

Nicola Spencer

From: SM-NE-Consultations (NE) <[REDACTED]>
Sent: 23 December 2021 12:15
To: Maria Tomalova
Subject: NE Response 376960 - BR/247/21/PL

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For the attention of Maria Tomalova

Dear Ms. Tomalova

Application ref: BR/247/21/PL
Our ref: 376960

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 sincerely

Matt Kirkham

Operations Delivery

Consultations Team

Natural England

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www.gov.uk/natural-england

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.



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.

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: 02 December 2021 16:49

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

Subject: Planning Consultation on: BR/247/21/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: BR/247/21/PL
Registered: 29th November 2021
Site Address: Ancient Mariner Hotel 59 West Street Bognor Regis PO21 1XB
Grid Reference: 493233 98777
Description of Works: Change of use from single dwelling (C3) to 6 No self-contained flats (C3), a 10-bedroom co-living housing unit (Sui Generis) & insertion of 3 No new front windows. This application affects the character & appearance of The Steyne, Bognor Conservation Area.

The Council have received the above application.

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

This application has been identified as CIL Liable. 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 on site 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 1st January 2022 . 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://app.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

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Email: maria.tomalova@arun.gov.uk

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

DX 57406 Littlehampton

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