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From: SM-NE-Consultations (NE) [REDACTED]
Sent: 02 December 2021 10:17
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: BE/163/21/PL Consultation Response

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Dear Sirs,

Application ref: BE/163/21/PL

Our ref: 375304

Thank you for contacting Natural England regarding the above-mentioned development.

Since this application will result in a net increase in residential accommodation, impacts to the coastal Special Protection Area(s) and Ramsar Site(s) may result from increased recreational disturbance. Your authority has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound.

Subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential recreational impacts of the development on the site(s). However, our advice is that

this proposed development, and the application of these measures to avoid or reduce the likely harmful effects from it, may need to be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment in view of the [European Site's conservation objectives](#) and in accordance with the Conservation of Habitats & Species Regulations 2017.

This is because Natural England notes that the recent [People Over Wind Ruling](#) by the Court of Justice of the European Union concluded that, when interpreting article 6(3) of the Habitats Directive, it is not appropriate when determining whether or not a plan or project is likely to have a significant effect on a site and requires an appropriate assessment, to take account of measures intended to avoid or reduce the harmful effects of the plan or project on that site. The ruling also concluded that such measures can however be considered during an appropriate assessment to determine whether a plan or project will have an adverse effect on the integrity of the European site. Your Authority should have regard to this and may wish to seek its own legal advice to fully understand the implications of this ruling in this context.

Natural England advises that it is a matter for your Authority to decide whether an appropriate assessment of this proposal is necessary in light of this ruling. In accordance with the Conservation of Habitats & Species Regulations 2017, Natural England must be consulted on any appropriate assessment your Authority may decide to make.

Natural England has not assessed this application for impacts on protected species. Natural England has published [Standing Advice](#) which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

We recommend referring to our SSSI Impact Risk Zones (available on [Magic](#) and as a downloadable [dataset](#)) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>.

Yours faithfully,

Judy Connell
Consultations Team Worcester Hub
Natural England

From: Hasler, Luke [REDACTED]
Sent: 26 November 2021 13:21
To: SM-NE-Worcs LUP Hub (NE) [REDACTED]
Subject: RE: 2021-12-10 375304 AREA TEAM 14 1 dwelling Arun BE/163/21/PL

Hi Hub,

Can this please be returned to the LPA with the following letter attached

Many thanks

Luke

From: SM-NE-Worcs LUP Hub (NE) [REDACTED]
Sent: 24 November 2021 09:09
To: SM-Defra-Plan Cons Area Team (Sussex and Kent) (NE) [REDACTED]
Subject: 2021-12-10 375304 AREA TEAM 14 1 dwelling Arun BE/163/21/PL

RTH – Pagham Rec. Disturbance (no hra/aa)

Hi,

Please find attached checklist for your attention.

Kind regards.

Judy

Judy Connell
Consultations Team Worcester Hub
Natural England
[REDACTED]

From: planning.responses@arun.gov.uk <planning.responses@arun.gov.uk>
Sent: 19 November 2021 09:06
To: SM-NE-Consultations (NE) [REDACTED]
Subject: Planning Consultation on: BE/163/21/PL

To: **Natural England**

NOTIFICATION FROM ARUN DISTRICT COUNCIL

Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order 2015 - Articles 16 & 18 Consultation before the grant of permission

Planning Permission

Application No: BE/163/21/PL
Registered: 16th November 2021
Site Address: 22 Osprey Gardens Bersted PO22 9QG
Grid Reference: 493064 101042
Description of Works: Erection of 1 No. dwelling. This site is in CIL Zone 4 and is CIL Liable as a new dwelling.

The Council have received the above application.

[Click here to view the application details](#)

This application has been identified as CIL Liab. Therefore please be aware that, in accordance with Appendix 2 of the Arun CIL Charging Schedule, your consultation response should only include requests for Section 106 for onsite mitigation, Pagham Harbour Management Contributions (if applicable) or Affordable Housing. "Off" Site mitigation measures directly related to this development should be dealt with by condition if possible to ensure the scaling back of Section 106 if possible. CIL contributions will be used for "off" site infrastructure mitigation schemes. Therefore if this proposal triggers the need for "off" site mitigation, please ensure that you engage in the CIL Infrastructure List Consultation process upon receipt of a consultation letter.

Should you have any comments to make, these should be sent by replying to this email by 23rd December 2021 . You can also monitor the progress of this application through the Council web site:

<https://www.arun.gov.uk/planning-application-search>

Please be aware that any comments you may make will be available on our website so please do not insert personal details or signatures on your reply.

Should the application go to appeal the Planning Inspectorate will publish any comments made to the Council on their website: <https://acp.planninginspectorate.gov.uk/> but they will protect personal details.

In the absence of a reply within the period stated, I shall assume that you have no observations to make

Yours sincerely

Maria Tomalova

Planning Officer- Arun District Council

Telephone: 01903 737510

Email: maria.tomalova@arun.gov.uk

PLCONSULT (ODS) 2620

<http://www.arun.gov.uk>

DX 57406 Littlehampton

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