site Context and Zone of Influence

The Site known as 8 Gossamer Lane, is located within a moderate density residential area known as Aldwick in the centre of Bognor Regis, West Sussex. The Site is situated around 700m north of the coastline and Bognor Reef Site of Special Scientific Interest (SSSI) which has been designated due to its coastal vegetated shingle. 3km to the south west of the Site is Pagham Harbour which is designated as a Ramsar, Special Protection Area (SPA) and SSSI.

The Site lies within the SSSI Impact Risk Zone for the Statutory Protected Sites described above which requires planning applications to be assessed for likely impacts on SSSIs and other statutory nature conservation sites.

In order to highlight the potential ecological effects of the proposed development, it is necessary to identify the area, known as the "Zone of Influence" (ZOI), within which activities associated with the sites proposals are likely to affect valued ecological features. The proposed construction of a new residential dwelling will require the stripping of existing vegetation from the Site to make way for the new building, access driveway and garden. During the construction phase there is likely to be additional noise, light and dust. The addition of a new dwelling within the area has the potential to increase recreational pressure on statutory protected nature conservation sites.

LPAs are asked to consult Natural England on developments that are located within the Impact Risk Zones that fall within certain categories. Natural England's MAGIC Map (<http://magic.defra.gov.uk/>) states that: the "LPA should consult Natural England on likely risks from the following: *"Any residential developments with a total net gain in residential units..."* It should be noted that any new residential development in this area is likely to be required to provide financial contributions in order to mitigate increased recreational disturbance on statutory protected sites. In accordance with the Local Plan policy ENV DM2 (Arun District Council, 2018) a contribution to access management at Pagham Harbour will be required in order to mitigate impacts of increase visitor numbers.

Other than the above impacts of increased residential accommodation at 8 Gossamer Lane on Statutory Designated Site in the wider landscape. I don't anticipate the zone of influence to extend much beyond the boundary of the Site. Habitats on site that will be impacted upon may support protected species whose home ranges could extend further than the site boundary, although none that would be associated with the protected sites, as described above.

Habitats and Features

8 Gossamer Lane was visited on 3rd March 2022 in order to carry out a Preliminary Ecological Appraisal (PEA) of the Site. A PEA is essential an Extended Phase 1 Habitat Survey involved the mapping of habitats within the site boundary and assessment of the habitats within the zone of influence of the development for their potential to support protected species. The PEA also assessed the potential for any proposed development to impact on valued habitats or species within the zone of influence of any proposals. A description of the methodology involved is included in **Annex 2**.

Photos of the Site are included in **Annex 3**.

The Site is relatively small (approximately 1000 square metres) and comprised of a limited number of habitat types.

The most extensive habitat type on site comprised of mown grasslands dominated by grasses and in places the common moss *Ryhtidiadelphus squarrosus*, with a number of grass species likely, including Yorkshire Fog *Holcus lanatus*, Meadow Grasses *Poa sp.*, Rye Grass *Lolium perenne*, Cocksfoot *Dactylis glomerata*, and Bent Grass *Agrostis sp.*

The existing driveway bounds the site to the east and to the north (between the lawn area and the existing house) and this wraps around to the western side of the Site where it is included within the Site boundary.

On the western boundary of the Site a tall and dense Beech *Fagus sylvatica* hedge is present between the Site and the neighbouring property.

The southern boundary of the Site comprises narrow strip including a more tussock grassland, mixed ornamental shrub planting, and some low Bramble *Fructicosis agg.* A small Silver Birch *Betula pendula* and snow drops are also present within the southern border of the Site.

No habitats of significant intrinsic nature conservation value were noted within the site boundary during the survey, although some habitats may have limited potential to support protected species.

As there are no habitats within the Site boundary with any intrinsic nature conservation value, I don't anticipate any impact on valuable habitats. I do however recommend planting of new native hedgerows within the scheme in order to enhance the Site for biodiversity.

Bats

No trees within the Site boundary were found to have potential to support roosting bats. The house at 8 Gossamer Lane is located outside of the Site boundary and no works to the house are proposed, however the building does have potential to support roosting bats.

Impacts on bats will be limited to any increase of lighting on the Site. Some species of bat, particularly long-eared (*Plecotus*) sp., are sensitive to increased light levels and therefore I recommend that no unnecessary external lighting is installed. Any lighting that is deemed necessary should be low level, directional and of a low lux level. Any lighting used on site should be of a type with zero incident light splay above 90° to the horizontal plane and utilise appropriate spectral frequencies, with peak wavelengths higher than 550nm, as recommended by the Institute of Lighting Professionals and Bat Conservation Trust (Guidance Note 08/18, 2018) (Available at: <https://cdn.bats.org.uk/pdf/Resources/ilp-guidance-note-8-bats-and-artificial-lighting-compressed.pdf?mtime=20181113114229>).

Reptiles

The habitats within the Site boundary are considered to have limited current potential to support common and widespread species of reptile. The mown lawn which comprises the majority of the Site is unsuitable for reptiles as it lacks any of the typical tussock structure favoured by these species and there are limited natural refugia for reptiles. The narrow strip of more tussock grassland has low potential to support the more common and widespread species of reptile, most likely Slow Worm *Anguis fragilis*, which are more often found in garden settings. If this species is present within surrounding garden habitats there is potential for this species to be present in low numbers within the southern boundary, however the potential is limited due to the small size of the area and its relative isolation from other more suitable habitats in the area.

If the southern boundary habitats are required to be removed to facilitate the construction works it is recommended that the works are carried out under a precautionary method statement and therefore I recommend that works to these areas are timed within the active reptile season (April-October inclusive) to avoid disturbing hibernating animals. A suitably qualified ecologist should be present to supervise and move any reptiles found before or during the work, to areas of retained habitat within the Site boundary.

Due to the low impact of the proposals, I don't anticipate there will be a need to assess the presence or likely absence of animals through further survey. I recommend that in the meantime the mown lawn is continued to be managed to maintain a short sward that is unsuitable for reptiles and thus ensuring that no animals disperse into the construction zone from adjacent areas prior to the start of the construction period.

Amphibians

There are records of common toad *Bufo bufo*, common frog *Rana temporaria*, Smooth Newt *Lissotriton vulgaris* and palmate newt (*Lissotriton helveticus*) within 2km of the Site boundary. The closest record for Great Crested Newts (*Triturus cristatus*) is located approximately 5km to the east of the Site.

A small, raised pond is located within the rear garden of the house which is currently dry. Two ponds are located within 500m of the Site both associated with drains and ditches within the area. The closest is approximately 100m to the north east of the Site and could not be viewed at the time of the PEA due to it being on private land. The larger pond located 330m to the north east is a public village pond that supports a high population of Koi Carp and water fowl and with a lack of suitable surrounding terrestrial habitat and connectivity to other ponds and suitable terrestrial habitats the pond was considered to be of low potential to support Great Crested Newts.

Habitats within the Site boundary are considered to be largely unsuitable for terrestrial amphibians. The more tussocky grassland along the southern boundary may have some limited potential to support the more common and widespread species of amphibian.

Given the lack of suitable habitat on Site and the absence of the more optimal patchwork of habitats favoured by Great Crested Newts within the surrounding landscape, and the lack of connectivity in a generally urban environment, it is considered unlikely that this species would be present on Site and are therefore unlikely to be affected by the proposed development.

Badgers

No evidence was found of badgers using the site. There was no evidence of snuffle holes and no visible mammal tracks around site boundaries which may indicate the Site is used as a commuting route or by feeding badgers. It is considered unlikely badgers would be impacted by the proposed development.

Nesting Birds

The hedgerow along the western boundary as well as trees and shrubs along the southern boundary of the Site have some suitability for nesting birds. Proposals show all hedgerows and trees are protected and retained post-development, thus preserving nesting opportunities for bird species.

All nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended). To avoid contravention of protected species legislation, any necessary removal of woody vegetation above 50cm associated with the development must be scheduled to avoid peak bird nesting season (which runs from 01st March to 31st August, inclusive), unless prior inspection by an ecologist concludes that there are no nesting birds present immediately prior to the commencement of works. If the presence of nesting birds is confirmed, any works which may disturb them will be delayed until the young birds have fledged the nest of their own accord.

Dormice

There are no records of Dormouse *Muscardinus avellanarius* within 5km of the Site boundary. The Site is very disconnected to more suitable habitats for this species and habitats on Site were considered

unsuitable for dormice. It is therefore considered unlikely that this species is present within the Site boundary.

Summary and Recommendations

Having completed a PEA survey of the site of the land within the front garden of 8 Gossamer Lane, none of the habitats within the Site boundary are considered to have any significant intrinsic nature conservation value. However, it is recommended that any enhancements include the planting of new native hedgerows to enhance the area for biodiversity. Further recommendations for enhancements for biodiversity are listed below

Given the nature and scale of the proposals, no further protected species surveys are considered necessary or appropriate. No protected species were recorded during the PEA and given the types and extent of existing habitats, the Site is considered unlikely to support populations of protected or notable species, although there is some limited potential for widespread species of reptile (most likely Slow Worm) to be present within the small area of tussock grassland along the southern boundary. If works are proposed to take place to clear tussock grasslands on the southern boundary it is recommended that these carried out under a precautionary method statement.

Boundary habitats do have the potential to support nesting birds. Proposals shows these features are to be retained following development. If any vegetation with the potential to support nesting birds needs to be removed this should be undertaken outside of the nesting bird season or under the direct supervision of an ecologist.

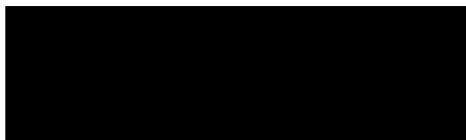
Due to the proximity of the Site to the Pagham Harbour SSSI, SPA and Ramsar it is likely that an increase in the number of residential dwellings within this area will have a negative impact on the integrity of the SPA alone and in combination with other plans or projects. If approved, it will be necessary to make a contribution to the Habitats Regulations Mitigation Package to offset the impacts that increased recreational pressures will have on the SPA.

The *National Planning Policy Framework (NPPF, 2018)* states that policies and planning decisions should aim to maintain, and enhance, restore or add to biodiversity and geological conservation interests'. For 8 Gossamer Lane, I recommend undertaking the following enhancements:

- Planting new native hedgerows (with fruiting species) along the new boundaries of the Site; and
- Installing integrated bird and bat boxes on the new building.

I trust the advice within this letter is clear and helpful, but should you wish to discuss any of the issues raised in this letter further please do not hesitate to contact me.

Yours sincerely



Claire Clarke BSc (Hons) ACIEEM
Director and Principal Ecologist

LEGISLATION

CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017

The Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations) transpose Habitats Directive into UK legislation. The Habitats Regulations provide for the designation and protection of European Sites and European Protected Species. European Sites include Special Areas of Conservation (SACs) and Special Protection Areas (SPAs), which form part of the Natura 2000 network of protected areas across Europe.

European Protected Species (EPS) are those listed under Schedule 2 of the Habitats Regulations and include dormouse, great crested newt, otter and all species of bat. The regulations prohibit the deliberate capture, killing or disturbance of any EPS; it is also an offence to damage or destroy a breeding site or resting place of any of these species. In order to carry out a lawful operation (e.g. development work which has full planning permission) that may result in an offence under the Habitats Regulations, it is necessary to obtain a licence from Natural England. EPS Licences will only be granted after Natural England has been satisfied that there are no satisfactory alternative and that there will not be any adverse impacts on the favourable conservation status of the species.

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside Act 1981 is the principle piece of legislative protection of wildlife in Great Britain. Various amendments have occurred since the original enactment. The Wildlife and Countryside Act contains both habitat and species protection. Certain bird, animal and plant species are afforded protection under Schedules 1, 5 and 8 of the Act. Measures for the protection of the countryside, National Parks, Sites of Special Scientific Interest (SSSIs) are also included within the Act.

COUNTRYSIDE AND RIGHTS OF WAY ACT 2000

The Countryside and Rights of Way (CROW) Act 2000 adds to the protection afforded in the WCA to SSSI's and other important sites for nature conservation. In addition, under the Act it became a criminal offence to "recklessly disturb" Schedule 1 nesting birds and species protected under Schedule 5 of the Wildlife and Countryside Act. It also enabled heavier penalties on the conviction of wildlife offences.

THE NATURAL ENVIRONMENT AND RURAL COMMUNITIES ACT 2006

The Natural Environment and Rural Communities (NERC) Act 2006 improved wildlife protection by amending the WCA. The main function of the NERC Act was to raise the profile of biodiversity amongst public authorities. Section 40 (S40) of the Act places a 'Biodiversity Duty' on all public bodies to have regard to the conservation of biodiversity when carrying out their normal functions.

PLANNING POLICY

NATIONAL LEVEL - THE NATIONAL PLANNING POLICY FRAMEWORK (NPPF, 2019)

The revised National Planning Policy Framework (2019) (available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/779764/NPPF_Feb_2019_web.pdf) sets out the Government's planning policies for England and how these should be applied. Section 15 of the NPPF provides guidance on conserving and enhancing the natural environment through the planning system. This guidance replaces *Planning Policy Statement 9 (PPS9) Biodiversity and Geological Conservation*. Section 15, Paragraph 170, of the NPPF specifies that the planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

In consideration of habitats and biodiversity, Paragraph 174 states plans should:

- Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and
- promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

Paragraph 175 states when determining planning applications, local planning authorities should apply the following principles:

- if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

GOVERNMENT CIRCULAR 06/05: BIODIVERSITY AND GEOLOGICAL CONSERVATION

The Government Circular 06/05 provide guidance on the application of the law relating to planning and nature conservation. It was originally produced to accompany PPS9, and although some of the information contained within it is now out of date, paragraphs 98 and 99 of the document remain relevant.

Paragraph 98 states that *“the presence of protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitats”*

Paragraph 99 states that *“it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted”*

REGIONAL PLANNING POLICY

The Test Valley Borough Council Adopted Local Plan 2011-2029 (2016) (available at: <https://www.testvalley.gov.uk/planning-and-building/planningpolicy/local-development-framework/dpd>) sets out the long term spatial planning strategy for the region.

PHASE 1 SURVEY METHODOLOGY

An ecological appraisal is essentially a Phase 1 survey which aims to:

- Highlight any features of particular ecological value;
- Identify potential impacts to ecology as a result of the proposals;
- Identify any issues that may have legal or planning policy implications, such as the presence of protected or notable species;
- Identify any features that have the potential to significantly constrain future development proposals;
- Make recommendations for any further ecological work (such as targeted protected species surveys) that might be required to fully assess the value of the site and the likely impacts; and
- To recommend measures that could be undertaken to enhance biodiversity or to mitigate adverse impacts.

Desk Study

Prior to undertaking the walk over survey a desk study was carried out in order to gather information on the existing biodiversity of the site and the surrounding area. Internet sources such as the Multi-agency Geographic Information for the Countryside (MAGIC) and the National Biodiversity Network (NBN) were consulted for contextual information on wildlife sites and records of protected species within vicinity to the site.

FIELDWORK METHODOLOGY

Within the site boundary the main land use, habitat types and specific features were mapped and described. Vegetation communities and plant species were recorded. Consideration was given for the presence of protected species through a combination of searching for evidence and noting the potential for protected species to be using various habitats within the site boundary and the zone of influence.

Badgers

The habitat within and immediately adjacent to the site boundary was considered for its potential to support badgers both for foraging and the presence of setts. The site was also searched for evidence of badgers such as holes, dung piles, snuffle holes, mammal tracks and hairs.

Bats

During the survey features such as buildings and trees were assessed for their potential to support roosting bats. Where possible an inspection of potential roost features was undertaken. Buildings are inspected internally and externally for evidence that bats may be using or have previously used the building for roosting. Such evidence may include:

- The presence of bats;
- Bat droppings on surfaces inside and on the external fabric of the building; or
- Staining or scratch marks.

Potential roosting opportunities are also noted and an assessment made on the building's potential to support bats.

A survey of the trees noted any potential roost opportunities such as woodpecker holes, peeling bark, splits and cracks.

Inspection of potential roosting opportunities on both the building and trees was undertaken using close focusing binoculars and a bright torch to search cavities.

An assessment of the surrounding habitats was made of potential bat foraging habitat.

Reptiles

The habitats were assessed for their suitability to support species of reptile. Habitats with the potential to support reptiles such as rough grassland, log piles, compost heaps, scrub, banks, burrows, water bodies etc were noted and mapped.

A visual search for reptiles was undertaken by walking over the site and watching potential reptile basking spots, natural refugia such as logs and any garden refuge were also turned over.

Amphibians

Consideration was given to the presence of habitats with the potential to support species of amphibians. Habitats with the potential to support amphibians include ponds, ditches, woodland, scrub etc.

Birds

The suitability of the habitats was assessed for their potential to support nesting birds. Any birds seen whilst carrying out the survey were recorded.

Dormouse

The suitability of habitats within the site boundary and the zone of influence for supporting dormice was recorded during the survey. Woodland and hedgerows were assessed, in particular the presence of hazel, oak and fruit bearing species was noted. In addition aerial maps were consulted to assess the connectivity of the habitats present.

Invertebrates

Habitats and features likely to support notable species of invertebrate were recorded for example woodland, dead wood, herb rich grasslands etc.



Mown lawn and existing driveway on eastern boundary of the application site. Looking towards 8 Gossamer Lane House. Driveway and house to be retained.



The western boundary of the Application Site looking towards the existing house from Gossamer Lane. The tall beech hedge along the western boundary, drive and mown lawn.



Rough grassland along the southern boundary of the Site. The area is small and isolated.

