

Job Name: **Land North of Guildford Road, Bucks Green, Rudgwick**

Date: **24th November 2025**

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Subject: **Ecological Technical Note – Response to the LPA Ecology Comments**

Please find the second response to the following with regards to the Horsham District Council request for further information regarding BNG for the planning application ref DC/25/1269 dated 06/11/2025. HDC comments are in *italics* with The Ecology Partnership comments below.

Within the updated suite of documents, the baseline assessment of the site has changed. Specifically, the condition of one parcel of modified grassland has been downgraded from good to moderate condition, and more mixed scrub has been recorded at baseline. However, the original condition of the grassland was determined during survey in May 2024, which is closer to the best survey months (June and July) than mid-October, where conditions are generally drier, and the ground is less likely to be churned up by cattle disturbance. This disturbance is also shown to be in areas where cattle are typically moved between fields, and where they may shelter (i.e., under the tree line, and where naturally grassland will be of a lower condition due to impacts of shading). In addition, this grassland classification has already previously been downgraded from other neutral grassland type to modified grassland. Therefore, I do not believe with the evidence provided that this justifies the further downgrade of condition reduction for the entirety of the field, and the baseline should remain as to what it was at the relevant date as per government guidance (in this case, the date of application – see Para 5 of Schedule 7A of the Town and Country Planning Act 1990). It is also recognised that changing this condition back to good, results in a -3.5% net loss in the metric.

With regards to post-development proposals, more trees and other neutral grassland are to be created, however less hedgerow and scrub habitat are to be planted.

The Ecology Partnership – yes this is understood. The ‘good’ condition was reviewed from the May 2024 report and photos, not from an update assessment. The review of the BNG during this consultation period made us review the previous assessment, and, from experience of BNG over the intervening

period. The Ecology Partnership had failed the condition 'E' but should also have included 'D'. Whether this is accepted now, in light of the submission, is of course up to debate.

With the slight changes to the layout and the retention of the 'good' modified grassland there would be a **-2.39%** loss resulting in the need for 2.07 unit deficit. If the field is 'moderate' then there would be a **+13.98%** net gain. There is significant swing between the two, as can be seen.

As stated in our previous response, the review of the site conditions was based on review of the technical data and reports we conducted in 2024 to support the application. This is not based on new evidence. When submitted, the condition 'E' of the grassland, which states '*cover of bare ground is between 1% and 10% including localised areas (for example, a concentration of rabbit warrens?)*' was failed as the site was considered to support a reasonable area of poaching by the cows. This was over 10% of the site, albeit this was not specifically detailed in the report. However, as 'E' was failed due to cover of bare ground over 10% than 'D' '*Physical damage is evident in less than 5% of total grassland area. Examples of physical damage include excessive poaching, damage from machinery use or storage, erosion caused by high levels of access, or any other damaging management activities*' must therefore also be failed as over 5% of the grassland has been impacted by damage from poaching.

As such we consider that this is an error that needed to be rectified, especially due to the swing in terms of the net gain, which is wholly reliant on the quality of the grassland. This 'moderate' condition grassland is considered an accurate description of the baseline. The grassland has reached the essential criteria and many of the other criteria, due to the site's use by grazing. However, with cows and the management of the cows, sections of the site, as detailed previously, were bare earth, with areas concentrated around the margins being heavily poached to due the cows. This is shown in Figure 1 below, which was issued in the technical note previously submitted.

It is considered that 'moderate' condition grassland is the most appropriate measure of this field. As such, a net gain is achieved for habitats. However, it is acknowledged that the hedgerow units will have to be purchased off site.

The metrics are attached for reference and the plans post development are shown below. Note there is a slight change post development due to some increased tree planting and a small change in flowering lawn areas.

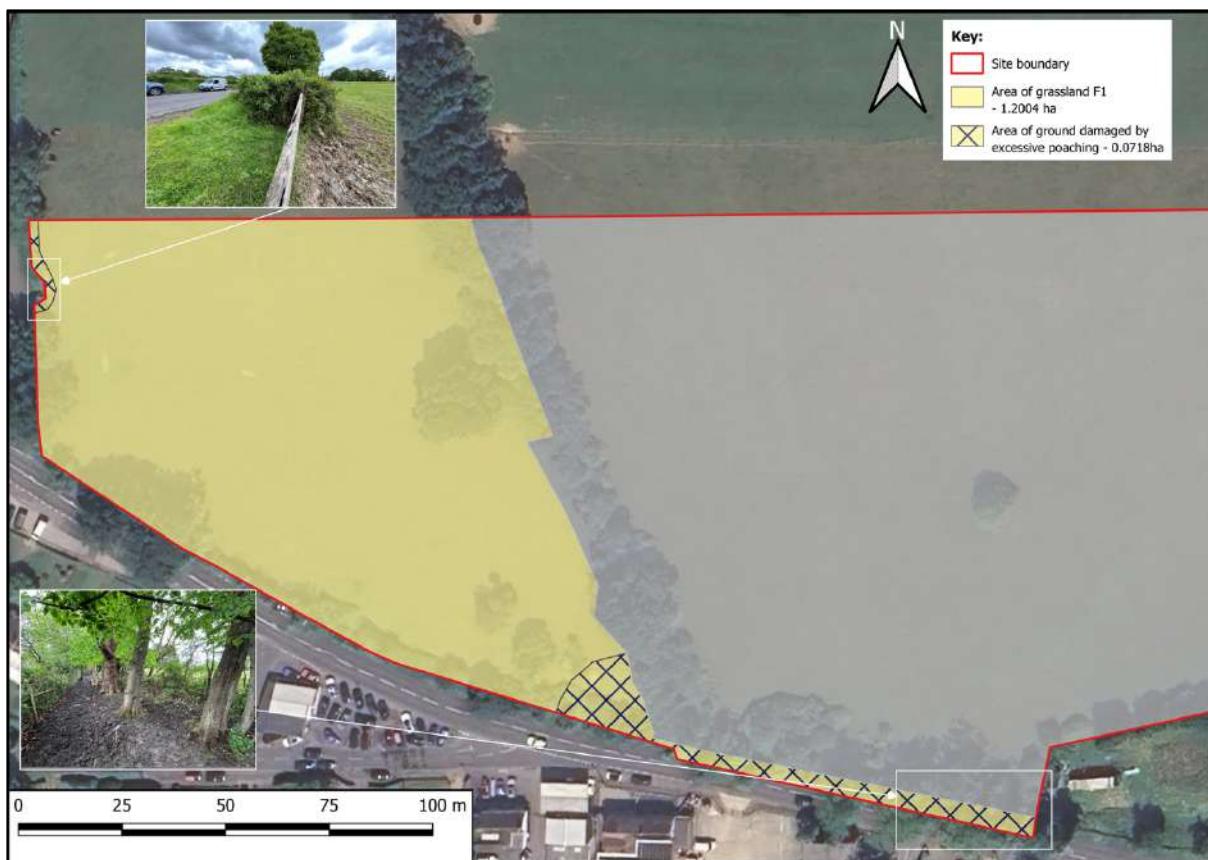


Figure 1: Areas of damaged ground within grassland F1.



Figure 2: BNG assessment post development habitats

The development has followed the mitigation hierarchy with development located on the modified grassland. As much of the remaining habitats have been retained and enhanced as part of the development. New habitats, and creation of habitats of higher value, such as orchards, neutral grassland (including wet grassland and flowering lawns), have been created within the scheme. The robust ecological networks around the site have been designed to ensure the functionality of the landscape is retained.

The BNG results in an overall unit change greater than 0.5, and the proposals include creation of habitats of a medium distinctiveness. Therefore, as per HDC's definition, this is considered significant on-site BNG and will therefore require an S106 legal agreement to secure. Monitoring reports will typically be required in years 1,2,5,10,15,20,25 and 30.

The Ecology Partnership – yes this is understood and the monitoring will be detailed in the HMMP.

Note that the biodiversity gain condition only applies to outline planning permissions (not reserved matters), and as such much of the BNG will need to be finalised within the biodiversity gain plan to discharge the condition.

The Ecology Partnership – yes this is understood.

Baseline

1.0 *Section 3.13 of the Preliminary Ecological Appraisal (The Ecology Partnership, 2024) states that these are hedgerows with trees, however only species rich hedgerows has been entered into the metric. Please can this be amended to the habitat 'species rich hedgerows with trees', also in accordance with Table 2 in the Biodiversity Net Gain Feasibility Assessment (The Ecology Partnership, 2025).*

Concern resolved, with thanks.

The Ecology Partnership – agreed

1.1 *Section 3.16 of the PEA states that the number and size classes of individual trees (distinct from surrounding habitats and boundary features) on-site include 2x small, 9x medium and 3x large trees. However, this number of trees is not accounted for within the BNG assessment – going by the PEA statement, the equivalent hectarage should be 0.26ha, however 0.15ha has been inputted (presumably corresponding with Figure 3 in the BNG report showing 6x trees – size classes unknown). Please can this be amended or otherwise clarified.*

Section 3.16 of the PEA has been amended, to state there are 1x small, 8x medium, and 2x large trees. The BNG metric has been amended to reflect these size classes, and the on-site habitat baseline map (Figure 3 in BNG Report, Oct 2025) has been amended to show the location of these trees. Concern resolved, with thanks.

The Ecology Partnership – agreed

1.2 *It is stated in section 3.8 of the Ecological Impact Assessment (The Ecology Partnership, 2025) that it is understood that all trees would be retained as part of the proposed development. However, there are many Category U trees as mapped within the Arboricultural Impact Assessment (Aspect Arboriculture, 2025) that have been recommended for removal, however there is a medium tree (horse chestnut, T58) that is due to be removed, and a group of trees with the largest DBH recorded as 52cm, that is also down to be removed. Please can confirmation be sought on whether any of the trees as mentioned above (incl. Category U) with a DBH greater than 30cm are to be removed, and if so, please can these be accounted for separately in the baseline and marked as lost. It is noted that these trees are also near to the trees with bat roosting potential as listed within Table 3 in the PEA, and if any are to be removed, please can these be cross referenced with these trees to determine if further measures are required.*

The ecologists argue that 'UKHab v2 2023 describes a tree as a, 'Forest phanerophyte at any stage of growth'. The AIA report (July 2025) has described all targeted and removed trees referenced in this query as either 'standing deadwood' or 'terminal decline' with no reference to any sort of living canopy. By these descriptions, none would be considered as being within a stage of growth and therefore do not fall within a 'tree' classification within UKHab or the metric. As such, these features cannot be accounted for individually within the BNG calculation.' This argument is accepted, providing that the trees are indeed dead with no growth – i.e., no leaves as recorded within summer months. The ecologists confirm that any deadwood deemed safe to retain should be incorporated as log piles with open greenspace. Please can such arrangements be included within a LEMP or the HMMP.

The Ecology Partnership – yes agreed, dead wood can be retained within the scheme. This will be detailed within the LEMP / HMMP.

1.3 *Additionally, the AIA highlights that many trees were removed as of September 2024. It is not apparent that these were done in accordance with any permission, and as such (if these trees had a likely DBH greater than 30cm), these trees if within the red line boundary should also be accounted for in the metric (and marked as lost) as per habitat degradation rules.*

This has not explicitly been addressed. There are trees within the AIA that do not mention the stage of growth for trees removed in September 2024.

The Ecology Partnership – The trees removed in September have not been measured or detailed in the AIA. These were just detailed as ‘previously standing dead wood’.

Post-development

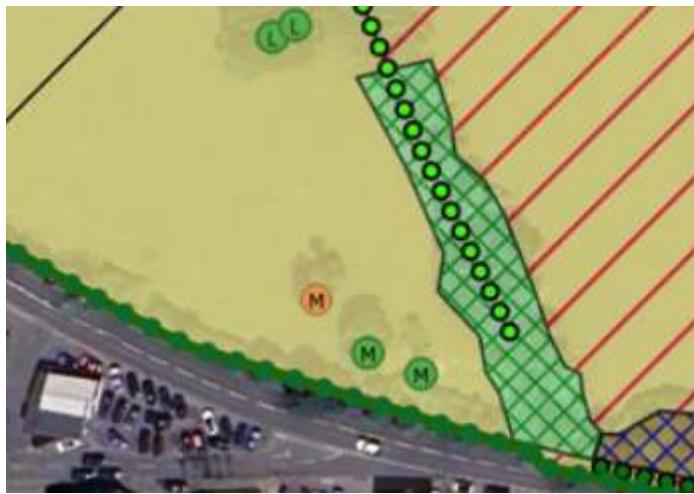
2.0 *It is noted that other neutral grassland is proposed in both poor and moderate condition on site within the BNG Assessment, with user comments in the metric stating that other neutral grassland in poor condition will be in the ‘inner area’ and ‘flowering lawn’, whilst other neutral grassland in moderate condition will be ‘areas on perimeter of site’ and ‘SuDS and swale’. Please can the different condition habitats be distinctively mapped for the purposes of future monitoring. In instances where the grassland will be subject to high levels of disturbance from residential use, it is advised to assign these areas as modified grassland.*

Figure 4 in the BNG Report has been amended to map these different condition grasslands. Concern resolved, with thanks.

The Ecology Partnership – agreed

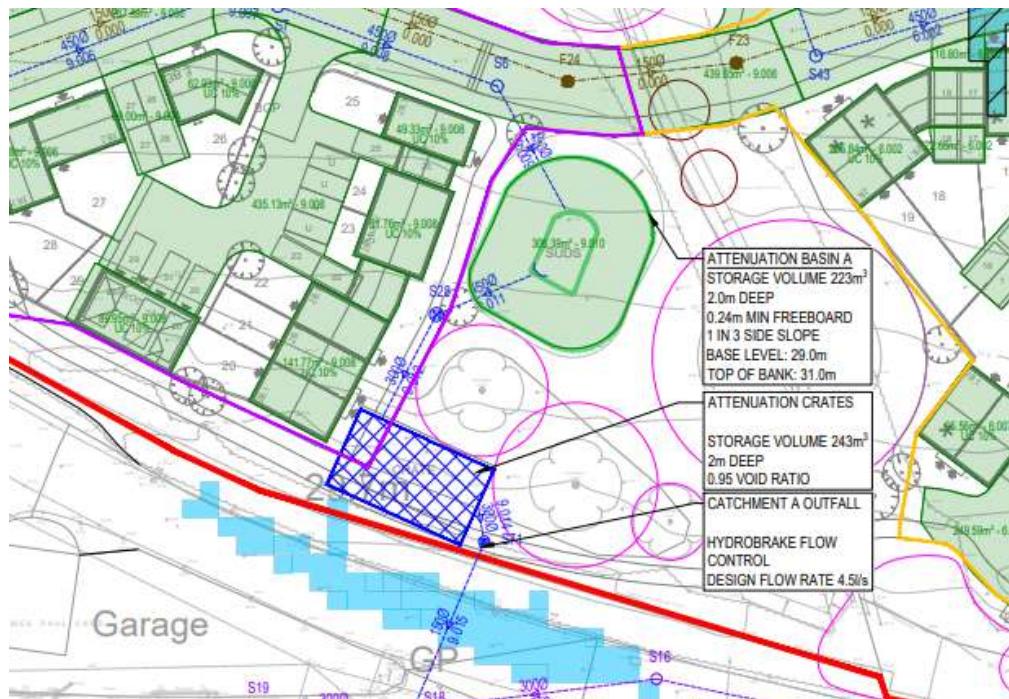
2.1 *As per the Preliminary Drainage Strategy (Appendix A, Paul Basham Associated Ltd, 2025), an attenuation crate is proposed to be installed in the south of the site and appears to be very close to the retained hedgerow. Please can confirmation be sought as to whether impacts on this hedgerow will be avoided.*

The ecologist refers to attenuation basins, however the original comment refers to the attenuation crate – I have copied two extracts below to illustrate this point. Having discussed with the HDC Arboricultural Officer, it is our view that the installation of the attenuation crate is not possible without hedgerow removal and encroaching on tree root barriers adjacent to the existing tree RPAs. Therefore, this will need amending – it is recommended to relocate the attenuation crates or remove the 2-3 plots to the west of the proposed crate to provide sufficient space for installation. A minimum 1.5m distance is required for installing underground crates near hedgerows. Any forecast hedgerow removal will need to be accounted for within the metric.



^Hedgerow lining southern boundary on site, as per Figure 4 in BNG Report.

v Attenuation create abutting tree RPAs and hedgerow.



The Ecology Partnership – this has been addressed in the technical response of the hydrologist.

2.2 *Further clarification is requested as to whether the proposed trees around the middle SuDS basin are to be within the hedgerow or adjacent to. If the former, these should not be counted separately and instead should be classed as species rich native hedgerow with trees within the metric.*

The proposed hedgerow in question has been removed from the plans.

The Ecology Partnership – yes altered in the reissue.

HMMP

3.0 It is noted in section 2.3 of the draft Habitat Management and Monitoring Plan (The Ecology Partnership, 2025) it states, 'a monitoring report will be submitted to the council during years 5,10 and 30'. This is not considered acceptable, as HDC's legal agreements require monitoring reports in years 1,2,5,10,15,20,25 and 30.

Concern resolved, with thanks.

3.1 Deer culling is deemed excessive for a residential development. Any tree guards used must be removed at an appropriate time, whereby it is still accessible to remove without damaging the scrub habitat.

Deer culling methods have been removed and reference to the tree guard removal has been added, with thanks.

3.2 Section 3.3 states that at least three criterions need to be met for mixed scrub to achieve good condition. This is incorrect, five criterions need to be passed for this condition.

Amended, with thanks.

3.3 Section 6.3 states that at least three criterions need to be met for orchard to achieve moderate condition. This is incorrect – of the bullet points listed, at least four criterions need to be passed.

Amended, with thanks.

3.4 Note that the specific target criterions for hedgerows to meet a moderate condition are not bullet pointed in the main body of the HMMP as per the other habitat types.

Amended, with thanks. Note that for hedgerows with trees, it can be no more than 5x failures but not failing both attributes within one functional group.

3.5 It is advised that the full HMMP comprises species compositions of habitats. As listed in section 4.4 of the dormouse survey report, hedgerows should include:

- Hazel
- Field maple
- Hawthorn
- Holly
- Hornbeam

- *Elder*
- *Spindle*
- *Beech*
- *Dog rose*
- *Wild cherry*

Night scented flowers are also recommended for invertebrates, subsequently supporting foraging bats.

The ecologist refers to reserved matters as an appropriate time to incorporating planting schedule. As this development will require a legal agreement to secure the BNG via HMMP, I would refer to the Legal Officers as to level of detail required at this stage.

The Ecology Partnership – the species can be dealt with at condition alongside the HMMP / LEMP and gain plan.

It is also recommended that hedgerow species favouring more damp soils are incorporated for the proposed hedgerows between the SuDS attenuation basins. This hedgerow should also connect to the existing hedgerow running along the southern boundary of the site.

The proposed hedgerow in questions has been removed from the plans.

It is considered that the planting plans and species, management plan will be conditioned as part of the planning permission. An HMMP / LEMP will be finalised (an outline has been provided in line with HDC requirements). It is considered that the overall BNG work has been well reviewed and the submission is considered acceptable in BNG terms.