Date: 01 October 2012
Our ref: 65340
Your ref: AWDM/1111/12

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BY EMAIL ONLY

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Dear Sir/Madam

Planning consultation: Restoration of the Teville Stream involving excavation of a new channel, creation of reed beds, infill of existing culvert and restoration of surrounding land.
Location: Land South Of Loose Lane Sompting West Sussex

Thank you for your consultation dated 24 September 2012, which we received on 24 September 2012.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

This proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development. It appears that Natural England has been consulted on this proposal to offer advice on the impact on a protected species.

Natural England's advice is as follows:
We have adopted national standing advice for protected species. As standing advice, it is a material consideration in the determination of the proposed development in this application in the same way as any individual response received from Natural England following consultation and should therefore be fully considered before a formal decision on the planning application is made.

The protected species survey has identified that great crested newts, a European protected species may be affected by this application.

Our Standing Advice Species Sheet: Great crested newts provides advice to planners on deciding if there is a 'reasonable likelihood' of great crested newts being present. It also provides advice on survey and mitigation requirements.

The standing advice has been designed to enable planning officers to assess protected species surveys and mitigation strategies without needing to consult us on each individual application. The standing advice was issued in February 2011 and we recognise that it will take a little while for planners to become more comfortable with using it and so in the short-term will consider species surveys that affect European protected species against the standing advice ourselves, when asked for support by planners.

We have not assessed the survey for badgers, barn owls and breeding birds[1], water voles , widespread reptiles or white-clawed crayfish. These are all species protected by domestic legislation and you should use our standing advice to assess the impact on these species.

[1] Unless protected by Schedule 1 of the Wildlife & Countryside Act 1981 (as amended).

How we used our standing advice to assess this great crested newt survey and mitigation strategy

We used the flowchart on page 8 of our Standing Advice Species Sheet: Great crested newts beginning at box (i) and came to the following conclusion:

Box (i) - Using Nature on the Map we determined that **No**, the application is not within/close to a SSSI or SAC notified for great crested newts. This took us to Box (iv).

Box (iv) - We looked at the survey report and determined that **Yes**, it did highlight that there are suitable features on the application site for newts (for example ponds, hibernation sites, foraging habitat, commuting corridors following a Habitat Suitability Index (HSI) survey). This took us to Box (vi).

Box (vi) - We looked at the survey report and determined that **Yes**, detailed newt survey had been carried out at the right time of year and using sufficient survey techniques and effort. This took us to Box (v).

Box (v) - We looked at the survey report and determined that **No**, great crested newts have not been found on the application site/in the study area and neither they nor their habitat will be impacted. This took us to Box (viii).

Box (viii) advises the authority to accept the findings and consider promoting biodiversity enhancements for great crested newts (for example creation of new water bodies and suitable terrestrial habitat) in accordance with NPPF and Section 40 of the NERC Act.

For future applications, or if further survey information is supplied, you should use our standing advice to decide if there is a 'reasonable likelihood' of protected species being present and whether survey and mitigation requirements have been met.

If you would like any advice or guidance on how to use our standing advice, or how we used the standing advice to reach a conclusion in this case, please contact us on the number above.

Yours faithfully



Stephanie Jones
Customer Service Consultation Team