

From: Steve Lawrence
Sent: 24 December 2020 17:26
To: Weaver, Steve
Cc: Rachael Clemson; Peter Hughes; Richard Austin; Richard Craven; David Rothery
Subject: APP/18/00943 – Tournerbury Woods – Re-consultation 4-12-2020

Dear Mr Weaver

APP/18/00943 – Tournerbury Woods – Re-consultation 4-12-2020

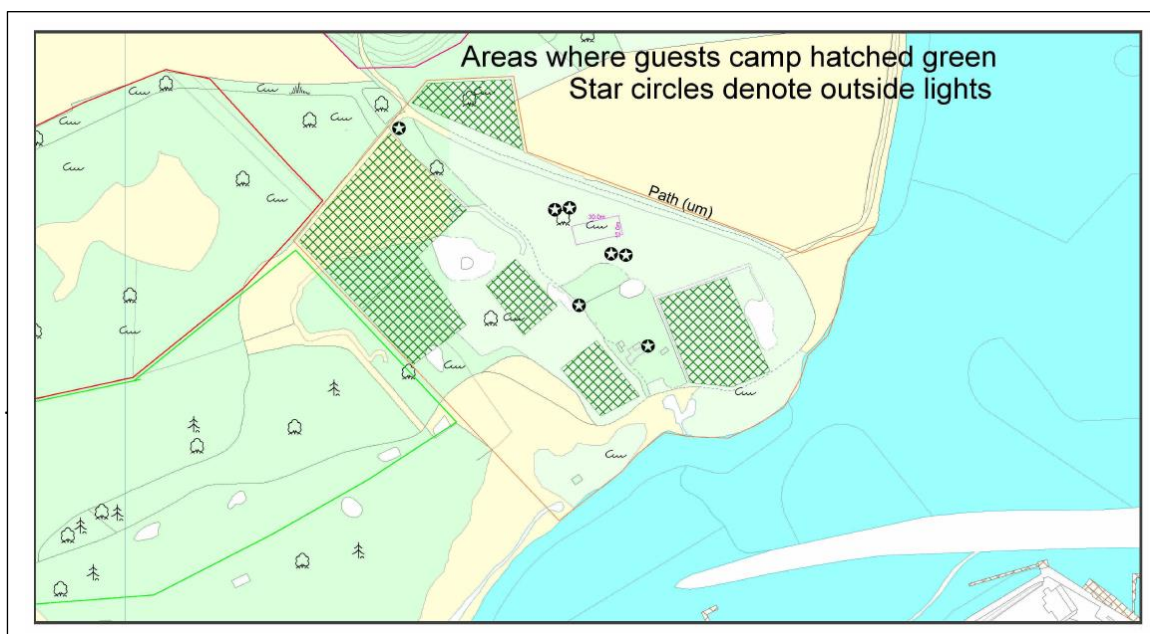
The Conservancy has reviewed the additional information submitted.

Whereas the 18/12/2020 views of The Conservancy's ecologist at the end of these comments* have been taken into account, discussion of this case with The AONB Unit Manager still leaves a number of remaining concerns. The Conservancy therefore maintains its previous objection.

The impact of - (still poorly specified existing) - artificial lighting to wildlife during hours of darkness/night is still not properly assessed.

The applicant's conclusion is that wildlife has become habituated to such impact, but does not even consider what lighting is currently used at the site and whether this meets the specification of lighting they are recommending. Nor do the consultants specify the total number of light fittings that would be appropriate/not result in harm to wildlife.

To date, all anyone knows about lighting used is indicated in the diagram below, which was sent to the Conservancy back in December 2018, although I cannot now find this on the Council's webpage for this case, so am unable to confirm this even forms part of the submitted application.



It would be inappropriate for the Council to grant planning permission subject to all lighting meeting the ecology consultant's specification.

All that could be likely to happen is that the applicant would simply just continue to use the existing lighting and claim that it met that specification. That is not good enough for The Conservancy.

Adopted Core Strategy Policy CS12 sets out planning permission will be granted where it –

1. Carefully assesses the impact of individual proposals, and their cumulative effect, on the Chichester Harbour AONB, and its setting.
2. Is appropriate to the economic, social and environmental wellbeing of the area or is desirable for the understanding and enjoyment of the area.
3. Conserves and enhances the special qualities of the Chichester Harbour AONB (as defined in the Chichester Harbour AONB Management Plan).
4. Meets the policy aims of the Chichester Harbour AONB Management Plan, and
5. Provides mitigation of any detrimental effects including where appropriate the improvement of existing damaged landscapes relating to the proposal.

In respect of 1, the Conservancy asserts the assessment has not been careful enough.

In respect of 2, The Conservancy treats economic considerations as wholly sub-ordinate to environmental considerations being satisfied.

In respect of 3, the Ecological consultant has not considered the impact of an uncapped number of events per calendar year the applicant proposes. Whereas the enhancements and event management plan the applicant's ecological consultant proposes are welcomed, The Conservancy still has very real concerns about an unrestricted number of events per calendar year and this forms the principal element of its objection.

In respect of 4, the applicant has not had regard to The Conservancy's Management Plan nor its planning principle 09, designed to restrict the impact of artificial lighting on the night sky in more remote/rural parts of the AONB. Whereas the applicant has produced their own assessment of light impact perceived from the water at night, there is no way of confirming that the lighting indicated at positions in the diagram above was in fact illuminated, when the photographs were taken. I am also aware of other multi-coloured string lighting closer to the shoreline from my site visit, that is not indicated on this diagram. For the applicant to point at other lighting close-by having greater impact is not the point. The applicant must demonstrate that their lighting does not cause a negative impact to the AONB.

Finally, in respect of strand 5, the Conservancy welcomes the enhancements proposed in 'The Plantation' in terms of Section 5 of the updated ecology report and the events Management Plan, which ought to have been submitted at the very outset.

**"The new application contains information that are important improvements to the application in regards to the ecology of the site, particularly the visitor management strategy and the Bat Survey Report. The visitor management strategy and its implementation is a key component in addressing the potential impacts on the designated features of the SPA (wintering and passage birds) of the proposal.*

Clear statements on the no fireworks rules, dogs on leads and limiting human access to the foreshore are significant measures in reducing likely impacts on wintering birds from visual and noise disturbance.

Regarding the potential impacts to breeding birds within the woodland (an SSSI feature and of particular importance here due to the historic heronry), it is welcome that visitors will be prevented to accessing the woodland during the breeding season, and there is the potential for the access to be re-routed outside the woodland. I am satisfied that, assuming the visitor management strategy is carried out as described, the breeding bird interest in the woodland is unlikely to be significantly

affected, although continued annual monitoring would be useful in understanding long terms impacts.

The Bat Survey Report finds foraging and commuting bats around the site, and a likely roost in the cottage; - the mitigation measures (particularly regarding lighting) and enhancements as laid out in the bat survey report should be followed to ensure there is minimal impacts.

I would recommend that the lighting, mitigation, visitor management measures are, as far as possible, secured by condition.

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The Conservancy notes Natural England's on-line comments dated 18-12-2020, but does not consider the matters set out above have been carefully considered, which does not recognise that the jetty does not benefit from planning permission and is contrary to The Conservancy's planning principle PP11, contained within the Chichester Harbour Management Plan 2019-2024.

Yours sincerely

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