

Date: 17 October 2017
Our ref: 226165
Your ref: BE/113/17/RES



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BY EMAIL ONLY

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Dear Mr Innes

Planning consultation: BE/113/17/RES Reserved Matters application following outline consent BE/142/15/OUT & BE/18/17/PL for appearance, landscaping, layout & scale for a mix of up to 90 residential units, associated open space, landscaping, access & parking.

Location: Land West of New Barn Lane, Bersted

Thank you for your consultation on the above dated 11 September 2017 which was received by Natural England on 13 September 2017.

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

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

Whilst we recognise this is a reserved matters application, we note that this falls within 5km of the Pagham Harbour Special Protection Area (SPA) and Ramsar site. We therefore consider that without appropriate mitigation the application would be likely to have a significant effect through recreational disturbance on Pagham Harbour Special Protection Area (SPA) and Ramsar site, in combination with other residential proposals in the area.

In order to mitigate these adverse effects and make the development acceptable, an appropriate contribution should be made to the strategic approach to access management at Pagham Harbour.

Further advice on mitigation

Mitigation measures for recreational disturbance to SPA birds

Appropriate financial contributions should be made to the Pagham Harbour strategic access management and monitoring (SAMM) project for the net new housing. This strategic approach to mitigating recreational disturbance resulting from new residential development around Pagham Harbour takes the form of a package of measures comprising wardening in perpetuity to encourage responsible use of the harbour; a dog project including website and events; contribution to signage and interpretation; and monitoring.

Additional housing to meet the district's objectively assessed need is being considered through the Local Plan process, and is assessed in Arun District Council's Stage 3 Report: Appropriate Assessment document dated February 2017. The level of mitigation to address these increased

housing numbers has been agreed. Natural England is satisfied that provided appropriate financial contributions are made to the new, scaled-up level of mitigation, a likely significant effect from increased recreational disturbance can be ruled out.

SSSIs

Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, and subject to the comments above, will not damage or destroy the interest features for which the Pagham Harbour SSSI has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details change, Natural England draws your attention to Section 28(1) of the *Wildlife and Countryside Act 1981* (as amended), requiring your authority to re-consult Natural England

Other advice

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.

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

[REDACTED]

Should the proposal change, please consult us again.

Yours sincerely

Louise Diez
Area Team 14, Sussex and Kent

Annex A – Additional Advice

Natural England offers the following additional advice:

Landscape

Paragraph 109 of the National Planning Policy Framework (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. You may want to consider whether any local landscape features or characteristics (such as ponds or hedgerows) could be incorporated into the development in order to respect 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 & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the Landscape Institute Guidelines for Landscape and Visual Impact Assessment for further guidance.

Protected Species

Natural England has produced [standing advice](#)¹ to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Environmental enhancement

Development provides opportunities to contribute to and enhance biodiversity and the local environment, as outlined in paragraph 109 and 118 of the NPPF. We advise you to consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Examples might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips).
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Biodiversity duty

Your authority has a [duty](#)² to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#)³.

¹ <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

² <http://www.legislation.gov.uk/ukpga/2006/16/section/40>

³ <https://www.gov.uk/guidance/biodiversity-duty-public-authority-duty-to-have-regard-to-conserving-biodiversity>