



David Easton
Arun District Council
First Floor
Arun Civic Centre
Maltravers Road
Littlehampton
BN17 5LF

24th August 2018

Dear David Easton

Location: Land South of Summer Lane & West of Pagham Road Pagham

Proposal:

Outline application for access only - mixed use development comprising of up to 400 dwellings, a care home with up to 70 beds, a Local Centre comprising up to 2000sqm of A1/A2/A3/D1/sui generis floorspace, provision of land for a 1FE primary school (with sufficient space to ensure that it is expandable to 2FE), provision of land for a scout hut, safeguarding of land to help link the site to the Pagham Harbour Cycle Route & other community uses including public open space & allotments with some matters reserved. This application is a Departure from the Development Plan

Application No: P/140/16/OUT

It is with our understanding that as a result of the recent Court of Justice of the European Union ruling (*People over Wind & Sweetman v Coillte Tearanta*), Arun District Council (ADC) have been advised that sites including P/140/16/OUT can no longer be screened out by virtue of the mitigation measures identified. As such, ADC have sought to instruct EPR to undertake a screening assessment of each of the sites and as necessary undertake an appropriate assessment.

We have confidence that this will be conducted in a complete and professional manner, but for the avoidance of doubt, we would like to draw the consultant's attention to the following concerns when undertaking the appropriate assessment.

We note the updated information provided by Ecology Solutions (June 2018) to enable ADC to conduct a habitats regulation assessment has not taken into account our recommendations on the Brent Goose Mitigation Strategy. The RSPB therefore disagrees with Ecology Solutions statement that "proposals would not adversely affect the integrity of the SPA / Ramsar site when the development proposals are considered" (para 6.23). Our concerns remain that although the current strategy presents a good starting point, to ensure the mitigation is sufficient in offsetting the loss of brent geese foraging grounds and adequately secured in appropriate manner, the following concerns still need to be addressed;

South East England
Regional Office
1st Floor, Pavilion View
19 New Road
Brighton
BN1 1UF



The RSPB is part of BirdLife International,
a partnership of conservation organisations
working to give nature a home around the world.

Patron: Her Majesty the Queen Chairman of Council: Professor Steve Ormerod, FRCGS President: Miranda Krestovnikoff

Chief Executive: Dr Mike Clarke Regional Director: Chris Corrigan

The Royal Society for the Protection of Birds (RSPB) is a registered charity: England and Wales no. 207076, Scotland no. SC097654

This Brent Goose Mitigation Strategy currently proposed by Ecology Solutions, whilst providing around 5ha of suitable brent goose foraging habitat, would not effectively replace the c.10ha lost. We would suggest that you review our previous recommendations (submitted February 12th 2018), however, in summary we have concluded that all of SZ8798 9309 (7.04ha) should be managed as permanent pasture and contained in a livestock fence to allow any mowing regimes to be complemented by grazing livestock. This area (7.04 ha) still falls short of the land of the foraging habitat lost to the development.

The shortfall could be adequately addressed by following a suitable crop rotation in the two fields to the north of this area, field parcels SZ8798 9029 (8.45ha) and SZ8898 1141 (4.32ha). We recommend the larger field (SZ8798 9029) being managed as two parcels; this would allow for a crop rotation including 4ha of either winter cereal or clover rich fallow mix, to be present in anyone year.

As the proposed mitigation for brent geese stands, with the area of replacement brent goose foraging habitat unable to adequately replace the area lost (as a result of the development site), we will continue to uphold our opposition to consent of the application.

While we welcome the information obtained from the additional wintering bird survey 2017/2018, in the absence of suitable crops (the fields in question have all been left fallow and therefore have no foraging value for brent geese), an accurate representation of usage on P/140/16/OUT site cannot be obtained. Further to this, in the presentation of data the RSPB shares the concerns of the errors and omissions in Ecology Solutions' report raised by the Sussex Ornithological Society (SOS) (22 June 2018).

We would like to also reiterate that while the RSPB and SOS are working to obtain more comprehensive information on the usage of brent geese in this area, until this data gathering is completed we would urge that all available data is considered when appropriately assessing this site.

I hope you find these comments useful, please feel free to contact me should you have any questions.

Yours sincerely



Chloe Rose

Conservation Officer

