



HORSHAM DISTRICT COUNCIL CONSULTATION

TO:	Horsham District Council – Planning Dept
LOCATION:	Land North of Guildford Road Bucks Green Rudgwick West Sussex
DESCRIPTION:	Outline Planning Application for up to 90 no. residential dwellings (including 40% affordable) all matters to be reserved apart from access.
REFERENCE:	DC/25/1269
RECOMMENDATION:	<p>Modification / More information Holding objection / Modification More information / Modification</p> <p>No objection (modifications required to discharge the deemed biodiversity gain condition)</p>

SUMMARY OF COMMENTS & RECOMMENDATION:

Having discussed the outstanding concerns of 1) grassland condition for the western field, 2) accounting for the loss of dead trees in the metric, and 3) possible conflicts with attenuation crate installation and tree retention with the applicant's ecologist, an understanding has been reached.

- I accept the argument in the latest Technical Note regarding reclassification of the grassland in the western field to poor condition, due to failure of Criterion E.**
- The loss of dead trees from hedgerows will be accounted for in future metric updates, submitted alongside the Biodiversity Gain Plan to discharge the deemed biodiversity gain condition.**
- The installation of the attenuation crate will be further reviewed at Reserved Matters.**

As it stands, the BNG metric calculation demonstrates that the development will have a ~~5.17%~~ 12.68% net gain (+0.81 +1.82 units) in area habitats, and a ~~11.36%~~ 8.15% net gain (+0.56 +0.54 units) in hedgerow habitats, and the applicant intends to achieve the 10% requirement for area habitats by purchasing the necessary unit deficit (0.75) from a habitat bank. However, amendments and clarifications are required with regards to the baseline assessment, and further information is requested regarding the post-development habitats. All baseline issues must be resolved prior to grant of planning permission, and it is advised all other concerns are addressed for the signing of the legal agreement.

MAIN COMMENTS:

The comments below relate to the BNG proposal within the above application. Note that these comments are not exhaustive. All other ecology matters will be reviewed by Place Services and/or NatureSpace, where appropriate.

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 ecologist has provided additional reasoning as to the change in condition of the modified grassland (from good to moderate). This reasoning pins on the fact that if Condition Criterion E fails due to cattle poaching of an area greater than 10% of the habitat parcel (as deduced during the survey undertaken in May 2024), then criterion D would also fail by default and this was previously missed. In principle, this is agreed. However, the mapped parcel of cattle poaching on Figure 1 demonstrates that an area of 0.0718ha is impacted out of a total parcel of 1.2004ha. This does not exceed 10% of the site (approx. 0.12ha), as per the requirements to fail Criterion E. However, it does still fail Criterion D. Also, by this logic, field F2 should also be failing Criterion D if the same instance applies. However, it is acknowledged that genuine error does occur, and there may be discrepancies between mapping and on-site survey. The additional ~500sqm of cattle poaching needs to be identified for this argument to be accepted.

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.

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.

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.

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.

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.' Informal advice sought from the Forestry Commission states the Arboricultural Impact Assessment refers to amenity and health only and does not cross-over with UKHab classification or BNG. As such, they argue these trees be assigned biodiversity value within the metric, and the expectation is for these trees to be included separately within the baseline and marked as lost.

This comment still stands.

Not addressed. Natural England have also confirmed this position.

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.

Post-development

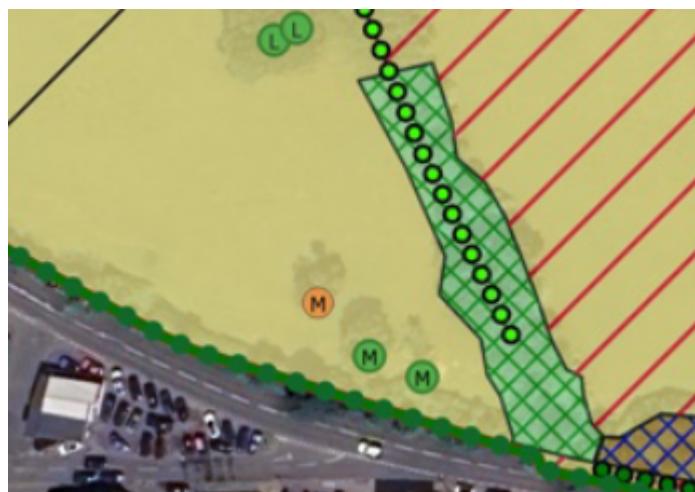
2.0 It is noted that other neutral grassland is proposed in both poor and moderate condition on site within the BNG Assessment, with user comments in the metric stating that other neutral grassland in poor condition will be in the 'inner area' and 'flowering lawn', whilst other neutral grassland in moderate 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.

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.

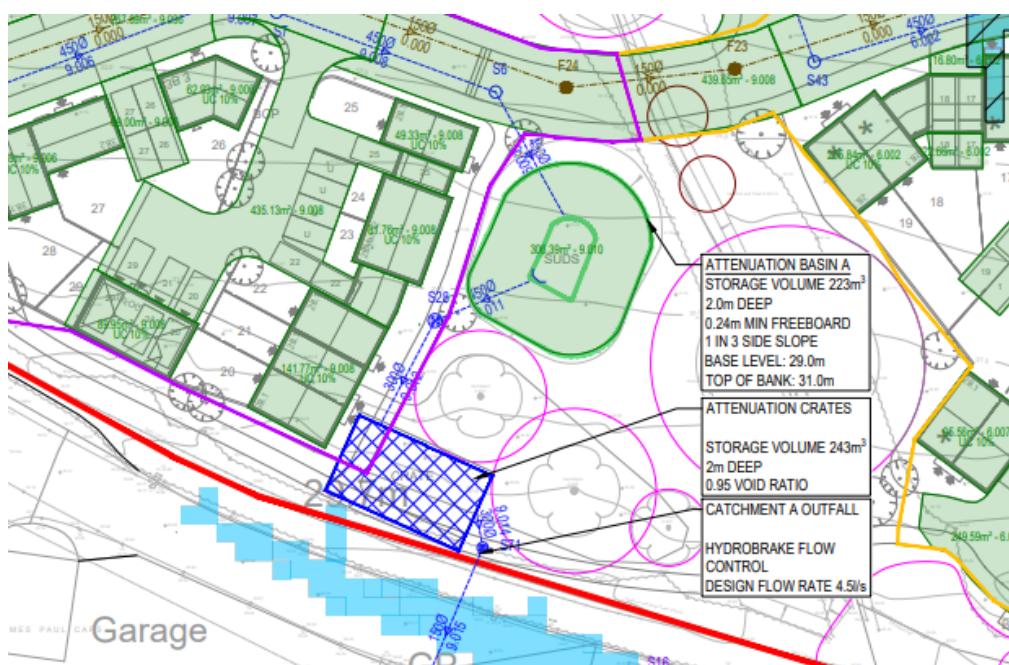
The ecologist refers to attenuation basins, however the original comment refers to the attenuation crate – I have copied two extracts below to illustrate this point.

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.

Attenuation creates abutting tree RPAs and hedgerow.



The agent has confirmed an additional attenuation crate has been inserted in the system 'up stream' of the one located on the boundary. This is located under the car parking area of Unit 28. This has allowed the crate by the boundary to be re-sized so that it keeps 1.5m minimum from the hedgerow. An updated drainage strategy has been submitted to illustrate these changes. The increased 1.5m distance from the hedgerow is welcome. However, the concerns relating to installation of the attenuation crate and encroaching on tree root barriers still stand. Therefore, the retention of this tree remains uncertain.

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.

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.

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.](#)

ANY RECOMMENDED CONDITIONS:

If minded to approve:

Informative

Scenario 1 – BNG required.

NAME:	Linsey King Ecology Officer (Planning)
DEPARTMENT:	Strategic Planning - Specialists
DATE:	23/09/2025 06/11/2025 17/12/2025 15/01/2025