Date: 30 July 2009
Our ref: SC.ADU.ADV300709
Your ref:ADC/0244/09

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By email only, no hard copy to follow

Dear Mr Morgan,

SSSI Name(s) Adur Estuary

Proposal:2 replacement timber boathouses for Lancing College use
Location: Lancing College Boat House (old Barge Dyke) Coombes Road Coombes West Sussex

Thank you for your letter dated 3 July 2009 consulting Natural England on the above application.

The application site is adjacent to Adur Estuary Site of Special Scientific Interest (SSSI). This reply comprises our statutory consultation response under the provisions of Article 10 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 28 of the Wildlife and Countryside Act 1981 (as amended).

Natural England does not object to the proposed development, subject to the inclusion of the conditions listed below and the proposals being carried out in strict accordance with the terms of the application and the submitted plans.

- No storage, access or encroachment within the SSSI during or after the works.
- No materials, machinery or plant shall be stored or disposed of within the boundary of the Adur Estuary Site of Special Scientific Interest (SSSI) and no machinery or plant shall be driven or operated within the boundary of the SSSI.

If your authority decides to allow the development without applying the requirements/conditions set out above it must notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, it has taken our advice into account. It must then allow a further period of 21 days before the development can commence to allow us to consider any further action. For further details of these requirements, and a summary of the legislation protecting SSSI's and the duties which apply to planning authorities, please refer to Part II of Circular 06/2005[1].

South Downs National Park
The proposal site is within the South Downs National Park boundary, we recommend that you contact the South Downs Joint Committee, to ensure that planning issues regarding this proposal take into account any issues that may arise from this development as a result of this designation.

[1] Government Circular: Biodiversity and Geological Conservation – Statutory obligations and their impact within the planning system ODPM Circular 06/2005/Defra Circular 01/2005
http://www.communities.gov.uk/publications/planningandbuilding/circularbiodiversity

Protected species
If representations from other parties highlight the possible presence, or the Council is aware of a protected or Biodiversity Action Plan (BAP) species on the site, the Council should request survey information from the applicant before determining the application. Paragraph 98 and 99 of ODPM Circular 06/2005 and Paragraph 16 of Planning Policy Statement 9[2] provide information on BAP and protected species and their consideration in the planning system. Where the application has the potential to affect a protected species, Natural England refers you to our Standing Advice which can be found at:
http://www.naturalengland.org.uk/regions/south_east/ourwork/standingadvice/default.aspx

Biodiversity enhancements
This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The Council should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 14 of PPS9. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every *public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity*'. Section 40(3) of the same Act also states that '*conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habita*t'.

Summary and conclusion
Subject to the inclusion of the above condition(s) and the proposals being carried out in strict accordance with the terms of the application and the submitted plans, Natural England has no objections to this proposal at present. Should there be any modification or amendment to the application, however, which may affect the SSSI(s), Natural England must be consulted further.

Natural England would be grateful if the Council were to inform us as to how our advice has been incorporated into the decision made when determining this application.

We would be happy to comment further should the need arise but if in the meantime you have any queries, please do not hesitate to contact me at the above address.

Yours sincerely,



Sue Beale.

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[2] Government Circular: Biodiversity and Geological Conservation – Statutory obligations and their impact within the planning system ODPM Circular 06/2005/Defra Circular 01/2005