

Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF

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**From:** SM-NE-Consultations (NE) [REDACTED]  
**Sent:** 30 March 2022 15:11  
**To:** Planning.Responses <Planning.Responses@arun.gov.uk>  
**Subject:** BR/50/22/PD Consultation Response

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Dear Sir or Madam,

Application ref: BR/50/22/PD

Our ref: 386936

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 faithfully,

Dominic Rogers  
Consultations Team  
Natural England  
Hornbeam House, Electra Way  
Crewe, Cheshire, CW1 6GJ



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**From:** [planning.responses@arun.gov.uk](mailto:planning.responses@arun.gov.uk) <[planning.responses@arun.gov.uk](mailto:planning.responses@arun.gov.uk)>  
**Sent:** 14 March 2022 08:04  
**To:** SM-NE-Consultations (NE) [REDACTED]  
**Subject:** Planning Consultation on: BR/50/22/PD

To: **Natural England**  
**NOTIFICATION FROM ARUN DISTRICT COUNCIL**

**Town & Country Planning Act 1990 (as amended)**

**Town & Country Planning (General Permitted Development) Order 2015 Schedule 2 (As amended)**

**Application No:** BR/50/22/PD

**Registered:** 3rd March 2022

**Site Address:** Land to the rear of 27 Station Road Bognor Regis PO21 1QD

**Grid Reference:**

**Description of Works:** Notification for Prior Approval under Schedule 2 Part 3 Class MA for the Change of Use from Commercial, Business and Services (Use Class E) to Dwellinghouse (Use Class C3).

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 7th April 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://acp.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

Amber Willard

Planning Officer- Arun District Council

Telephone: 01903 737500 x37445

Email: [amber.willard@arun.gov.uk](mailto:amber.willard@arun.gov.uk)

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