Habitat Regulation Assessment (HRA) Appropriate Assessment Statement

APPLICATION DETAILS

Application ref	BN/112/21/PL
Application address:	Land adj to 14 Stoneyfield Cottages Eastergate Lane
Application description	1 No. 4 bed detached dwelling and associated parking and gardens.
Status of Application:	Undetermined
Proximity to SPA/SAC/Ramsar	Within the 12km consultation zone for the Singleton & Cocking Tunnels Special Area of Conservation (SAC)
Planning Officer:	Amber Willard

INTRODUCTION

The site is within the 12km 'consultation zone' for the Singleton and Cocking Tunnels SAC. The conservation objectives for 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.

HABITAT REGULATION ASSESSMENT PROCESS

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)). The recent (2017) CJEU judgement 'People Over Wind and Sweetman vs. Coillte Teoranta (C-323/17)' has changed the way in which Competent Authorities must address the HRA process. Any measures that are incorporated into a project specifically to address impacts to international sites can no longer be considered to avoid or reduce (mitigate) a likely significant effect, unless the avoidance effects of a particular feature of the development are essential for the delivery of that project regardless of any effect that feature may have in avoiding or mitigating impacts to the International site.

LIKELY EFFECTS

Construction Disturbance

As construction works will take place during daylight hours and the use of artificial light will be minimised, it is considered unlikely the works will result in direct disturbance to local foraging and commuting bats. Therefore, direct disturbance of bats using the site for foraging and commuting via light and noise will not occur. Impacts associated with light and noise can therefore be scoped out of the HRA.

Habitat Alteration

An Ecological Appraisal was submitted with this planning application. This consisted of a walkover

survey of the application site and land within 50m of the application site boundaries where possible. The survey methodology included an assessment of the potential for habitats on or immediately adjacent to the site to support legally protected or conservation-notable species. The Ecological Appraisal confirmed that no notable habitats of principal importance were present within or adjacent to the application site. The habitats present on site had value at site level only and no signs of or potential for protected species were found on or adjacent to the site. The site has been maintained as semi improved grass for many years. The loss of this habitat it unlikely to affect Barbastelle bats which forage pastoral landscapes with deciduous woodland, wet meadows and water bodies, such as woodland streams and rivers, none of which is present on or near this site. It is considered that the alteration of the use of the land is unlikely to significantly impact Singleton and Cocking Tunnels SAC.

Air Pollution

It is considered that dust arising from construction works could affect nearby habitat. However, this would be temporary in nature and would not take place during night hours. It is considered that dust-related impacts, should they occur, are unlikely to result in any significant adverse effects upon the Singleton and Cocking Tunnels SAC.

Light Pollution

Certain Bat species are noted for avoiding artificially lit areas and the introduction of a new dwelling would likely result in some level of increase in artificial light spill into immediately surrounding habitats, whether this is through indoor lighting or the installation of external security lighting. As the resulting semi improved grass would be private lawns and small areas of landscaping, it is not considered that bat species would be reliant on the resulting development site as foraging habitat. Therefore, it is considered unlikely that light spill from windows would significantly alter their foraging and commuting behaviour. However, inconsiderate placement of external lighting, particularly if directed towards suitable boundary features, could result in a disruption to bat commuting routes which, in turn, could have a minor impact on the favourable conservation status of the local populations. In addition, high light intensity and light with an upward glare could also disrupt opportunistic flight paths across the site.

Within the submitted 'Planning, Design and Access statement, lighting design has been addressed. Externally – lamp capacity will not exceed 150 watts per light fitting and will be fitted to a PIR system. They will be capped and directed towards the ground to prevent upwards light pollution. It is therefore considered the development would likely result in a minor to negligible impact to the commuting routes of local bats, therefore, a likely minor significant impact to the Singleton and Cocking Tunnels SAC.

Summary of Likely Significant 'Alone' Effects

It is concluded that a minor significant adverse effect exists associated with the proposals in isolation.

LIKELY 'IN COMBINATION' EFFECTS

With regards to Singleton and Cocking Tunnels SAC, the 'alone' effects have been classified as a minor significant effect in HRA terms upon the integrity of the SAC. The site lies in a residential area (proposed dwelling would constitute a dwelling to the end of an existing row of semi detached

properties) therefore the proposed development is likely to have a moderate adverse impact on the Singleton and Cocking Tunnels SAC.

MITIGATION AND ENHANCEMENTS

The applicant put forward the following mitigations/enhancements within the Survey submitted with this application. - As part of mitigation measure for bats external lamp capacity will not exceed 150 watts per light fitting and will be fitted to a PIR system. They will be capped and directed towards the ground to prevent upwards light pollution. Lighting will be restricted to the front and rear door areas and one low level light in the parking area. Incorporating integral bat roosting opportunities onto the dwelling will be necessary to provide a net gain in roosting opportunities for bats. Planning conditions will be imposed on any future planning permission to ensure these mitigation and enhancement measures are secured.

CONCLUSION

It has been demonstrated that the scheme: - Would not significantly negatively impact upon the extent and distribution of the habitats utilised by bats associated with Singleton and Cocking Tunnels SAC. - Providing that the mitigation measures outlined above are followed, would not lead to the deterioration of the structure or function of the natural habitats associated with Singleton and Cocking Tunnels SAC. - Would not have any residual negative impacts upon the supporting processes on which bats associated with Singleton and Cocking Tunnels SAC rely.