

[REDACTED]

From: SM-NE-Consultations (NE) [REDACTED]
Sent: 10 June 2021 16:32
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: Consultation Response - BR/129/21/OUT

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For the attention of Mr S Davis

Dear Mr Davis,

Application ref: BR/129/21/OUT
Our ref: 354418

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-ad>

Yours sincerely,

Farah Afshan
Operations Delivery, Consultation Team
Natural England
County Hall, Spetchley Road
Worcester WR5 2NP

Web: www.gov.uk/natural-england

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During the current coronavirus situation, Natural England staff are working remotely to provide our services and support our customers and stakeholders. All offices and our Mail Hub are closed, so please send any documents by email or contact us by phone or email to let us know how we can help you. See the latest news on the coronavirus at <http://www.gov.uk/coronavirus> and Natural England's regularly updated operational update at <https://www.gov.uk/government/news/operational-update-covid-19>.

Stay alert, control the virus, save lives.

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We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

In an effort to reduce Natural England's carbon footprint I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

Natural England offers two chargeable services - the Discretionary Advice Service, which provides pre-application and post-consent advice on planning/licensing proposals to developers and consultants, and the Pre-submission Screening Service for European Protected Species mitigation licence applications. These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce

uncertainty, the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.

For further information on the Discretionary Advice Service see [here](#)

For further information on the Pre-submission Screening Service see [here](#)



From: planning.responses@arun.gov.uk <planning.responses@arun.gov.uk>

Sent: 21 May 2021 10:49

To: SM-NE-Consultations (NE) [REDACTED]

Subject: Planning Consultation on: BR/129/21/OUT

To: **Natural England**

NOTIFICATION FROM ARUN DISTRICT COUNCIL

Town & Country Planning Act 1990 (as amended)

Town & Country Planning (Development Management Procedure) (England) Order 2015 - Article 5 - Articles 16 & 18 Consultation before the grant of permission

Outline Consent

Application No: BR/129/21/OUT

Registered: 21st May 2021

Site Address: 26 Burnham Avenue Bognor Regis PO21 2JU

Grid Reference: 493076 99429

Description of Works: Outline application with all matters reserved for 10 new dwellings consisting of 1 No. 1 bed property, 8 No. 2 bed properties and 1 No. 4 bed property with associated services, landscaping, car parking & amenity (resubmission following BR/190/20/OUT).

The Council have received the above application.

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

Should you have any comments to make, these should be sent by replying to this email by 24th June 2021. You can also monitor the progress of this application through the Council web site:

www.arun.gov.uk/planning

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://www.planningportal.co.uk/info/200207/appeals> 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

Mr S Davis

Planning Officer- Arun District Council

Telephone: 01903 737874

Email: Simon.Davis@arun.gov.uk

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

DX 57406 Littlehampton

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