

4th January 2023

David Easton
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: P/153/21/RES
Location: Pagham: Land South of Summer Lane and West of Pagham Road Pagham
Proposal: Approval of reserved matters (appearance, layout, landscaping and scale) following outline planning Permission P/140/16/OUT for the erection of 375 No. dwellings, together with public open space, play space, drainage, parking and associated infrastructure, landscape, ancillary and site preparation works, with access off Pagham Road. This site may affect a Public Right of Way.

Dear David,

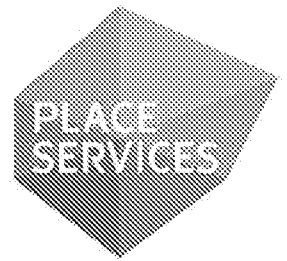
Thank you for consulting Place Services on the above reserved matters application.

No objection subject to delivering biodiversity mitigation and enhancement measures secured by conditions of outline consent

Summary

We have reviewed the following documents relating to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate mitigation:

- Ecological Assessment (Ecology Solutions, December 2016);
- Brent Goose Mitigation Plan (Ecology Solutions, December 2017);
- Habitats Regulations Assessment (EPR, September 2018);
- Landscape Plans (Deacon Design, November 2021);
- Ecology Survey Summary Report 2021 (FPCR, November 2021);
- Consultation Response (Natural England, ref: 377597, 9th February 2022);
- Ecology Response to Natural England (FPCR, 9th September 2022);



- Consultation Response (Natural England, ref: 412108, 18th November 2022).

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

Natural England have requested further information to determine impacts on designated sites, stating this is required regarding *"How suitable screening and on-site greenspace have been incorporated into the landscaping plan"*. An Ecology Response to Natural England (FPCR, 9th September 2022) has been provided. However, Natural England have stated in their following Consultation Response (Natural England, ref: 412108, 18th November 2022) that the information is still required. It is our opinion that the Ecology Response to Natural England (FPCR, 9th September 2022) has provided the required information relating to screening and on-site greenspace. Therefore, Natural England should be re-consulted on this matter.

The Ecology Survey Summary Report 2021 (FPCR, November 2021) provides an update to the ecology reports submitted at the Outline stage. The updated assessment did not identify any new potential protected species issues not already considered at Outline. We are satisfied that the Landscape Plans (Deacon Design, November 2021) show open green space is proposed where reptiles were found on site.

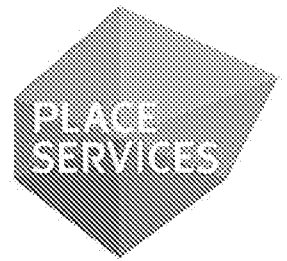
The updated bat static detectors surveys recorded Barbastelle bat near to the southern boundaries during the updated assessments, which were not identified originally. This species is listed on Appendix II of the Bonn and Bern Conventions international agreements to which the UK is a signatory and mitigation measures are needed as these are a particularly light sensitive bat species. Condition 16 relates to external lighting details. Any external lighting should avoid illuminating boundary features such as hedgerows. We recommend the need for a wildlife sensitive lighting scheme, which should be secured within the submission to discharge this condition to avoid impacts on bats (European Protected Species).

Condition 28 relates to updated Badger surveys. Whilst the Ecology Survey Summary Report 2021 (FPCR, November 2021) has undertaken an updated site walkover, the results of these surveys are only considered valid for 12 months. The document states *"Update Badger surveys will be undertaken regularly to account for any new setts that may occur on the site"*. Therefore, as highlighted in the document further Badger surveys will be required to discharge this condition in order to avoid impacts to Badgers (protected species).

With regard to Condition 30 the updated ecological document states *"A detailed Management and Maintenance Scheme for the adjacent Pagham Harbour SPA enhancement land, will be prepared in association with Natural England"*. The details of Condition 30 are required prior to commencement.

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.

Condition 15 relates to the need for an Ecological Management and Mitigation Plan to be submitted. The Ecology Survey Summary Report 2021 (FPCR, November 2021) states the details of which will be



covered within a Construction Environmental Management Plan (CEMP) and a Landscape Ecological Management Plan (LEMP), which have not been submitted for discharge yet. The ecology document states the LEMP will also include details relating to Biodiversity Enhancements such as the provision of 150 each of Swift bricks, bat tubes and bee bricks. The submitted Landscape Plans (Deacon Design, November 2021) have included locations of log piles and Hedgehog friendly fencing. We note the provided planting plans are mostly satisfactory, showing the use of native species only within hedgerows and shrubs. However, we do note the proposed use of *Pinus sylvestris* (Scots Pine) to be located within areas of scrub habitat. We would recommend against using this tree species in areas which are proposed to provide a scrub habitat. In terms of the proposed biodiversity enhancements, we are satisfied that a biodiversity net gain can be achieved for this scheme, as outlined under Paragraph 174d and 180d of the National Planning Policy Framework (2021) and should be detailed within the LEMP, when submitted to discharge part of Condition 15.

Furthermore, the Ecology Survey Summary Report 2021 (FPCR, November 2021) has assessed Biodiversity Net Gain for the site and states the spreadsheet summarising the calculations will be submitted separately. Therefore, we have not been able to review the calculations. However, the document states a biodiversity net gain can be secured for this application, *"Post development, there will be an overall increase in the amount of habitat in moderate to good condition at the site. This will include an overall increase in hedgerows, scrub, riparian habitats and species rich grassland. There will be more than a 7.60% net gain in habitats with biodiversity value, a 52.7% gain in hedgerows and 24.55% gain in river habitats over the baseline conditions at the site."* We are satisfied that an estimated net gain for habitat creation can be achieved on site. The aims and objectives of the Biodiversity Metrics should be contained within the proposed LEMP, as part of the detail required by Condition 15.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

We look forward to reviewing the details secured by ecological conditions attached to the consent at outline stage.

Please contact us with any queries.

Yours sincerely,

Hayley Dean MSc BSc (Hons) ACIEEM
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.