



Building B, Lords Wood Barns, Petworth, West Sussex, GU28 9BS

27th August 2021

Re: Land West of Tye Lane – WA/68/20/OUT

Dear Sir/Madam,

Henry Adams have commissioned The Ecology Co-op to address the ecological reasons for refusal of the planning application at land west of Tye Lane, which concerns the construction of up to 155 dwellings; application number WA/68/20/OUT. The decision notice stated that:

'Insufficient information has been submitted regarding a badger survey and Great Crested Newt survey to determine whether or not the proposal complies with Policy ENV DM5 of the Local Plan. The badger survey and the Great Crested Newt survey are required to be carried out and mitigation measures drawn up and agreed prior to the determination of this outline planning application. The lack of surveys and mitigation strategies in relation to the impact on protected species and the potential for the proposed development to protect existing habitats where possible is unacceptable, and is contrary to Policy ENV DM5 of the Local Plan and the National Planning Policy Framework.'

Great Crested Newts

An initial Preliminary Ecological Appraisal (PEA) of the site was carried out by The Ecology Co-op in 2018¹, in which the following assessment with regards to great crested newts was given:

1. Thirteen ponds were identified within 500m of the site, twelve of which were either assessed as unsuitable for great crested newts, following Habitat Suitability Index (HSI) assessments, or great crested newts were confirmed absent following an eDNA test or presence/likely absence surveys.
2. One pond, which was identified during the desk study and labelled 'Pond 13', was recommended for further surveys, to include a Habitat Suitability Index (HSI) assessment and, if the pond was assessed as suitable for great crested newts, a presence/absence survey followed by population size class survey.

The location of Pond 13 is within the grounds of Walberton & Binsted C of E Primary School, central grid reference SU971061. A site visit was made on 24th August 2021 by Kate Lewis to confirm the

¹ The Ecology Co-op (2018) Preliminary Ecological Appraisal and Phase 1 Habitat Survey, Land West of Tye Lane, Walberton

presence or absence of the pond and assess its condition. There was no pond present and the Premises Manager confirmed that the pond had dried out and had been infilled seven or eight years ago due to health and safety concerns with regards to the pupils. See Photograph 1 below for a view of the former pond location.

As the pond no longer exists, no further surveys are required and the impact of the development on great crested newts is assessed as negligible.

Badgers

No evidence of badgers was recorded during the initial PEA in 2018 and no further surveys or mitigation for this species was recommended. However, the report stated that if signs of digging by large animals is identified on or near to the site prior to construction, then an ecologist should be contacted for advice.

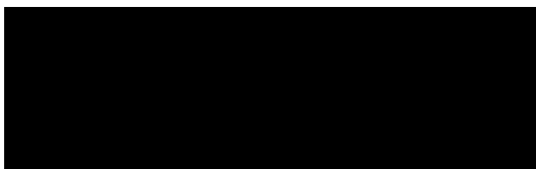
In response to the planning application for land west of Tye Lane, the Ecology Adviser at Chichester District Council recommended a site walkover survey, prior to the commencement of works, to ensure badgers are still not using the site. This survey should take place no more than 1 month prior to commencement of works and it is therefore recommended that this survey should be conditional, upon approval of the application. If an active sett is found, Natural England should be consulted and a mitigation strategy produced.

I trust that this sufficiently addresses the comments with regards to ecology but if you have any queries regarding these findings and/or recommendations, please do not hesitate to contact me.

Kind regards,



Kate Lewis MSc, Grad CIEEM





Photograph 1. A view of the location of the former pond, which was infilled years ago.