

Our ref: PE10439/001

10 September 2015

Planning Department

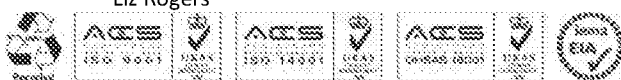
Dear Sir/Madam,

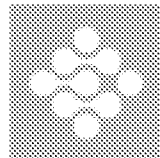
PLANNING APPLICATION REFERENCE WA/34/15/PL (Solar Farm Development): Land East of Lower Farm Yapton Lane, Walberton -Reptile and Great Crested Newt Mitigation Strategy.

Following the submission of a Preliminary Ecological Appraisal (PEA) report and subsequent email correspondence with the Environment Officer at Chichester District Council¹ it is deemed necessary to produce a Mitigation Strategy for the protection of habitats which are capable of supporting great crested newt *Triturus cristatus* (GCN) and reptiles.

Plate 1 (below) shows the location of the proposed solar farm relative to surrounding habitats. The satellite image is dated 2001. It is apparent from this image and the image in Drawing 001 (2013) that the main development area is devoid of semi-natural habitats, and would not be considered to be viable habitat for GCN or reptiles. Furthermore, although the PEA report describes the habitats as being potentially suitable for GCN and reptiles, it is considered that in the light of the historic land use of the site, this potential suitability would be highly restricted and limited to the margins of the site/arable field in association with the surrounding hedgerows and the unmanaged grassland growing at their base. This issue has been discussed with the Environment Officer and it was agreed that it is the protection of the surrounding grassland, rather than the previously arable habitats within the site interior; which is of fundamental importance.

¹ Liz Rogers



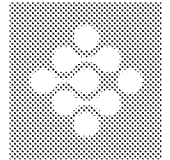


The development has therefore been designed to lie outwith the sensitive boundary habitats however these will be further protected by the inclusion of site fencing, clearly demarcating a 'no work zone'. The habitats will also be fenced with one-way amphibian and reptile proof fencing which would allow egress from the development area but would otherwise isolate the site works. Additionally, the habitats within the development area will be managed to ensure the maintenance of a very short sward which is unattractive to reptiles and GCN prior to the onset of development works. The location of the development area and the protective measures is provided in Drawing 001, appended to this letter.

Precautionary methods of working shall be as follows:

Site Preparation

The development area will be either tightly grazed or mown regularly prior to the onset of development works to ensure that overall vegetation height remains less than 30mm. This will ensure that the site remains unfavourable to GCN and reptiles.



If mowing is preferred to grazing this will be done in a sensitive manner to reduce adverse impacts to reptiles, in the unlikely event that individuals are present. The sensitive mowing regime will include progressively lowering the sward height by mowing the grassland over three successively shorter passes, over the course of a three week period in order to passively dissuade reptiles into adjacent retained habitats. The first pass (if necessary) will lower the overall sward height to a minimum of 80mm, with the second pass being timed during the second week, reducing the height to 50mm and the final pass removing all the cover to ground level. The grassland should be cut from the centre outwards ensuring reptiles are not 'trapped' in central areas.

Timing

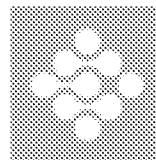
Since the proposed development footprint does not contain potential hibernacula, the most appropriate time for development construction works is during the winter (hibernation period) i.e. November to February inclusive and potentially extending into March if minimum night time temperatures do not exceed 5 degrees centigrade. Carrying out works at this time of year will significantly reduce the risk of encountering foraging GCN as this species is unlikely to be active.

Fencing

Reptile/amphibian proof fencing will be installed around the perimeter of the development site, as defined in the appended Drawing 001. The fencing will be angled such that it allows reptile/amphibians to vacate the development area, in the unlikely event that individuals are present. The angle of the fence will preclude reptiles/amphibians from entering the development area from more favourable habitats elsewhere. The reptile fencing would be installed prior to the onset of development construction works.

Plate 2 (below) shows an appropriate fencing design²

² Taken from The Design Manual for Roads and Bridges available at:
<http://www.standardsforhighways.co.uk/dmr/vol10/section4/ha11605.pdf>



ANNEX B DESIGN OF REPTILE-PROOF FENCING

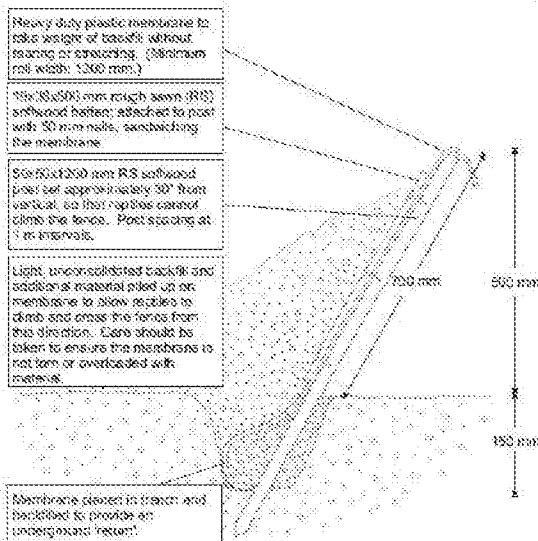
VERSION 1.0 SECTION 2
DATE 23/04/2015

Temporary One-way Reptile Fence

This design can be utilised either as a 'stand-alone' fence, or can be installed as short sections along a standard temporary fence. Though far less expensive than either the semi-permanent or permanent designs, this type of fence must be very carefully installed and maintained to prevent damage to the membrane. In particular, the standing beyond the membrane needs to comprise loose, light unconsolidated topsoil. Where the fence is installed on heavy soil, this can be partly replaced by cut vegetation.

If the ground conditions are such that the trench cannot be backfilled effectively, then the membrane may be laid on the ground surface and soil can be mounded on top of it. If this method is used, then the mounded material must extend far enough beyond the membrane to act as sufficient barrier.

In addition, where ground conditions are soft, it may be necessary to support the fence with additional posts periodically along its length.



Hand Searching and Supervision of Topsoil Strip

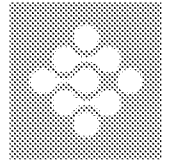
Immediately prior to (no more than 24hrs before) commencement of works the proposed development footprint will be walked by an ecologist holding a Natural England survey licence for GCN (or an accredited agent acting under such a licence) to search for any potential refuges. Works shall not commence until the ecologist is satisfied that the working footprint contains no suitable refuges, or that all potential refuges have been thoroughly checked.

Toolbox Talk

All site operatives will receive a briefing by a Natural England licenced ecologist to include details of the legal protection afforded to GCN and reptiles, the precautionary methods of working outlined in this document, advice on identification of GCN and reptiles as well as procedures to follow should these species be discovered during works.

Working Methods

Light machinery only with a gross weight of less than 1.5 tonnes will be used for trenching operations. All excavated material won from trenches must be immediately removed or used to backfill excavations, no excavated materials will be stored on site overnight (to prevent risk of great crested newts using these as hibernacula or refugia).



All material storage and parking will be on areas of existing track or hardstanding located away from the working area. In the unlikely event that a GCN is found at any time during construction, all works will cease immediately and an ecologist contacted (if not already on site) to make an assessment of the situation and determine if further survey/European Protected Species Licence is required before work proceeds. If considered necessary, advice would be sought from Natural England.

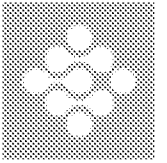
Habitat Re-instatement

On completion of installation of solar arrays, security fencing, access tracks and substation, all areas beneath the arrays will be established with a suitable native wildflower and grass seed mix and managed to ensure a net gain in suitable habitat for amphibians and reptiles

Conclusion

Given the unlikely use of the development area by GCN and reptiles based on the current sub-optimal condition and the historical arable land use; the precautionary working methods proposed in this letter in tandem with the retention of more favourable habitats outside the development area will ensure that all planning and legal requirements pertaining to the protection of GCN and reptiles, and their associated habitats can be maintained.

The advice given is consistent with the recommendations provided in Natural England's Standing Advice (Standing Advice Species Sheet: Great Crested Newts) whereby detailed surveys may not be required where impacts are low (in this case impacts will entail temporary habitat disturbance). The provisions similarly apply to reptiles. Furthermore the development will facilitate a long term benefit for reptiles and GCN as well as Biodiversity in more general terms – in line with the requirements of the National Planning Policy Framework; via the conversion of ecologically impoverished land, to species rich grassland.



Yours sincerely

for Wardell Armstrong LLP



TIM PALMER

Technical Director



Enc's

Figure 001 Development Layout and Mitigation.

