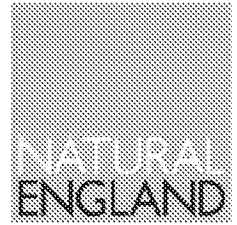


Date: 27 October 2011
Our ref: 36726
Your ref: LU/63/11



The Planning Department,
Arun Civic Centre,
Maltravers Road,
Littlehampton,
West Sussex
BN17 5LF

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

planning.responses@arun.gov.uk

Dear Mr Crowther,

Planning consultation: Outline Application for the construction of the "Fitzalan Link Road" between the A259 Worthing Road & the East Street/Fitzalan Road roundabout - This application affects a Public Right of Way

Location: Fitzalan Link Road Littlehampton

Thank you for your consultation dated 24 October 2011, which we received on 24 October 2011.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

This proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development. It appears that Natural England has been consulted on this proposal to offer advice on the impact on a protected species.

Natural England's advice is as follows:

We have adopted national standing advice for protected species. As standing advice, it is a material consideration in the determination of the proposed development in this application in the same way as any individual response received from Natural England following consultation and should therefore be fully considered before a formal decision on the planning application is made.

The protected species survey has identified that bats, a European protected species may be affected by this application.

Our Standing Advice Species Sheet: Bats provides advice to planners on deciding if there is a 'reasonable likelihood' of bats being present. It also provides advice on survey and mitigation requirements.

The standing advice has been designed to enable planning officers to assess protected species surveys and mitigation strategies without needing to consult us on each individual application. The standing advice was issued in February 2011 and we recognise that it will take a little while for planners to become more comfortable with using it and so in the short-term will consider species surveys that affect European protected species against the standing advice ourselves, when asked for support by planners.

We have not assessed the survey for badgers, barn owls and breeding birds¹, water voles, white-clawed crayfish, freshwater fish, invertebrates, higher and lower plants or reptiles (except sand lizards and smooth snakes). These are all species protected by domestic legislation and you should use our standing advice to assess the impact on these species.

How we used our standing advice to assess this bat survey and mitigation strategy

We used the flowchart on page 10 of our Standing Advice Species Sheet: Bats beginning at box (i) and came to the following conclusion:

Box (i) - Using Nature on the Map we determined that **No**, the application is not within/close to a SSSI or SAC notified for bats. This took us to Box (v).

Box (v) - We looked at the survey report and determined that **Yes**, it did highlight that there are suitable features for roosting within the application site (eg buildings, trees or other structures) that are to be impacted by the proposal. This took us to Box (iv).

Box (iv) – We determined that **Yes**, detailed visual inspections (internal and external where appropriate) had been undertaken and found evidence of a roost. This took us to Box (viii).

Box (viii) – We determined that **No**, the status of the roost is not known (eg maternity/ nursery/ feeding/ hibernation) and the species of bat to be affected reliably identified. This took us to Box (ix).

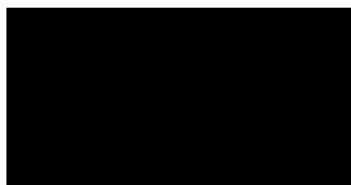
Box (ix) – We determined that **No**, the species of bat(s) present and the status of the roost was not identified. The survey recommends that evening emergence/ dawn re-entry surveys should be undertaken between April and September. This took us to Box (xii).

Box (xii) advises the authority that further survey effort is required in accordance with Bat Surveys - good practice guidelines and you should request additional information from the applicant. If it is not provided, then the application should be refused.

For future applications, or if further survey information is supplied, you should use our standing advice to decide if there is a 'reasonable likelihood' of protected species being present and whether survey and mitigation requirements have been met.

If you would like any advice or guidance on how to use our standing advice, or how we used the standing advice to reach a conclusion in this case, please contact us on the number above.

Yours faithfully



Judy Connell
Customer Service Consultation Team

¹ Unless protected by Schedule 1 of the Wildlife & Countryside Act 1981 (as amended).