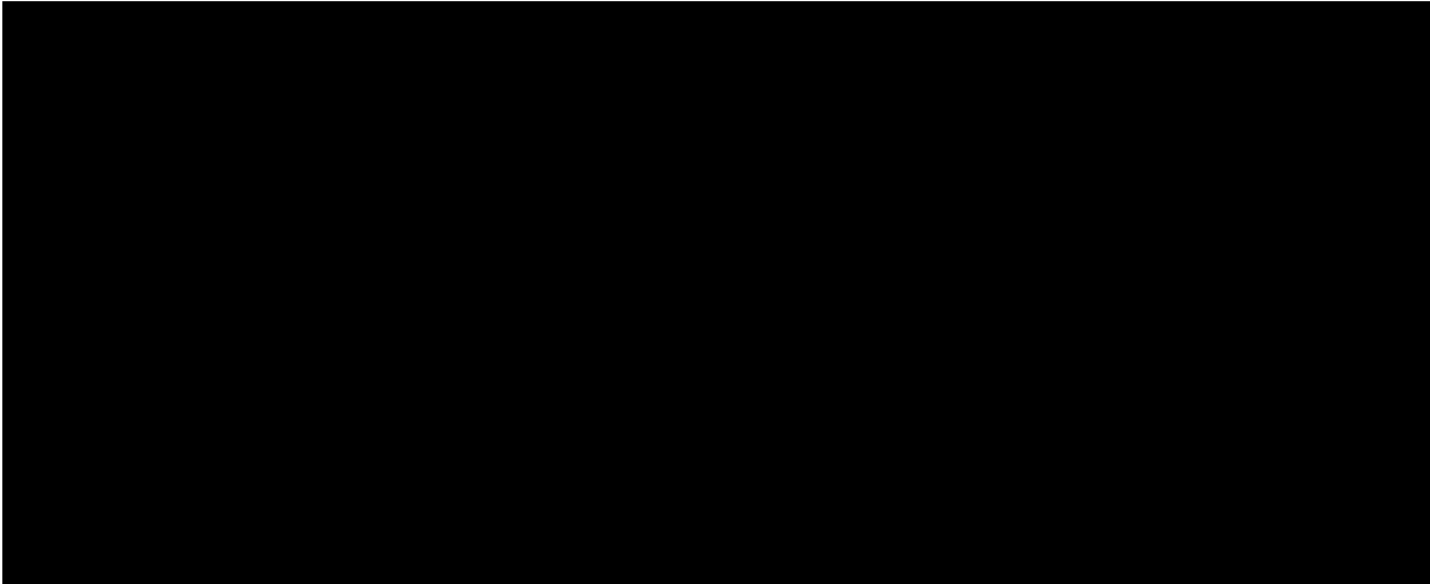




From: Marlow, Angela (NE) [REDACTED]
Sent: 17 October 2016 16:29
To: Simon Davis
Cc: McKernan, Patrick (NE)
Subject: Advice to Arun on condition for Pagham spit proposal

Dear Simon,

Thank you for sending though the proposed conditions (in document Draft Planning Conditions v5 280916 (3)) on the 28th Sept 2016 and the comments from ABPmer, below is our advice which I hope you will find helpful with a focus on conditions 5, 6, 7, 8, 9 & 10, which you asked us to consider.

Condition 5 Details of Tern Island Condition

We recognise that it may be difficult to ensure that the tern island is permanently isolated in all tidal states, and welcome ABPmer's intention to use every effort to shape the landform sensitively and isolate the island. We have discussed this with the RSPB and we are satisfied that sufficient measures will be in place to ensure the island is kept predator free, through the use of predator fencing, and that the channels around the island will be hydrodynamically connected to the tidal waters either side of it with a view to isolating the island at most states of the tide.

With regards to the timing of construction for the little tern island, we advise that this habitat needs to be in place in time for the breeding season which follows the breach being made, so that it is ready to be used as compensatory habitat. Our understanding is that the island will be constructed from the material arising from the breach being cut, and that therefore it will be put in place as part of the completion of the works.

Detailed implementation plans

We understand that four plans will need to be submitted and agreed following permission being granted, a Management Plan, Mitigation Plan, Compensation Plan and Construction Plan. Natural England would wish to be consulted on these plans, and we have provided some initial helpful comments on these below.

Condition 6 Management Plan

The management plan will need to set out how the tidal flow within the harbour will be maintained for the conservation interests that rely on this exchange. We have welcomed the applicant's approach to work with natural processes and agree that it is sensible for flexibility to be built into the plan to reflect this. We advise the plan should allow for a consideration of adaptive actions that may need to be undertaken in response to the monitoring of natural processes, but that any substantive changes from the plan should be agreed with the local authority as stated.

Condition 7 Mitigation Measures Management Plan

As previously stated in our advice, measures are needed to mitigate impacts including disturbance and predation resulting from increased access to the remaining breeding habitat for little terns on the section of the spit that will be severed. We advise that this mitigation should be retained only for as long as this impact exists.

We have also previously advised that it would be helpful to have actual dates for the breeding season, i.e. from 1st April until mid- to late August, the timing in August depending on confirmation from the RSPB that all chicks have fledged.

Condition 9 Construction Management Plan

Final access routes can be agreed in the construction management plan and should be in line with the proposed routes in the application via the Pagham Frontage. An emergency refuge on the Church Norton side of the spit can be agreed.

Condition 10 Reopening the Harbour

Natural England is happy to provide advice to Arun DC as proposed to inform the authority's decision regarding any required scheme for the reopening of the harbour inlet/outlet for the purposes of reinstating the tidal flow for the conservation interest of the harbour, and we support the condition as worded.

Condition 14 Tidal Gauge

Natural England would wish to be consulted on the location of the tidal gauge to ensure that sensitive habitats are avoided.

I hope that this advice assists you with regard to these conditions, please come back to me if you have queries.

Kind regards,

Angela

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