

15th November 2022

Maria Tomalova
Arun District Council
Arun Civic Centre
1 Maltravers Road
Littlehampton
BN17 5LF

By email only

Thank you for requesting advice on this application from Place Services' ecological advice service. This service provides advice to planning officers to inform Arun District Council planning decisions with regard to potential ecological impacts from development. Any additional information, queries or comments on this advice that the applicant or other interested parties may have, must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.

Application: BN/26/22/PL
Location: Barnham & Eastergate: Land East of Eastmere House Eastergate Lane Eastergate PO20 3SJ
Proposal: Construction of 1 No. two storey detached dwelling house on existing paddock. This application is a Departure from the Development Plan and is in CIL Zone 3 and is CIL Liable as new dwelling.

Dear Maria,

Thank you for consulting Place Services on the above application.

No objection subject to securing biodiversity mitigation and enhancement measures

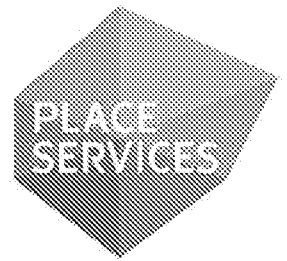
Summary

We have reviewed the following documents relating to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate mitigation:

- Proposed Site Plan (Folkes Architects, December 2021);
- Ecological Appraisal (The Ecology Co-Op, March 2022);
- Consultation Response (Chichester District Council, 28th March 2022).

We are satisfied that there is sufficient ecological information available for determination of this application.

The site is located approximately 11.2 kilometres from the Singleton and Cocking Tunnels Special Area of Conservation (SAC) which is inside the 12 kilometre buffer zone as shown in the Sussex Bat SAC



Planning and Landscape scale Enhancement Protocol. The reviewed document has not identified that the site is within this buffer zone. However, the document states no impacts upon designated sites are anticipated and in relation to bats *"There are no habitats contained within the site that can be utilised by bats. The bordering hedgerows provide low value foraging habitat but connectivity to other features across the landscape is poor."* We have reviewed local bat records under our agreement with Sussex Biodiversity Record Centre and have identified a Barbastelle bat records approximately one kilometre northwest of the site. However, aerial photography concurs with the conclusion that connectivity from the site to the wider landscape is poor. The document states a nearby offsite building has some lifting weatherboarding, which has some bat roost potential. Therefore, recommendations regarding the need to minimise external lighting upon the site's boundary features and the nearby building have been made, which include using low brightness lighting, directed away from identified features, which follow Bat Conservation Trust guidelines (BCT, 2018). This should be detailed within a wildlife sensitive lighting plan and should be secured by a condition of any consent. The scale of the development is such that no severance or significant impacts on Barbastelle bats are predicted as set out in the as shown in the Sussex Bat SAC Planning and Landscape scale Enhancement Protocol. We therefore recommend that LPA can record a conclusion of no likely significant effect on the Sussex Bat SAC in its HRA screening report.

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation measures identified in the Ecological Appraisal (The Ecology Co-Op, March 2022) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly bats and breeding birds.

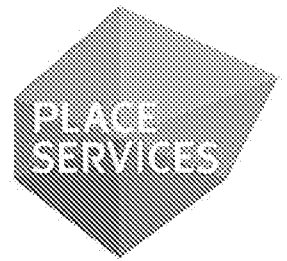
Additionally, no biodiversity enhancement measures are identified in the documents provided. We recommend that, to secure net gains for biodiversity, as outlined under Paragraph 174d and 180d of the National Planning Policy Framework 2021, reasonable biodiversity enhancement measures will need to be provided. The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy and should be secured by a condition of any consent. The previous Consultation Response (Chichester District Council, 28th March 2022) recommended the need for an integrated bat box. The Biodiversity Enhancement Strategy could also include the provision of bird boxes and Hedgehog friendly fencing.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013.

We recommend that submission for approval and implementation of the details below should be a condition of any planning consent.

Recommended conditions



1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

"All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Appraisal (The Ecology Co-Op, March 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECOW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details."

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

2. PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY

"A Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;*
- b) detailed designs to achieve stated objectives;*
- c) locations of proposed enhancement measures by appropriate maps and plans;*
- d) persons responsible for implementing the enhancement measures;*
- e) details of initial aftercare and long-term maintenance (where relevant).*

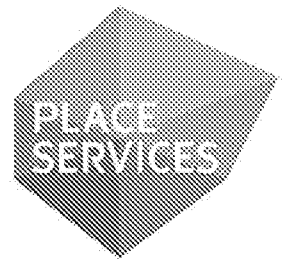
The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter."

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

3. PRIOR TO OCCUPATION: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

"A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority."



Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species)

Please contact us with any queries.

Yours sincerely,

Hayley Dean MSc BSc (Hons) ACIEEM
Ecological Consultant



Place Services provide ecological advice on behalf of Arun District Council

Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.