

4th September 2023

Sue Field
Arun District Council
Arun Civic Centre
1 Maltravers Road
Littlehampton
BN17 5LF

By email only

Thank you for requesting advice on this reserved matters 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: CM/48/21/RES

Location: Climping: Approval of reserved matters following the grant of CM/1/17/OUT for the erection of 300 No dwellings & a building within use class E, together with public open space, LAPs, LEAP & ancillary works, including car parking & drainage arrangements, with access off Church Lane & Horsemere Green Lane. This application may affect the setting of listed buildings & is in CIL Zone 4 (HSP2) & is not CIL Liable.

Proposal: Land to the West of Church Lane South of Horsemere Green Lane Climping

Dear Sue,

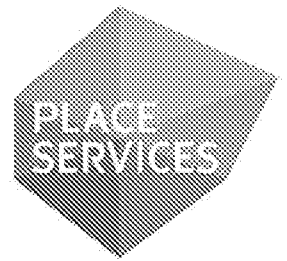
Thank you for consulting Place Services on the above reserved matters application.

No objection subject to securing biodiversity mitigation and enhancement measures

Summary

We have reviewed the documents submitted by the applicant relating to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate mitigation. Our comments relate specifically to the following documents:

- Consultation Response (CDC Ecology, 17th November 2021);
- Ecological Management and Mitigation Plan (Phlorum, August 2021);
- Consultation Response (CDC Ecology, 1st December 2021);
- Natural England Consultation Response (ref: 398801, 13th July 2022);
- Bat Tree Assessment (Phlorum, March 2023); and
- Bat Activity Survey Report (Phlorum, June 2023).



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

Previous consultation responses on this application by CDC Ecology are still relevant, with the recommended conditions still considered appropriate and necessary. This includes the recommendation for precautionary mitigation measures for Great Crested Newts, bats, reptiles, Badgers, nesting birds and Hedgehogs and a pre-works check for Badgers to be included within a Construction Environmental Management Plan (CEMP): Biodiversity and secured by a condition of any consent.

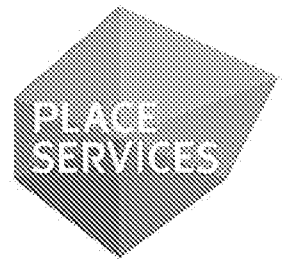
The Bat Tree Assessment (Phlorum, March 2023) identified 62 trees with moderate to high roost potential. Five of those trees were located within the removal plans, these were T7, T8, T9 (in G13) and T18 and T20 (in G22). Climbing surveys indicated that further emergence surveys were required for trees T18 and T20, the results of which are included within the Bat Activity Survey Report (Phlorum, June 2023). No bats were occupying T18 and T20 at the time of the survey, however, bats are a transient species, therefore, bats could occupy the roosts at the time of works. As recommended within the Bat Activity Survey Report (Phlorum, June 2023), precautionary mitigation measures should be implemented, with works overseen by a suitably qualified ecologist. These measures should be detailed within a CEMP: Biodiversity and secured by a condition of any consent.

Additionally, an increase in artificial light would negatively impact foraging bats. We recommend lighting details are outlined within a wildlife sensitive lighting scheme, in line with best practice guidance from Bat Conservation Trust and Institute of Lighting Professionals and secured by a condition of any consent.

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 Management and Mitigation Plan (Phlorum, August 2021) and the Bat Activity Survey Report (Phlorum, June 2023) 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 Great Crested Newts, bats, reptiles, Badgers, nesting birds and Hedgehogs.

We also support the proposed bespoke biodiversity enhancements, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 174d of the National Planning Policy Framework (2021). The bespoke biodiversity enhancement measures detailed within the Ecological Management and Mitigation Plan (Phlorum, August 2021) should be outlined within a Biodiversity Enhancement Strategy and should be secured by a condition of any consent. Additionally, the soft landscaping and habitat management recommended within the document and within the Great Crested Newt Report (June 2021) should be detailed within a Landscape Ecological Management Plan (LEMP), including habitat management measures and responsible parties. The LEMP should include details relating to the proposed planting plans and species lists. The LEMP should be secured by a condition of any consent.



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 Management and Mitigation Plan (Phlorum, August 2021) and the Bat Activity Survey Report (Phlorum, June 2023) 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."

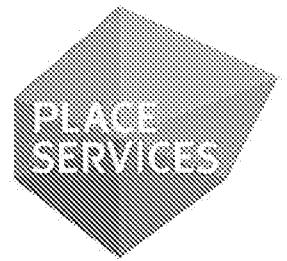
Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

2. PRIOR TO COMMENCEMENT: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN FOR BIODIVERSITY

"A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.*
- b) Identification of "biodiversity protection zones".*
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).*
- d) The location and timing of sensitive works to avoid harm to biodiversity features.*
- e) The times during construction when specialist ecologists need to be present on site to oversee works.*
- f) Responsible persons and lines of communication.*



- g) *The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.*
- h) *Use of protective fences, exclusion barriers and warning signs.*

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority"

Reason: To conserve 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).

3. PRIOR TO COMMENCEMENT: LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN

"A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to commencement of the development [or specified phase of development].

The content of the LEMP shall include the following:

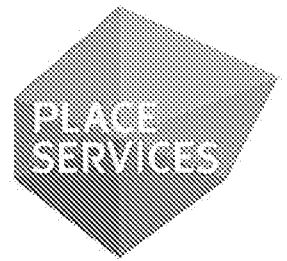
- a) *Description and evaluation of features to be managed.*
- b) *Ecological trends and constraints on site that might influence management.*
- c) *Aims and objectives of management.*
- d) *Appropriate management options for achieving aims and objectives.*
- e) *Prescriptions for management actions.*
- f) *Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).*
- g) *Details of the body or organisation responsible for implementation of the plan.*
- h) *Ongoing monitoring and remedial measures.*

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details."

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)

4. PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY *"A Biodiversity Enhancement Strategy for protected and Priority species prepared by a suitably qualified ecologist 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 or product descriptions to achieve stated objectives;*
- c) *locations, orientations and heights of proposed enhancement measures by appropriate maps and plans (where relevant);*
- d) *persons responsible for implementing the enhancement measures; and*
- e) *details of initial aftercare and long-term maintenance (where relevant).*

The works shall be implemented in accordance with the approved details 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 NPPF 2021 and s40 of the NERC Act 2006 (Priority habitats & species).

5. PRIOR TO OCCUPATION: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

"Prior to occupation, a "lighting design strategy for biodiversity" shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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 ACIEEM MSc BSc (Hons)
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.



From: Hayley Dean - Ecological Consultant [REDACTED]
Sent: Monday, September 4, 2023 1:16 PM
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Cc: Sue Field <Sue.Field@arun.gov.uk>
Subject: RE: Planning Consultation on: CM/48/21/RES

CAUTION: This email originated from outside of the organisation. You should take extra care when clicking links or opening attachments - if you are unsure the content is safe contact the IT Helpdesk before clicking or opening.

Dear Sue,

Please find attached our ecology comments on this application. Any queries do let me know.

Kind regards,

Hayley Dean ACIEEM MSc BSc (Hons)
Ecological Consultant at Place Services

(she/her)



web: www.placeservices.co.uk

linked in: www.linkedin.com/company/place-services



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

Sent: 12 July 2023 17:04

To: Place Services Ecology <

Subject: Planning Consultation on: CM/48/21/RES

CAUTION: This is an external email.

To: Ecology Advisor

NOTIFICATION FROM ARUN DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

Application No:	CM/48/21/RES
Registered:	7th September 2021
Site Address:	Land to the West of Church Lane South of Horsemere Green Lane Climping
Grid Reference:	500058 102025
Category:	Plan Applicat'n
Description of Works:	Approval of reserved matters following the grant of CM/1/17/OUT for the erection of 300 No dwellings & a building within use class E, together with public open space, LAPs, LEAP & ancillary works, including car parking & drainage arrangements, with access off Church Lane & Horsemere Green Lane. This application may affect the setting of listed buildings & is in CIL Zone 4 (HSP2) & is not CIL Liable.

I am able to inform you that I have received an amendment to the above application dated 12th July 2023 relating to:- Substitute and additional documents and plans.

[Click here to view the plans and documents](#)

If you should wish to make further representations as a result of this amendment you should click the link below and then click on 'Enter comment'.

[Click here to make further comments](#)

Please make any further comment by **3rd August 2023**.

Please be aware that Planning Services operate an 'open file' policy and will publish your comments including your name and address on the website. We will aim to redact signatures, telephone numbers and email addresses but please help us by not incorporating them in the body of your text. Please make sure that you only include information that you are happy will be published in this way. If you supply information belonging to a third party, you must make sure you have their permission to do so.

Yours sincerely

Sue Field

Planning Case Officer- Arun District Council

Telephone: 01903 737698

Email: sue.field@arun.gov.uk

PLRECON (CDB) 2016

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

DX 57406 Littlehampton

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