Habitats Regulations Assessment (HRA)

Screening and Appropriate Assessment Statement

Singleton & Cocking Tunnels SAC

Direct impacts, impacts to roosts, foraging habitat and flightlines.

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 the proposed development

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Planning Application Number	BN/128/24/RES
Overview of the planning application	The application seeks approval for the reserved matters of appearance, landscaping, layout and scale following an outline permission (BN/99/22/OUT). The proposal is for nine detached houses all with generous areas of front & rear garden and parking. A small area of open space is provided along the northern edge. The layout has been slightly amended since submission to increase the number of proposed trees and provide a landscaping scheme.
Has information been submitted by the applicant which informs this HRA? Please list all relevant submitted documents	Arboricultural Survey to BS5837:2012 (15/08/24) and Tree Protection Plan A-0300-P01. Updated Ecological Impact Assessment ref LLD2426-ECO-REP-001-01-EclA (26/05/23). This references a preliminary bat roost assessment undertaken in May 2023.
Is the planning application directly connected with or necessary to the management of the designated site? If yes, please summarise details provided by the applicant.	No

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'[1] 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 Bats are 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'. 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 following information about the bat species is extracted from the HRA of the South Downs Local Plan (SDLP) and the published Conservation Objectives Supplementary Advice[2]: 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 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 disturbance, lighting, or

[1] 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.

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

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.

(a) The development proposals are within the following zone as set out in Local Plan Policy SD10:

- **12km** zone for the **Singleton & Cocking Tunnels SAC** - designated for its hibernating populations of barbastelle bat and Bechstein's bats within the former railway tunnels.
- The site is approximately 11.1km at its nearest point from the SAC.

(b) Within the 12km zone: **Will there be potentially significant impacts or severance to flight lines of the relevant Sussex Bat SAC(s)?**
No

Commentary: *(describe impact)*

The site is an existing equestrian stabling business and as such is predominantly hardstanding and buildings. It does include part of an adjacent horse gallops, but this is managed grassland and there are relative few trees and hedgerows affected by the proposals.

The supporting ecological information states the site includes the following habitat types: modified grassland, buildings, sealed surfaces, artificial unsealed surfaces, and hedgerows and that these have either negligible or site value.

None of the existing on-site buildings (which will be demolished) were found to have any potential for bat roosting whilst there was low potential from existing trees. The existing grassland was found to have negligible or low value for foraging by bats as they support very little invertebrate prey. In respect of the hedgerows the ecological information states:

- The section of western hedgerow located adjacent to the site is dominated by bramble growing upon an earth bank with scattered elder and as such is of low value to foraging and commuting bats and is not considered to represent an important commuting route for bats from Cocking and Singleton Tunnels SAC.

- The remainder of this hedgerow is located outside the site boundary and is fragmented therefore unlikely to support foraging or commuting by gap adverse species such as barbastelle or Bechsteins. Given its defunct nature, this hedgerow is considered to be of site value.

- The southern non-native hedgerow heavily fragmented and isolated in the environment by driveways along Eastergate Lane and is therefore considered to be of negligible / low site value to local bat populations.

The ecological information concluded that the loss of the southern hedgerow to allow for adequate visibility splay would have a negligible impact upon the conservation features of the SAC due to its already fragmented nature and short length (c. 15m). Further impacts would be avoided through the retention of vegetation along the western boundary of the site during the construction and operational phases.

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

(Delete answers yes or no as appropriate.)

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

No significant 'in combination' effects with other plans and projects have been identified.

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

Conclusion

Overall conclusion

Based on the assessment above, it can be concluded that **there are no likely significant effects on / no adverse effect on integrity of** the **Singleton & Cocking Tunnels SAC**.

Notwithstanding, conditions were imposed on the outline permission ref BN/99/22/OUT to:

- Control construction hours.
- Seek a Construction Biodiversity Management Plan.
- Seek biodiversity enhancement including a 10% net gain.
- Seek a wildlife sensitive lighting scheme.

In addition, the proposed landscape scheme as will be determined by BN/128/24/RES proposes new trees and hedgerows which achieve in excess of a 2:1 gain in tree number and hedgerow length (although the new hedgerows are not continuous). The proposed tree species include fruit trees which will attract invertebrates.

Appendix

Summary of Relevant European Site

Singleton & Cocking Tunnels Special Area of Conservation	
Reasons for designation	Habitats Directive Annexe II Species: − Hibernating barbastelle bat *Barbastella barbastellus* − Hibernating Bechstein's bat *Myotis bechsteinii*
Sensitivities, vulnerabilities, and pressures	− Loss of connectivity of landscape features to allow foraging and commuting within and to supporting habitat. − Disturbance − Impacts on humidity of barbastelle roosts
Conservation Objectives	Ensure that the integrity of the site is maintained or restored as appropriate and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring. − 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.