



Preliminary Ecological Appraisal

Chancton Down, Horsham Road, Steyning, West Sussex,
BN44 3AA

October 2025



Arun Ecology Ltd

Registration in England and Wales. Company number: 12524764

Registered Address: Russetts, Hayes Lane, Slinfold, West Sussex

Email: enquiries@arunecology.com – www.arunecology.com



Client	Philip Wycherley
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001	08/10/2025	Amy Oldham BSc (Hons) – Assistant Ecologist	Hannah Baker BSc (Hons), MSc, ACIEEM – Principal Ecologist and Director

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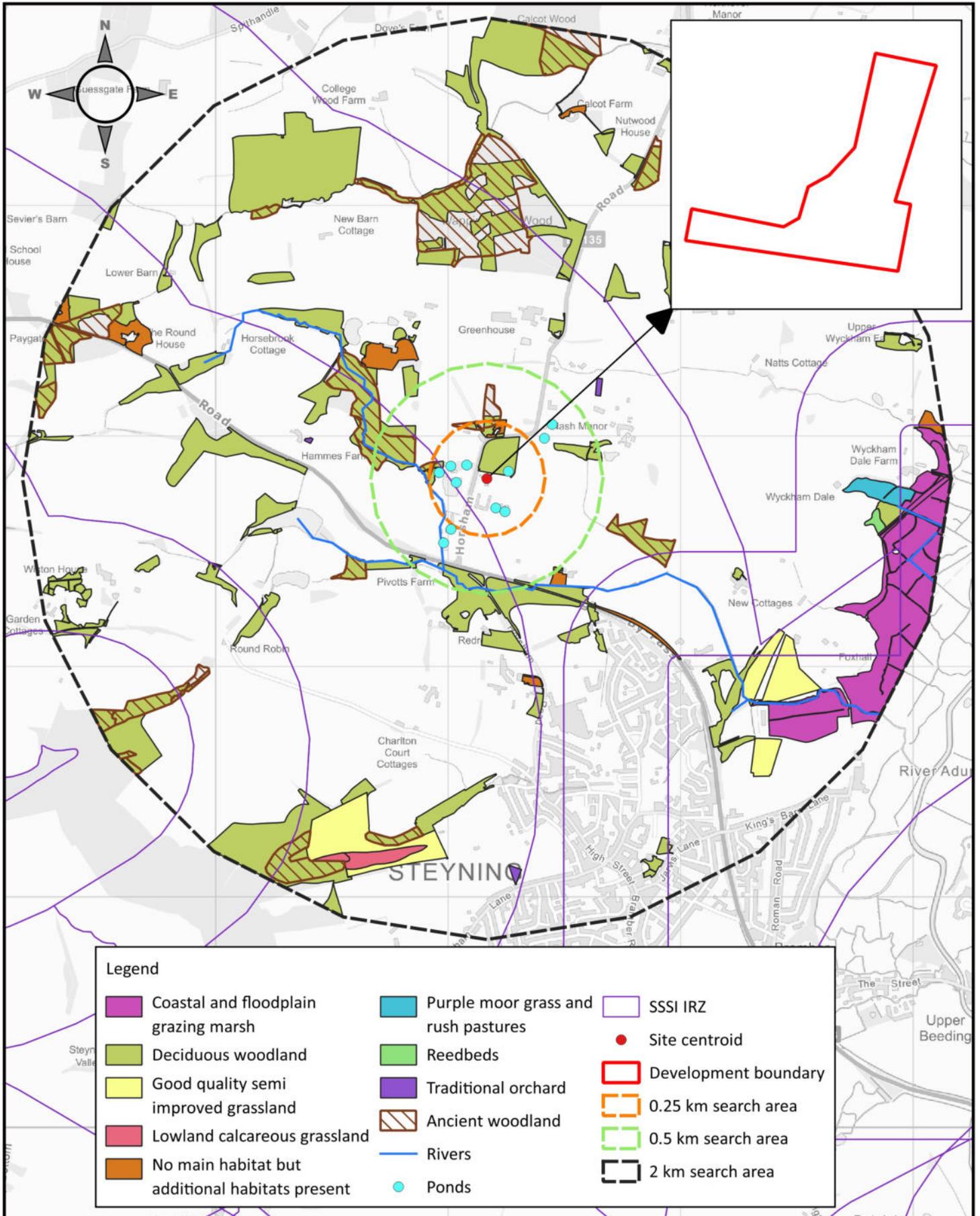


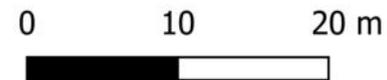
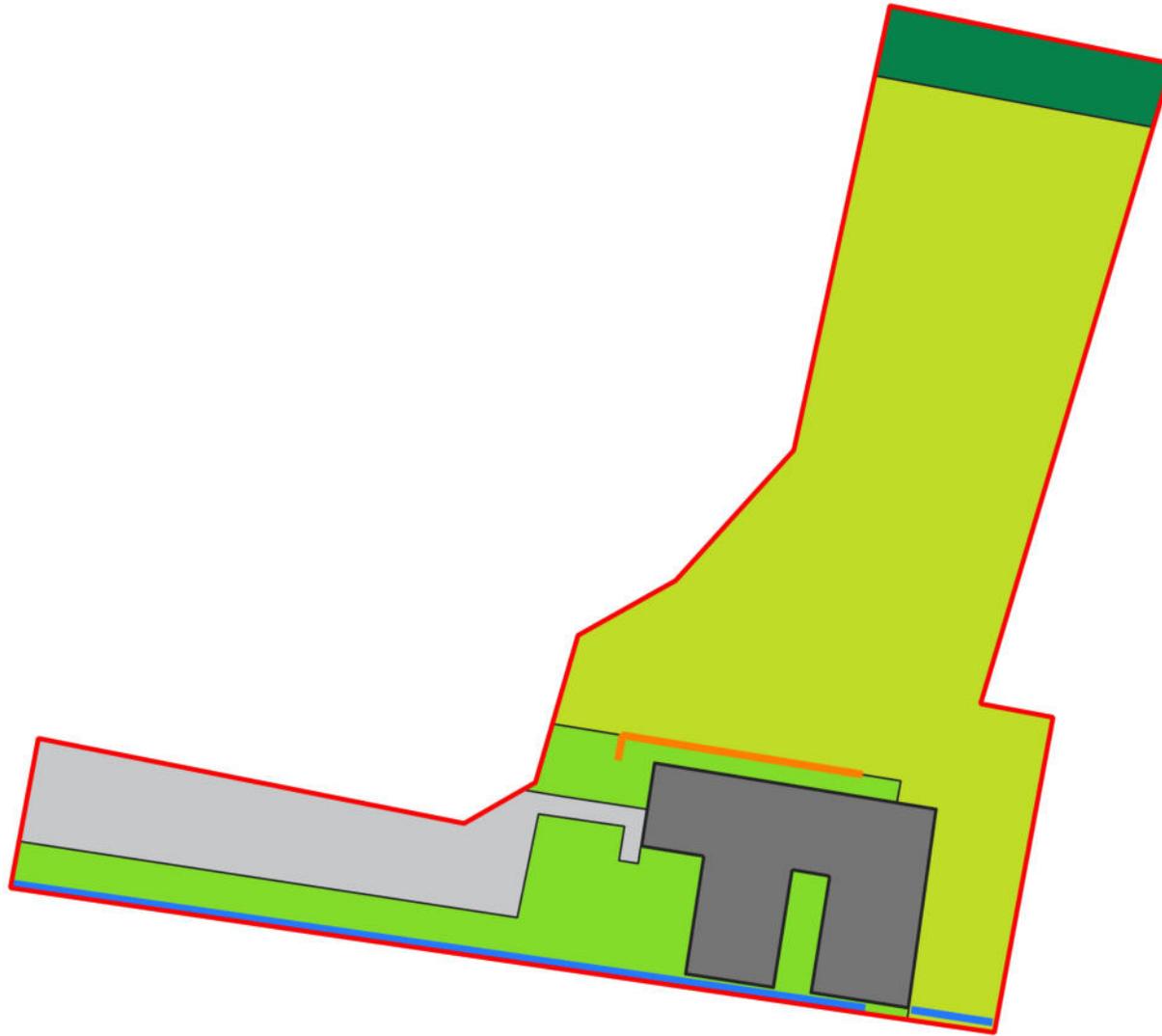
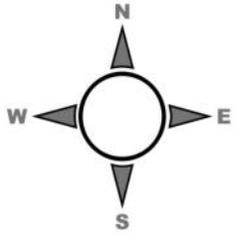
Figure title: **Site Location and Desk Study Results** Client: **C-NJA-072-001-001 Philip Wycherley**

Site location: **Chancton Down, Horsham Road, Steyning, West Sussex, BN44 3AA**

Figure number: **1** Date drawn: **02/10/2025** Scale at A4: **1:22000**

Revision: **1** Cartographer: **AO** Approver: **HB**





Legend

-  Development boundary
- UK Habitat Classification**
-  g4 - Modified grassland
-  u1 828 - Vegetated garden
-  u1b - Developed land, sealed surface
-  u1b5 - Developed land, sealed surface (building)
-  w1f - Lowland mixed deciduous woodland
-  h2a - Native hedgerow
-  h2b - Non-native or ornamental hedgerow

Figure Title:
UK Habitat Classification Survey Results

Client/ Project Reference:
C-NJA-072
Philip Wycherley

Figure number: 2	Revision: 1	Scale at A4: 1:500
Cartographer: AO	Date drawn: 02/10/2025	Approver: HB

Photo 1: Displaying vegetated garden in the northern section of the development boundary.



Photo 2: Displaying modified grassland, developed land, sealed surface and native hedgerow within the development boundary.



Photo 3: Displaying the eastern aspect of building B1 within the development boundary.



Photo 4: Displaying lowland mixed deciduous woodland along the northern development boundary.



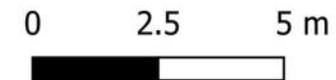
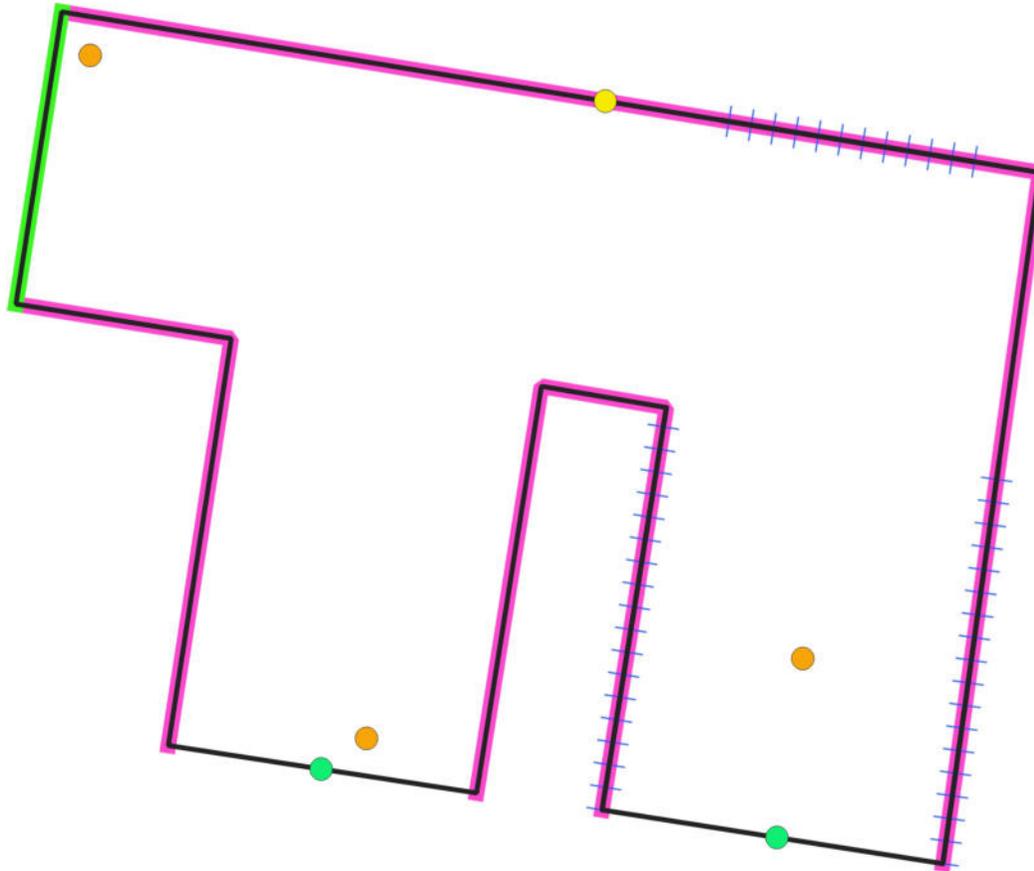
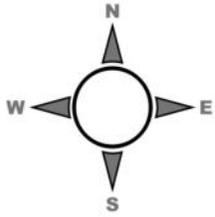
Photo 5: Displaying a native hedgerow to the south of building B1 within the development boundary.



Photo 6: Displaying vegetated garden and the western elevation of building B1 within the development boundary.



Site Location: Chancton Down, Horsham Road, Steyning, West Sussex, BN44 3AA			Client: Philip Wycherley		
Figure Title: UK Habitat Classification Survey – Photographs			Project Ref: C-NJA-072		
Figure No: 3	Revision No: 1	Scale: n/a			
Cartographer: AO	Date Drawn: 02/10/2025	Reviewed By: HB			



Legend

- Building layout
- Potential roosting features and access/ egress points**
- Gaps under roof panels
- Gaps between door and door frame
- Chicken wire
- Gap under apex of roof
- Hole in wooden cladding
- Evidence of bats**
- Bat droppings

Figure Title: Preliminary Roost Assessment – Results

Client/ Project Reference: C-NJA-072
Philip Wycherley

Figure number:	Revision:	Scale at A4:
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Cartographer:	Date drawn:	Approver:
AO	02/10/2025	HB

Photo 1: Displaying the northern elevation of building B1 within the development boundary.



Photo 2: Displaying the northeastern corner of building B1 within the development boundary.



Photo 3: Displaying gaps between the door and the door frame on building B1 within the development boundary.



Photo 4: Displaying access into building B1 under roof panels within the development boundary.



Photo 5: Displaying a hole in wooden cladding on the northern elevation of building B1 within the development boundary.



Photo 6: Displaying access into building B1 via chicken wire within the development boundary.



Site Location: Chancton Down, Horsham Road, Steyning, West Sussex, BN44 3AA			Client: Philip Wycherley		
Figure Title: Preliminary Roost Assessment – Photographs			Project Ref: C-NJA-072		
Figure No: 5	Revision No: 1	Scale: n/a			
Cartographer: AO	Date Drawn: 02/10/2025	Reviewed By: HB			



1. Summary and Recommendations

Proposals	<ul style="list-style-type: none"> Philip Wycherley is proposing a development (grid reference: TQ 17173 12815) at Chancton Down, Horsham Road, Steyning, West Sussex, BN44 3AA (see Figure 1). The proposals include the conversion of building B1 with no vegetation removal required to facilitate the development.
Surveys	<ul style="list-style-type: none"> A desk study was conducted that included the purchase of records from the Sussex Biodiversity Record Centre. A site visit was completed that included a UK Habitat Classification Survey and an appraisal of the habitats within the development boundary to act as ecological receptors.
Impact Assessment	<ul style="list-style-type: none"> The development will not result in any adverse impacts on any designated sites of international, national or local importance. The development will not adversely impact any ancient woodland or any other irreplaceable habitat type. Mitigation will be required within the design and construction phase of the development to ensure the long-term safeguarding and promote the conservation of the native hedgerow that falls within the development boundary that is likely to qualify as a Habitat of Principal Importance (HPI). Based upon the desk study results, the habitats recorded within the development boundary and the development proposals, bats, nesting birds and great crested newts are a material consideration for the development. Building B1 was assessed as having moderate suitability for roosting bats, and the conversion of this building as part of the development could adversely impact roosting bats without further surveys to determine the presence or likely absence of roosting bats. Mitigation will be required during the construction phase of the development to prevent pollution of on-site and offsite habitats and waterbodies. In line with national and local policy, the development will be required to incorporate ecological enhancements into the design. It is our understanding, however, that measurable net gains as defined by The Environment Act, 2021 will not be required.



Recommendations	<p style="text-align: center;">The recommendations below represent a summary only. The full recommendations of this report are outlined in section 6.</p> <p>Further Assessments, Surveys and Consultations</p> <ul style="list-style-type: none">• To ensure there are no adverse impacts on the Arun Valley RAMSAR/SAC/SPA, a water neutrality statement that demonstrates how the proposed development will not increase the total water abstraction for drinking water supplies above existing levels within the Sussex North Water Resource Zone should be submitted with the planning application.• In-line with BCT Good Practice Guidelines (Collins, 2023) two bat emergence surveys should be undertaken at building B1 to determine the presence or likely absence of bats and characterise any roosts present. <p>Mitigation</p> <ul style="list-style-type: none">• The mitigation measures outlined in this report for native hedgerows, bats, GCN, nesting birds and pollution prevention should be followed during the construction phase of the development. <p>Ecological Enhancements</p> <ul style="list-style-type: none">• The ecological enhancements outlined within this report should be incorporated into the design of the development.
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2. Introduction

2.1 Development Location

2.1.1 Philip Wycherley is proposing a development (grid reference: TQ 17173 12815) at Chancton Down, Horsham Road, Steyning, West Sussex, BN44 3AA (see Figure 1). The above address is hereafter referred to as ‘the site’ and Philip Wycherley as the ‘applicant’.

2.1.2 The local planning authority for the site’s location is Horsham District Council (HDC).

2.2 Development Proposals

2.2.1 Development plans were not available at the time of authoring this report (October, 2025). However, Arun Ecology have been informed that the development proposals include:

- The conversion of an existing building (building B1) within its existing footprint.

2.2.2 The applicant has informed Arun Ecology that the works will be confined to the existing footprint of building B1, with no vegetation removal required to facilitate the development.

2.2.3 The proposals above are hereafter referred to collectively as ‘the development’ in this report. The footprint of the works and their immediate surroundings are hereafter referred to as the ‘development boundary’.

2.3 Ecology Background

2.3.1 It is our understanding that no previous ecology reports have been completed for the proposed development.

2.4 Brief and Objectives

2.4.1 Arun Ecology Ltd were commissioned by the applicant to undertake a Preliminary Ecological Appraisal (PEA) for the development.

2.4.2 The key objectives of a PEA, as per CIEEM guidance (CIEEM, 2017) are as follows:

- Identify the likely ecological constraints associated with the development;
- Identify any mitigation measures likely to be required, following the ‘mitigation hierarchy’, as per BS42020:2013 Clause 5:2 (BSI, 2013);
- Identify any additional surveys that may be required to inform an Ecological Impact Assessment (ECiA); and



- Identify the opportunities offered by the development to deliver ecological enhancements and net gains for biodiversity.

2.4.3 The brief agreed with the applicant included:

- The undertaking of a desk study search obtaining records of designated sites, Habitats of Principle Importance (HPI) and ancient woodland as well as purchasing records of protected species and species of conservation concern;
- Undertake a UK Habitat Classification Survey (hereafter UK Hab Survey) to record the habitats within the development boundary, assess their conservation value and suitability to act as ecological receptors for protected species and species of conservation concern; and
- Provide a PEA report supported by digitized mapping that presents the methods and results of the desk study and the UK Hab Survey within the development boundary. The report will also include an initial impact assessment of the development and any recommendations, including opportunities for ecological enhancement.



3. Method

3.1 Preliminary Ecological Appraisal

General Approach

3.1.1 The PEA was carried out in accordance with the CIEEM Guidelines for Preliminary Ecological Appraisal (CIEEM, 2017) and the CIEEM Guidelines for Ecological Impact Assessment (CIEEM, 2018).

3.2 Desk Study

3.2.1 The study area for the desk study at this stage of the development is based upon a provisional 'zone of influence'. 'The 'zone of influence' is defined as per CIEEM guidance as 'the area over which ecological features may be affected by biophysical changes as a result of the proposed project and associated activities' (CIEEM, 2018).

3.2.2 The provisional zone of influence for the development where data was sought is set as the following:

- RAMSAR, Special Conservation Areas (SACs) and Special Protection Areas (SPAs), (including potentially designated sites), Sites of Specific Scientific Interest (SSSI) and locally designated sites – 2 km;
- All other non-statutory designated sites – 1 km;
- Habitats of Principle Importance (HPI), Ancient woodland and Main Rivers – 2 km;
- Ponds – 0.5 km; and
- Protected Species, Species of Principle Importance (SPI) and other species of conservation concern – 1 km (from the last 10 years).

3.2.3 Sources of information within the study area for the desk study were as follows;

- The Multi-Agency Geographical Information for the Countryside (MAGIC);
- Government open-source GIS datasets;
- Horsham District Council Local Plan (2015);
- Satellite images (powered by google via QGIS 3.38); and
- Purchased records from Sussex Biodiversity Record Centre (SxBRC).



3.3 Field Habitat Survey

UK Habitat Classification Survey

- 3.3.1 The field survey was undertaken using the UK Hab Survey methodology (UK Hab, 2023a) to record the habitat types within the development boundary. The study area for the UK Hab Survey was defined as all of the land within the development boundary (see Figure 2).
- 3.3.2 The UK Hab Survey has 5 hierarchical levels of habitat classification that aligns with those outlined under national legislation and planning policy. Habitats were mapped in the field using the primary habitat codes described in the UK Hab Survey Professional Edition to levels 3, 4 or 5 (UK Hab, 2023b).
- 3.3.3 Secondary habitat codes and target notes were assigned along with primary habitat codes to provide additional context where the habitat contained additional features that deviate from the primary classification.
- 3.3.4 To identify each habitat, the dominant plant and other readily identified species were recorded and their abundance within the development boundary was measured using the DAFOR scale (Stace, 2019).

3.4 Site Habitat Suitability Assessment

General Approach

- 3.4.1 The habitat within the development boundary was appraised for its suitability to support protected species and species of conservation concern at the time of the field habitat survey with regard to the Guidelines for Preliminary Ecological Appraisal (CIEEM, 2017) and BS42020:2013 Biodiversity – Code of Practice for Planning and Development (BSI, 2013). The species-specific guidance and references used in the appraisal are outlined in Table 1 below.



Table 1 – References used to assess the suitability of habitat within the development boundary to support protected species and species of conservation concern.

Group/ taxa	Habitat Appraisal References
Amphibians/ GCN	<ul style="list-style-type: none"> GCN Habitat Suitability Index (Oldham et al. 2010); and Great Crested Newt Conservation Handbook (Langton et al, 2001).
Bats	<ul style="list-style-type: none"> Bat Conservation Trust Good Practice Guidelines (Collins, 2023).
Birds	<ul style="list-style-type: none"> A Field Guide to Monitoring Nests (Ferguson-Lees et al, 2011); and Barn Owl <i>Tyto alba</i> Survey Methodology and Techniques for use in Ecological Assessment (Shawyer, 2011).
Mammals	<ul style="list-style-type: none"> Surveying Badgers (Harris et al, 1989) and Badger Trust Best Practice Guidelines (Badger Trust, 2023); The Dormouse Conservation Handbook (Bright et al, 2006); UK BAP Mammals Interim Guidance for Survey Methodologies, Impact Assessment and Mitigation (Cresswell, et al, 2012); Otter (Woodroffe, 2007), Hedgehog (Morris, 2011); Water shrew (Carter, 2006) - Mammal Society Species Series; and Water Vole Field Signs and Habitat assessment (Dean, 2022) and Water Vole Mitigation Handbook (Dean et al, 2016).
Reptiles	<ul style="list-style-type: none"> Herpetofauna Workers' Manual (Gent & Gibson, 2003); and Reptile Habitat Management Handbook (Edgar, 2010).
Invertebrates	<ul style="list-style-type: none"> Good Planning Practice for Invertebrates (Buglife, 2015); and Organising Surveys to Determine Site Quality for Invertebrates (English Nature, 2005).

Bats – Preliminary Roost Assessment

- 3.4.2 A bat preliminary roost assessment (PRA) of structures and trees as well as an assessment of the habitat within the development boundary for bats was carried out in accordance with the Bat Conservation Trust Good Practice Guidelines for Ecologists (Collins, 2023).
- 3.4.3 A ground level inspection of the exterior of any structures within the development boundary, and any trees that will be adversely impacted by the development, was undertaken with the aid of torchlight and binoculars to search for bat PRFs that might provide suitable crevices or access/egress points to voids or cavities for roosting bats.
- 3.4.4 Where accessible and safe to do so, a search for signs of bats such as bat specimens, droppings, urine staining and audible sound (such as social calls) was undertaken at each structure or tree. This included an internal inspection of roof voids at structures and the use of an endoscope to inspect any accessible bat PRFs.
- 3.4.5 A classification based upon the roosting suitability for bats was assigned for each structure and tree that was inspected within the development boundary as well as



the overall suitability of habitat. The classification descriptions are detailed below in Table 2 for structures and Table 3 for trees.

Table 2 – Suitability assessment for a proposed development site for bats, as adapted from BCT Good Practice Guidelines (Collins, 2023).

Potential Suitability	Definition	
	Roosting Habitat	Potential Flight Paths and Foraging Habitat
None	No habitat features on-site likely to be used by any roosting bats at any time of year (i.e. a complete absence of crevices/ suitable shelter at all ground/ underground levels).	No habitat features on site likely to be used by any commuting or foraging bats at any time of the year (i.e. no habitats that provide continuous lines of shade/ protection for flight lines or that generates shelter for insect populations that is available to foraging bats).
Negligible	No obvious habitat features on site likely to be used by roosting bats, however, small element of uncertainty remains as bats can use small and apparently unsuitable features on occasion.	No obvious habitat features on site likely to be used as flight paths or by foraging bats; however, a small element of uncertainty remains in order to account for non-standard bat behaviour.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically at any time of the year. However, these potential roosting sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity and not a classic cool/stable hibernation site but could be used by individual hibernating bats).	Habitat that can be used by a small number of bats as flightpaths such as a gappy hedgerow or unvegetated stream but isolated i.e. not very well connected to the surrounding landscape by other habitats. Suitable, but isolated habitat that can be used by small numbers of foraging bats such as a lone tree (not in parkland situation) or a patch of scrub.
Moderate	A structure with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions, and surrounding habitat but unlikely to support a roost of high conservation status, with respect to roost type only, such as maternity or hibernation roosts.	Continuous habitat connected to the wider landscape that could be used by bats for flight paths such as lines of trees, scrub and linked back gardens and for foraging such as trees, scrub grassland and water.
High	A structure with one or more potential roosting sites that are obviously suitable for use by a larger number of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions, and surrounding habitat. These structures have the potential to support high conservation status roosts, e.g. maternity or classic cool/stable hibernation sites.	Continuous, high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by bats for flight paths such as river valleys, streams, hedgerows, lines of trees and woodland edge. High quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined water courses and grazed parkland. The site is close to and connected to known bat roosts.



Table 3 – Guidelines for assessing the suitability of trees for bats, adapted from BCT Good Practice Guidelines (Collins, 2023).

Suitability	Definition
None	Either no PRFs in the tree or highly unlikely to be any present.
FAR	Further assessment required to establish if PRFs are present in the tree.
PRF	A tree with a least one PRF present.

3.5 Survey Dates and Conditions

3.5.1 Details on the date, timing and weather conditions recorded during the survey are provided below in Table 4.

Table 4 – Field Survey Information.

Date	Survey Type	Survey Timings		Temperature (°C)		Rain	Wind (Beaufort scale)
		Start	Finish	Start	Finish		
15/08/2025	UK Hab Survey and bat PRA.	11:00	12:30	24	24	None	2

3.6 Surveyors

3.6.1 The field survey was undertaken by Amy Oldham BSc (Hons). Amy Oldham is adequately trained to carry out UKHab Surveys and is accredited under a level 1 class licence to survey bats.

3.7 Limitations

3.7.1 There were no limitations recorded during the UKHab Survey or bat PRA.



4. Results

4.1 Desk Study

Designated Sites

4.1.1 The results of the desk study search for statutory and non-statutory designated sites are detailed below in Table 5 (see Figure 1).

Table 5 - Statutory and non-statutory designated sites returned from the desk study search.

Statutory and Non-Statutory Designated Sites			
Designation Level	Site Name	Distance & Direction	Summary
RAMSAR/ SAC/SPA	Arun Valley	The site is located within the Sussex North Water Resource Zone.	This site covers an area of approximately, 487 ha – 553 ha in size (that includes the Pulborough Brooks, Amberley Wild Brooks and Waltham Brooks SSSI). Designated primarily for Ramshorn Snail, Bewick Swan and its bird assemblages. There are also 14 other qualifying features for the designations.

Ancient Woodland

4.1.2 There were twenty-six ancient woodland parcels returned within 2 km of the development boundary (see Figure 1). The nearest ancient woodland parcel was 0.17 km north of the development boundary.

Habitats of Principle Importance

4.1.3 Details on the number of HPI, the habitat type and the distance from the development boundary to the closest HPI parcel are detailed in Table 6 and displayed in Figure 1.



Table 6 - Habitats of Principle Importance returned from the desk study search within 2 km of the development boundary.

Habitat of Principle Importance		
Habitat Type	Number of HPI parcels within 2 km	Distance and direction of nearest HPI parcel and other notable parcels
Coastal and floodplain grazing marsh	14	<ul style="list-style-type: none"> The nearest coastal and floodplain grazing marsh is 1.50 km southeast of the development boundary.
Deciduous woodland	85	<ul style="list-style-type: none"> The nearest deciduous woodland parcel is located along the northern development boundary.
Good quality semi-improved grassland	4	<ul style="list-style-type: none"> The nearest good quality semi-improved grassland is 1.38 km southeast of the development boundary.
Lowland calcareous grassland	3	<ul style="list-style-type: none"> The nearest lowland calcareous grassland is 1.59 km south of the development boundary.
Traditional orchard	4	<ul style="list-style-type: none"> The nearest traditional orchard is 0.58 km northeast of the development boundary.
Purple moor grass and rush pastures	1	<ul style="list-style-type: none"> The nearest purple moor grass and rush pasture is 1.53 km east of the development boundary.
Reedbeds	1	<ul style="list-style-type: none"> The nearest reedbed is 1.63 km east of the development boundary.
No main habitat but additional habitats present	10	<ul style="list-style-type: none"> There are two parcels within 0.5 km of the development boundary; and These parcels include deciduous woodland and coastal and floodplain grazing marsh.

4.1.4 Eleven ponds were recorded within 0.5 km of the development boundary (see Figure 1). The nearest pond is located 0.07 km west of the development boundary.

4.1.5 Eleven main river parcels were returned within 2 km of the development boundary (see Figure 1). None of the parcels were listed as priority river habitats under the national inventory. The nearest main river parcel is located 0.15 km southwest of the development boundary.



Protected Species and Other Species of Conservation Concern

- 4.1.6 No EPSLs were granted within 1 km of the development boundary.
- 4.1.7 The development boundary falls within the HDC great crested newt (GCN) District Level Licence (DLL) Red Risk Zones (based on information provided by NatureSpace).



4.2 UK Habitat Classification Survey Results

4.2.1 The habitats recorded during the UK Hab Survey within the development boundary are described below in Table 7 (see Figure 2 and Figure 3).

Table 7 – Habitats recorded within the development boundary during the UK Habitat Classification Survey.

UK Hab Survey Classification Code	Approx. Area sqm	Summary and Species List
Grassland		
<p>Primary: Modified grassland Code: g4</p>	315	<p>There was an area of modified grassland within the southern section of the development boundary. This parcel comprised a species poor modified grassland with a short sward height (approximately 50 mm) due to regular mowing. This parcel had a species composition indicative of improvement and typically had six species per metre squared. Two trees were recorded within this parcel.</p> <p>Species recorded:</p> <p>Grasses: Perennial rye grass (D), Yorkshire fog (F), cock's foot (O).</p> <p>Forbs and other plants: white clover (F), creeping buttercup (F), common daisy (F), doves foot cranesbill (F), broad-leaved dock (O), herb Robert (O), willowherb sp. (O), creeping cinquefoil (F), dandelion (O), greater plantain (R), bristly oxtongue (O), ground ivy (O).</p> <p>Scattered trees: pedunculate oak (R), olive sp. (R).</p>



<p>Primary: Built-up areas and gardens</p> <p>Secondary: Vegetated garden</p> <p>Code: u1 828</p>	1115	<p>There was a large area of vegetated garden within the development boundary. This parcel is regularly mowed and used as a residential garden. This parcel comprised a species poor modified grassland with a short sward height (approximately 50 mm) and had a species composition indicative of improvement. The grassland typically had four species per metre squared. One tree was recorded within this parcel.</p> <p>Species recorded:</p> <p>Grasses: Perennial rye grass (D), Yorkshire fog (O).</p> <p>Forbs and other plants: white clover (A), creeping buttercup (F), creeping cinquefoil (O), common daisy (O), doves foot cranesbill (O), dandelion (R), creeping thistle (R), bristly oxtongue (R).</p> <p>Scattered trees: fir sp. (R).</p>
Heathland and Shrub		
<p>Primary: Non-native and ornamental hedgerow</p> <p>Code: h2b</p>	18	<p>There is an ornamental hedgerow located along the northern aspect of building B1. This hedgerow was approximately 18 m long and 2 m wide.</p> <p>Species recorded: common beech (D).</p>
<p>Primary: Native hedgerow</p> <p>Code: h2a</p>	60	<p>There is a native hedgerow located along the southern development boundary. This hedgerow was approximately 60 m long and 1.5 m wide.</p> <p>Species recorded: hornbeam (D).</p>
<p>Primary: Native hedgerow</p> <p>Code: h2a</p>	6	<p>There is a native hedgerow located along the southern development boundary. This hedgerow was approximately 6 m long and 1.5 m wide.</p> <p>Species recorded: common dogwood (D), hawthorn (O), field maple (O), nettles (O).</p>
Urban		
<p>Primary: Developed land, sealed surface</p> <p>Secondary: Building</p> <p>Code: u1b5</p>	219	<p>One building (B1) was recorded within the development boundary. This building is a former cattery. A detailed description the building is provided in Table 10, Appendix I.</p> <p>No vegetation is associated with this habitat parcel.</p>



Primary: Developed land, sealed surface Code: u1b	244	There is an area of developed land, sealed surface comprised of a driveway and pathway within the development boundary. No vegetation is associated with this habitat parcel.
Woodland		
Primary: Lowland mixed deciduous woodland Code: w1f	92	A parcel of lowland mixed deciduous woodland was recorded in the northern section of the development boundary. This parcel is listed on the national habitat inventory. The woodland canopy was continuous and the understorey had a dense structure throughout its extent. Species recorded: oak (F), bramble (F), hawthorn (O), field maple (O).



4.3 Site Habitat Suitability Assessment

4.3.1 An assessment of habitat within the development boundary to act as an ecological receptor for protected species and species of conservation concern, based upon the desk study results and the habitats recorded during the UK Hab Survey is provided below in Table 8. The bat PRA results are summarised below, given in full in Table 10 Appendix I and displayed in Figure 4 and Figure 5.

Table 8 – Site habitat assessment for protected species and species of conservation concern.

Species/Group	Site Assessment and Rationale
GCN and Other Amphibians	<ul style="list-style-type: none"> • There were no records of GCN returned from the desk study search within 1 km of the development boundary. • There were 11 ponds identified within 0.5 km of the development boundary, the nearest of which was 0.07 km west of the development boundary. • No suitable breeding habitat for GCN was recorded within the development boundary. The hedgerows within the development boundary provide suitable resting places for GCN. The modified grassland within the development boundary at the time of the UKHab Survey provided unsuitable structure to be used as a permanent resting place for GCN with a sward height of approximately 50 mm. Furthermore, the habitat within the main footprint of the development was comprised of developed land sealed surface that provides unsuitable habitat for GCN. • Given the unsuitable habitat within the main footprint of the development, the probability of GCN being encountered within the main footprint of the development is low.
Bats	<ul style="list-style-type: none"> • Records of bats (including SPI) were returned from the desk study search within 1 km of the development boundary. • Building B1 was assessed as having moderate suitability for roosting bats during the bat PRA. The full results of the bat PRA are provided in Table 10, Appendix I. No trees with suitability for roosting bats will be removed as part of the development, under current plans. • The habitat within the development boundary was assessed as having suitability for bats, with the lowland mixed deciduous woodland and native hedgerows within the development boundary providing suitable foraging and commuting habitat (flightlines) for bats. This habitat connects well to the wider rural landscape, including local parcels of deciduous and ancient woodland.



Birds	<ul style="list-style-type: none"> • Several records of birds including species of conservation concern were returned from the desk study search within 1 km of the development boundary. • There are trees, lowland mixed deciduous woodland, native hedgerows, and Building B1 within the development boundary, all of which provide suitable habitat for nesting birds. • The vegetated garden and modified grassland parcels within the development boundary are reasonably unlikely to be suitable for ground nesting birds due to their short sward height.
Terrestrial mammals (non-bats)	<ul style="list-style-type: none"> • Badgers: No evidence of badgers, including badger setts or field signs were recorded within the development boundary at the time of the UK Hab survey. The development boundary includes vegetated gardens, modified grassland and lowland mixed deciduous woodland that, broadly could provide foraging and burrowing opportunities for badger given the rural location of the development boundary. • Hazel dormice: No records of hazel dormice were returned from the desk study search within 1 km of the development boundary. The development boundary includes lowland mixed deciduous woodland and native hedgerows which are recognised as potential dormouse habitats. These parcels have dense, continuous structures that could be suitable for hazel dormice. The woodland parcel connects to nearby suitable dormice habitat, including ancient woodland. The habitat within the immediate footprint of the development consists of developed land, sealed surface with no suitability for hazel dormice. • Hedgehogs: The lowland mixed deciduous woodland and native hedgerows within the development boundary are reasonably likely to provide foraging and resting places for hedgehogs. The grassland parcels within the development boundary also provides suitable foraging habitat for hedgehogs. As such, it is reasonably likely that hedgehogs could be encountered within the development boundary. • Otters and water voles: No records of otter or water vole were returned from the desk study search within 1 km of the development boundary. Based on the habitats recorded within the development boundary it is reasonably unlikely otter or water vole will be encountered within the development boundary or that the habitat will be associated with any population of these species. • Other mammals: No mammal burrows such as those of rabbit or fox were recorded within the development boundary at the time of the UKHab Survey. Habitats recorded within the development boundary such as native hedgerows and lowland mixed deciduous woodland margins could conceal such burrows. As such, it is possible the above species could be found within the development boundary prior to its commencement.



Reptiles	<ul style="list-style-type: none"> Records of common reptiles were returned from the desk study search within 1 km of the development boundary. The main extent of habitat within the development boundary was formed of grassland parcels with a short sward height which provided insufficient structure and cover to support a permanent reptile population. The structure of the grassland parcels also resulted in a poor interface between other habitats such as native hedgerows and lowland mixed deciduous woodland. The main footprint of the development is comprised of developed land, sealed surface which is an unsuitable habitat for reptiles.
Invertebrates	<ul style="list-style-type: none"> Several records of invertebrates including species of conservation concern were returned from the desk study search within 1 km of the development boundary. The habitats within the development boundary include lowland mixed deciduous woodland and native hedgerows, which are broadly habitats of value to invertebrates and can be associated with species of conservation concern. The rest of the development boundary was comprised of grassland parcels that lacked botanical diversity and environmental heterogeneity, or developed land, sealed surface devoid of vegetation and as such, only offers limited value for invertebrates at a site level. No water bodies were recorded within the development boundary and as such, aquatic favouring species of conservation concern are reasonably unlikely to be encountered within the development boundary. Based on the above points it is reasonably unlikely that any important assemblages or populations of conservation concern will be encountered within the immediate footprint of the development.
Plants, Lichens and Fungi	<ul style="list-style-type: none"> The habitat within the main footprint of the development consisted of development land sealed surface devoid of vegetation. No European or nationally protected plants or SPI were recorded within the development boundary at the time of the UKHab Survey. Therefore, it is reasonably unlikely any such species or any fungi or lichens species of conservation concern will be impacted by the development.
Non-native and Invasive Species	<ul style="list-style-type: none"> No invasive non-native species listed under Schedule 9 of the Wildlife & Countryside Act, 1981 or the Invasive Alien Species Order, 2019 were recorded within the development boundary at the time of the UK Hab Survey.



5. Legislation and Planning Policy

5.1.1 A summary of the relevant legislation and planning policy that could be a material consideration to the development is provided below in Table 9. Further details of the UK legislation and planning policy relevant to the qualifying features in this section are detailed in Appendix II.

Table 9 – Legislation and planning policy evaluation of the development.

Ecological Feature	Relevant Legislation & Planning Policy	Impact Assessment and Legal Compliance	Rationale and Comments
Designated sites			
Arun Valley RAMSAR/SAC/SPA	<ul style="list-style-type: none"> Conservation of Habitat & Species Regulations, 2017; National Planning Policy Framework, 2024; and HDC Local Plan – Policy 25 and 31. 	Adverse impacts/offence reasonably unlikely.	<ul style="list-style-type: none"> Due to the small scale, extent and magnitude of the development as well as it's distance to the designation, there will be no direct loss of area within the designation, and it is reasonably unlikely that there will be any adverse impacts due to degradation that might arise from increased recreational pressure or pollution.
Habitats			
Irreplaceable habitat	<ul style="list-style-type: none"> National Planning Policy Framework, 2024; and HDC Local Plan – Policy 25 and 31. 	Adverse impacts/offence reasonably unlikely.	<ul style="list-style-type: none"> No ancient woodland parcels or any other type of irreplaceable habitat are located within the development boundary or will be directly lost as part of the development. Due to the small scale, extent and magnitude of the development and its distance to any ancient woodland parcels, it is reasonably unlikely that there will be any adverse impacts resulting from degradation through increased recreational pressure or pollution to ancient woodland outside of the development boundary.



<p>Habitats of Principle Importance</p>	<ul style="list-style-type: none"> Natural Environment & Rural Communities Act, 2006 – Section 41; National Planning Policy Framework, 2024; and HDC Local Plan – Policy 25 and 31. 	<p>Mitigation required</p>	<ul style="list-style-type: none"> There is one hedgerow located within the development boundary that is reasonably likely to qualify as an HPI. This HPI will be retained in its entirety as part of the development. The main footprint of the development will encroach to within < 2 m of the native hedgerow HPI within the development boundary. As such, mitigation will be required to ensure the safeguarding of the hedgerow from damage during the construction phase of the development. There is a parcel of lowland mixed deciduous woodland located in the northern section of the development boundary that is listed in an HPI, however, adverse impacts will be avoided to this habitat as it will be retained in its entirety and is located at a sufficient distance from the development footprint to ensure no adverse impacts are anticipated. The recommendations outlined in section 6 of this report should be followed to ensure the development is compliant with local planning policy.
<p>Pollution Prevention</p>	<ul style="list-style-type: none"> Environmental Protection Act, 1990; National Planning Policy Framework, 2024; and HDC Local Plan – Policy 25 and 31. 	<p>Mitigation required</p>	<ul style="list-style-type: none"> Pollution prevention measures should be incorporated into the construction phase of the development to avoid onsite and offsite pollution to habitats and the nearby waterbodies. Mitigation measures will be required within the design of the development to ensure that there are no significant increases in the levels of light pollution as a result of the installation of artificial lighting as part of the development. The recommendations outlined in section 6 should be followed to ensure the development proceeds lawfully.
<p>Biodiversity Net Gain and Ecological Enhancements</p>			
<p>Biodiversity Net Gain</p>	<ul style="list-style-type: none"> The Environment Act, 2021; and National Planning Policy Framework, 2024. 	<p>Exempt development</p>	<ul style="list-style-type: none"> The development will be exempt from the mandatory biodiversity net gain (BNG) requirements as defined under The Environment Act, 2021. No further recommendations are outlined in this report with respect to BNG.



Ecological Enhancement	<ul style="list-style-type: none"> National Planning Policy Framework, 2024; and HDC Local Plan – Policy 25 and 31. 	Further action required	<ul style="list-style-type: none"> The development will be required to implement ecological enhancements into the design of the development to ensure it is compliant with national and local planning policy. The recommendations outlined in section 6 of this report should be followed to ensure the development is compliant with national and local planning policy.
Protected Species and Species of Conservation Concern			
Badgers	<ul style="list-style-type: none"> Badger Protection Act, 1992. 	Compliant/ adverse impacts reasonably unlikely	<ul style="list-style-type: none"> No badger setts or evidence of badgers were recorded within the development boundary, however, due to its rural location and proximity to typical badger habitats such as woodland parcels, it is possible that badger setts could be created within close proximity to the main footprint of the development and potentially encountered during the construction phase of the development. In our professional opinion, the development is reasonably unlikely to alter how badgers use the site or significantly reduce the available habitat within a badger territory, given the rural location of the site. It is also reasonably unlikely to have any adverse impacts on any badger setts present within close proximity to the development boundary due to the development proposals being retained within the existing footprint of building B1.
Bats	<ul style="list-style-type: none"> Conservation of Habitat & Species Regulation, 2017; Wildlife & Countryside Act, 1981 – schedule 5; and Natural Environment & Rural Communities Act, 2006 – Section 40/41. 	Further assessment and mitigation required	<ul style="list-style-type: none"> Evidence of bats (6 bat droppings) was recorded within building B1 during the PRA. As this building will be converted as part of the development, it could result in harm to individual bats and adversely impact their roosts without further assessment for bats. Building B1 was assessed as having moderate potential for roosting bats, rather than a confirmed roost, because the droppings are more consistent with foraging activity within the building than with a roost, given: (i) the limited availability of internal PRFs suitable for crevice-dwelling species; (ii) the building being well-lit by natural light due to its open-fronted design on three elevations, reducing suitability for void-dwelling species and (iii) the western double doors typically being left open, providing easy access/egress for foraging bats.



			<ul style="list-style-type: none"> No trees with suitability for roosting bats will be adversely impacted by the development, based on the current development proposals. All potential bat flightlines along the edge of the lowland mixed deciduous woodland and native hedgerows will be retained as part of the development. For the reasons outlined above in the pollution prevention section, the development will be required to mitigate the level of new light pollution from the installation of artificial lighting to ensure it does not adversely impact potential bat flightlines within the development boundary. The recommendations outlined in section 6 should be followed to ensure the development proceeds lawfully.
Birds	<ul style="list-style-type: none"> Wildlife & Countryside Act, 1981 – Section 1 and Schedule 1; and Natural Environment & Rural Communities Act, 2006 – Section 40/41. 	Mitigation required	<ul style="list-style-type: none"> The development will include works to building B1 which has suitability to support nesting birds. Suitable habitat for nesting birds (native hedgerows and trees) is also located in close proximity to the proposed works. It is, therefore, possible that nesting birds could be adversely impacted during the construction phase of the development without appropriate mitigation. Based on the available habitat within the development boundary, it is reasonably unlikely that important assemblages or populations of birds of conservation concern will be adversely impacted by the development. The recommendations outlined in section 6 of this report should be followed to ensure the development proceeds lawfully.
Great crested newts	<ul style="list-style-type: none"> Conservation of Habitat & Species Regulations, 2017; Wildlife & Countryside Act, 1981 – schedule 5; and Natural Environment & Rural Communities Act, 2006 – Section 40/41. 	Mitigation required	<ul style="list-style-type: none"> The proposed development will be retained within the footprint of building B1. Based on the above, in our professional judgment the development is reasonably unlikely to result in adverse impacts to GCN at a population level as: <ul style="list-style-type: none"> No GCN breeding habitat will be removed or modified; The development will not result in the permanent removal of potential GCN terrestrial habitat; and



			<ul style="list-style-type: none"> The development will not result in the obstruction of GCN reaching their breeding or resting places. The risk of harm to individual GCN, in our professional opinion is also acceptably low, based on the development proposals, and with appropriate mitigation it will ensure that an offence is reasonably unlikely to be committed. The mitigation to safeguard any individual GCN during the construction phase of the development, in our professional opinion, can be reasonably predicted, that, it would not be proportionate to undertake further presence/ absence surveys to inform the impacts of the development. To ensure the development proceeds lawfully the recommendations outlined in section 6 should be followed.
Hazel dormice	<ul style="list-style-type: none"> Conservation of Habitat & Species Regulations, 2017; Wildlife & Countryside Act, 1981 – schedule 5; and Natural Environment & Rural Communities Act, 2006 – Section 40/41. 	Compliant/ adverse impacts reasonably unlikely	<ul style="list-style-type: none"> There is lowland mixed deciduous woodland and native hedgerows onsite that are broadly habitat types suitable for hazel dormice. However, all native hedgerows within the development boundary will be retained as part of the development and mitigation measures have been recommended in section 6 to safeguard the native hedgerows during the construction phase. The lowland mixed deciduous woodland within the development boundary will be retained, and is located at a sufficient distance from the development footprint to ensure no adverse impacts are anticipated. Based on the above point, the development is reasonably unlikely to result in harm to individual hazel dormice or adversely impact any habitat associated with a hazel dormouse population.
Hedgehogs	<ul style="list-style-type: none"> Natural Environment & Rural Communities Act, 2006 - Section 40/41; and Wild Mammals (Protection) Act, 1996. 	Compliant/ adverse impacts reasonably unlikely	<ul style="list-style-type: none"> The risk of hedgehog being inadvertently killed with methods prohibited under the Wild Mammals (Protection) Act, 1996 during the construction phase of the development is acceptably low based on the absence of suitable resting and foraging places for hedgehog within the immediate footprint of the development.



			<ul style="list-style-type: none"> Based on the above point it is reasonably unlikely that a significant population of hedgehog will be adversely impacted by the development.
Reptiles	<ul style="list-style-type: none"> Conservation of Habitat & Species Regulations, 2017 (Sand Lizard & Smooth Snake only); Wildlife & Countryside Act, 1981 – schedule 5; and Natural Environment & Rural Communities Act, 2006 – Section 40/41. 	Adverse impacts/ offence reasonably unlikely	<ul style="list-style-type: none"> The risk of harm to individual reptiles as a result of the development is low, due to there being no suitable reptile habitat within the main footprint of the development and the small areas of marginal habitat with suitability for reptiles located within the wider development boundary being retained. Based on the above points, the development is reasonably unlikely to result in adverse impacts to individual reptiles or significant populations of reptiles. No further recommendations are outlined within this report with respect to reptiles.
Other Mammal Burrows	<ul style="list-style-type: none"> Wild Mammals Protection Act, 1996. 	Compliant/ adverse impacts reasonably unlikely	<ul style="list-style-type: none"> It is reasonably unlikely that any mammals will be inadvertently killed in a way that would constitute an offence under the Wild Mammals (Protection) Act, 1996, while occupying a burrow, due to the lack of typical habitat for burrow creation within the footprint of the development.
Otters	<ul style="list-style-type: none"> Conservation of Habitat & Species Regulation, 2017; Wildlife & Countryside Act, 1981 – schedule 5; and Natural Environment & Rural Communities Act, 2006 – Section 40/41. 	Adverse impacts/ offence reasonably unlikely	<ul style="list-style-type: none"> The development is reasonably unlikely to result in harm to individual otters or adversely impact their habitat (including resting and breeding places), and therefore, will not adversely impact the favourable conservation status of this species.



Water Voles	<ul style="list-style-type: none"> Wildlife & Countryside Act, 1981 – schedule 5; and Natural Environment & Rural Communities Act, 2006 – Section 40/41. 	Adverse impacts/ offence reasonably unlikely	<ul style="list-style-type: none"> The development is reasonably unlikely to result in harm to individual water vole or adversely impact their burrows or habitat, and therefore, will not adversely impact the conservation status of this species.
Invertebrates	<ul style="list-style-type: none"> Conservation of Habitat & Species Regulations, 2017 – Schedule 2; Wildlife & Countryside Act, 1981 – Schedule 5; and Natural Environment & Rural Communities Act, 2006 – Section 40/41. 	Adverse impacts/ offence reasonably unlikely	<ul style="list-style-type: none"> The development is reasonably unlikely to result in any adverse impacts to any European protected invertebrates, nationally protected species, important populations of SPI or nationally or locally important assemblages of conservation value.
Invasive non-native species	<ul style="list-style-type: none"> Wildlife & Countryside Act, 1981 – Schedule 9; and Invasive Alien Species Order, 2019. 	Adverse impacts/ offence reasonably unlikely	<ul style="list-style-type: none"> The development is reasonably unlikely to result in an act that would constitute an offence for a species listed under Schedule 9 of the Wildlife & Countryside Act, 1981 or Invasive Alien Species Order, 2019 (i.e. intentional release or spreading).
Protected Plants, Fungi and Lichens	<ul style="list-style-type: none"> Conservation of Habitat & Species Regulations, 2017 – Schedule 5; Wildlife & Countryside Act, 1981 - Schedule 8; and Natural Environment & Rural Communities Act, 2006 – Section 40/41. 	Adverse impacts/ offence reasonably unlikely	<ul style="list-style-type: none"> The development is reasonably unlikely to result in intentional picking, uprooting, destruction, or intentional clearance of any wild plant, fungi or lichen, including, European protected species, nationally protected species, SPI or those of national or local conservation concern.



6. Requirements and Recommendations

6.1 Background

6.1.1 The recommendations included in this section are based upon the mitigation hierarchy (avoidance, mitigation, and compensation; BSI, 2013) and takes consideration of government circular: Biodiversity and Geological Conservation Circular 06/2005.

6.1.2 Mitigation is not discussed where further surveys are required to inform such mitigation or compensation, unless in our professional judgement it would not be proportionate to request further surveys as the risk of a legal offence being committed as a result of the development is acceptably low.

6.2 Ecological Enhancements

6.2.1 The following ecological enhancements relevant to the development are recommended:

- One solitary bee box to be installed within a sunny grassland location within the development boundary;
- One bat box suitable for crevice dwelling bats to be installed on a mature tree within the development boundary;
- One externally mounted bat box should be installed on building B1 following the proposed conversion;
- One bird box should be installed on building B1 following the proposed conversion; and;
- One hedgehog box to be placed within the native hedgerow along the southern development boundary.

6.3 Habitat Mitigation

Habitats of Principle Importance

6.3.1 To ensure there is no damage to the rooting zones of the native hedgerow HPI within development boundary during the construction phase of the development, temporary barrier fencing should be installed (taking into consideration root protection zones) for the duration of the construction works.



Pollution Prevention Measures

6.3.2 The following pollution prevention measures should be followed during the construction phase of the development to ensure that there is no onsite or offsite pollution to nearby habitats (including deciduous woodland parcels) and watercourses:

- Safe storage of fuels, oils and chemicals within the development boundary (such as on hardstanding) with appropriate spill kits (for the scale of activities) available on-site at all times;
- Appropriate locating and storage of construction materials outside of the root protection zone of woodland and trees within the development boundary;
- Safe disposal of any contaminated water or soil and general waste within the development boundary or with appropriate offsite management;
- Appropriate locating of mixing stations and inclusion of dust prevention measures where required within the development boundary;
- Monitoring and prevention of water and silt run-off from construction areas including the installation of silt traps where appropriate; and
- Where possible the use of fertiliser and herbicides should be minimised as part of on-going site management.

6.4 Protected Species Mitigation

Bats

6.4.1 To ensure that the development avoids adverse impacts on bat foraging and commuting habitats within the development boundary, any lighting as part of the proposed development should be installed in line with current guidance issued by the Bat Conservation Trust and Institute of Lighting Professionals: Guidance Note GN08/23 Bats and Artificial Lighting At Night (BCT & ILP 2023).

6.4.2 The lighting strategy for the site as a minimum should aim to:

- Avoid illumination of the native hedgerows or woodland within the development boundary; and
- Minimise the overall levels of light pollution within the site as a result of the development by:



- Selecting appropriate lighting sources such as LED lighting that lack UV components, have peak wavelengths higher than 550 nm and that have a warm white light (2,700 kelvin or lower);
- Appropriate fitting of lighting to include horizontal mounting with no light output above 90° and/or no upward tilt, or as a last resort the use of baffles, hoods or louvres to reduce light spill and direct lighting to only where it is needed;
- Using light only when necessary within the site, by using timers and motion sensors;
- Providing natural screens in landscaping plans to break up artificial light where light spill cannot be avoided.

Nesting Birds

6.4.3 To ensure that the development is compliant with the legislation and planning policy relating to nesting birds, works impacting building B1 within the development boundary should ideally be scheduled outside of the breeding bird season (typically March – September). A pre-works inspection by an appropriately qualified ecologist should be undertaken where it is not possible to avoid works during the breeding bird season. The inspection should cover all suitable habitat for nesting birds that could conceal a bird nest and that will be impacted by the development.

6.4.4 If an active bird nest or nesting activity is recorded within the development boundary during the pre-works inspection or at any other time during the development (such as the storage of building materials) the nest should be protected from damage and destruction (including disturbance that may cause the nest to be abandoned). A protective buffer should be implemented around any active nests (the size to be determined based on the professional judgement of an ecologist or environmental manager) and works in and around these areas should be controlled or delayed until the chicks have fledged.

Great Crested Newts

6.4.5 A precautionary method of works for GCN should be followed during the construction phase of the development. The following mitigation measures should be followed:

- GCN should be discouraged from colonising the habitat immediately adjacent to the main footprint of the development boundary by:



- Retaining the existing short length of the modified grassland with regular cutting of the grassland, preventing a long tussocky structure that could create suitable resting places for GCN establishing; and
- Keeping a tidy construction site and where reasonably practical keeping building materials off ground to prevent the creation of hibernacula/ refugia for GCN;
- The mitigation outlined for the native hedgerow (as per sections 6.3) should be followed to ensure that habitats that broadly, have suitable structure as resting places for GCN are not damaged or disturbed during the construction phase of the development. This includes the installation of protective barriers, to segregate these habitats from the main footprint of the development.

6.4.6 The precautionary method of works outlined above, does not act as legal protection for an action that would otherwise be an offence with respect to GCN. Therefore, in the unlikely event a GCN is encountered within the development boundary, works must stop, and a professional ecologist should be consulted. The ecologist's professional judgement should be relied upon to determine the need for a GCN mitigation licence. Works can recommence once a GCN mitigation licence has been obtained (if required).

6.5 Further Surveys

Bats

- 6.5.1 Building B1 was assessed as having moderate potential for roosting bats. Two bat emergence surveys should be undertaken in line with BCT Good Practice Guidelines (Collins, 2023) to determine the presence or likely absence of bats.
- 6.5.2 The bat emergence surveys should be completed between May and September, with at least one survey completed between May and August. The surveys should be separated by a minimum of 21 days.



7. Conclusion

- 7.1.1 Further assessment will be required to inform the ecological impacts of the development. Mitigation will also be required within the design and the construction phase of the development to ensure it proceeds lawfully. Furthermore, the development will be required to incorporate ecological enhancements into the development.
- 7.1.2 The recommendations within this report outline how the above can be achieved to inform the development and ensure it proceeds lawfully.



8. Bibliography

- 8.1.1 Badger Trust (2023) Best Practice Guidance for Developers, Ecologists and Planners (England).
- 8.1.2 Baker, J., Hoskin, R. and Butterworth, T. (2019) Biodiversity Net gain. Good Practice Principles for development. A practical Guide. CIRIA, London.
- 8.1.3 Barn Owl Trust. Barn Owl nestboxes for trees. Available at <https://www.barnowltrust.org.uk/barn-owl-nestbox/owl-boxes-for-trees/>
- 8.1.4 Biggs, J. et al. (2014) Using eDNA to develop a national citizen science-based monitoring programme for the great crested newt (*Triturus cristatus*).
- 8.1.5 Bright, P., Morris, P. and Mitchell-Jones, T. (2006) The Dormouse Conservation Handbook Second Edition. English Nature.
- 8.1.6 BSI Group (2013), BS42020 – a code of practice for biodiversity in planning and development. The British Standards Institution. (Online) Available at <http://www.bsigroup.com/LocalFiles/enGB/biodiversity>. Accessed April 2022.
- 8.1.7 Buglife (2015) Good Planning Practice for Invertebrates. Buglife, Peterborough. Available at: <https://www.buglife.org.uk/resources/planning-hub/good-practice-planning-for-invertebrates>.
- 8.1.8 CIEEM (2017) *Guidelines for Preliminary Ecology Appraisal, 2nd Edition*. Chartered Institute of Ecology and Environmental Management, Winchester.
- 8.1.9 CIEEM (2018) *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine* Version 1.2. Chartered Institute of Ecology and Environmental Management, Winchester.
- 8.1.10 CIEEM (2022) Code of conduct. Chartered Institute of Ecology and Environmental Management, Winchester.
- 8.1.11 Collins, J. (ed) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edn). The Bat Conservation Trust, London. ISBN – 13 978-1-872745- 96-1
- 8.1.12 CIEEM (2016) Biodiversity Net Gain Good Practice Principles for Development. CIRIA, CIEEM and IEMA.
- 8.1.13 Cresswell, W.J., et al, (2012) UK BAP Mammals. Interim Guidance for Survey Methodologies, Impact Assessment and Mitigation. The Mammal Society. Southampton.
- 8.1.14 Dean, M. (2016) Water Vole Mitigation Handbook. Mammal Society Mitigation Guidance Series. The Mammal Society Publication.
- 8.1.15 Dean, M. (2021) Water Vole Field Signs and Habitat Assessment. A Practical Guide to Water Vole Surveys. Pelagic Publishing.
- 8.1.16 Edgar P, Foster J and Baker J (2010) Reptile Habitat Management Handbook. Amphibian and Reptile Conservation, Bournemouth.
- 8.1.17 English Nature (2006) The Dormouse Conservation Handbook Second edition. English Nature (now Natural England), Peterborough.
- 8.1.18 English Nature (2011) Organising surveys to determine site quality for invertebrates. English Nature. Available at: <https://publications.naturalengland.org.uk/publication/69045>.
- 8.1.19 Ferguson-Lees, J., Castell, R., & Leech, D. (2011) A field guide to Monitoring Nests. BTO Publication.
- 8.1.20 Gent T and Gibson S (2003). Herpetofauna Workers Manual. JNCC, Peterborough.
- 8.1.21 Harris, S., Cresswell, P., & Jefferies, D. (1989) Surveying Badgers. An Occasional Publication by The Mammal Society No.09. The Mammal Society. London.
- 8.1.22 HDC (2015) Horsham District Council Adopted Local Plan.



- 8.1.23 HM Government (2022) Guidance Hazel dormice: advice for making planning decisions Available online at: www.gov.uk/government/publications.
- 8.1.24 Langton T, Beckett C and Foster J (2001). Great Crested Newt Conservation Handbook. Froglife, Suffolk
- 8.1.25 Morris., P (2011) The Hedgehog - Mammal Society Species Series. The Mammal Society Species Series. The Mammal Society.
- 8.1.26 Oldham (2010) ARG UK Advice Note 5 Great Crested Newt Habitat Suitability Index. Amphibian and Reptile Groups of the United Kingdom. May 2010.
- 8.1.27 Sawyer C (2012). Barn Owl *Tyto alba* Survey Methodology and Techniques for use in Ecological Assessment. Wildlife Conservation Partnership.
- 8.1.28 Stace, C. (2019) New Flora of the British Isles 4th Edition, C&M Floristics, Middlewood Green, Suffolk.
- 8.1.29 Woodroffe, G. (2007) The Otter, 3rd Revised edition. The Mammal Society Species Series. The Mammal Society
- 8.1.30 UK Hab (2023a). The UK Habitat Classification User's Manual Version V2.0 at <http://www.ukhab.org/>.
- 8.1.31 UK Hab (2023b).UK Habitat Classification Definition V2.0 at <http://www.ukhab.org/>



Appendix I - Bat Preliminary Roost Assessment Results

Table 10 – Bat Preliminary Roost Assessment Results.

Building no.	Description	External Inspection	Internal inspection	Evidence of bats	Bat roost potential	Rational and potential roosting features recorded
B1	<ul style="list-style-type: none"> • Building B1 is a timber framed single-storey building. • The building is open-fronted on three elevations, each spanned by chicken-wire mesh. The western elevation has double doors that are typically left open as this section is used as a garage. • The building does not have a loft void. 	Yes	Yes	Yes (approximately 6 bat droppings)	Moderate	<ul style="list-style-type: none"> • The following bat PRFs and access/egress points were recorded on building B1: <ul style="list-style-type: none"> ○ Gaps between door and door frame; ○ Hole in wooden cladding; ○ Chicken wire fencing; ○ Gaps under apex of roof. • Approximately six bat droppings were found on the floor inside building B1. • Building B1 was assessed as having moderate potential for roosting bats, rather than a confirmed roost, because the droppings are more consistent with foraging activity within the building than with a roost, given: (i) the limited availability of internal PRFs suitable for crevice-dwelling species; (ii) the building being well-lit by natural light due to its open-fronted design on three elevations, reducing suitability for void-dwelling species and (iii) the western double doors typically being left open, providing easy access/egress for foraging bats.



Appendix II – Legislation & Planning Policy

8.2 Background

- 8.2.1 This section provides a summary of the legislation and planning policy that could be relevant to the development. Where possible we have limited this section to the areas relevant to this report. This means the legislation and planning policy outlined below is not included in its entirety.
- 8.2.2 This section does not constitute legal advice, and only, represents the interpretation and professional judgement of the ecologists named in this report, on the legislation and planning policy deemed relevant to the development.

8.3 RAMSAR Convention

- 8.3.1 RAMSAR sites are wetlands of international importance that have been designated under the criteria of the RAMSAR Convention on Wetlands for containing representative, rare or unique wetland types or for their importance in conserving biological biodiversity (JNCC, 2019).
- 8.3.2 The National Planning Policy Framework (NPPF, 2024) outlines the level of consideration that should be given to RAMSAR sites in Planning. Paragraph 187 states that RAMSAR and potential RAMSAR sites should be given the same protection as ‘habitat sites’ defined as those afforded protection under the Conservation of Habitat and Species Regulations (2017), such as Special Protection Areas or Special Areas of Conservation.

8.4 Conservation of Habitat and Species Regulations, 2017

- 8.4.1 The Conservation of Habitats and Species Regulations, 2017 transposes the EC Habitats Directive and some elements of the EC Bird Directive into national law in England and Wales. The objective of the Habitats Directive is to protect biodiversity through the conservation of natural habitats and species of wild fauna and flora. The directive lays down rules for the protection, management and exploitation of such habitats and species.

Protected Species

- 8.4.2 The regulations include provisions that prohibit certain actions from the protection of species listed under Annex II of the Habitat Directive. It is a criminal offence for a person to ‘intentionally or recklessly’ take the following action:
- Deliberately capture, injure or kill any wild animal of a European Protected Species (EPS);



- Deliberately disturb wild animals of any such species in such a way as to be likely to affect significantly the local distribution or abundance of the species to which they are likely to belong;
- Deliberately take or destroy eggs of any such wild animal;
- Deliberately pick, collect, uproot or destroy a wild plant of an EPS; and
- Keep transport, sell or exchange, or offer for sale or exchange, any live or dead wild animal or plant of an EPS, or any part of or anything derived from such an animal or plant.

8.4.3 The disturbance of such animals includes in particular; any disturbance that is likely to impact their ability;

- To survive, to breed or reproduce, or to rear or nurture their young;
- In case of animals of a hibernating or migratory species, to hibernate or migrate; or
- To affect significantly the local distribution or abundance of the species to which they belong.

Protected Sites

8.4.4 The Conservation of Habitats and Species Regulations, 2017 puts an obligation on the appointed appropriate authority for England & Wales to establish priorities for a network of nationally important sites.

8.4.5 The aforementioned sites, often referred to as European protected sites are formed of two types of sites, Special Protection Areas (sites specifically designated for birds) and Special Areas of Conservation (specifically designated for fauna and flora). The objective is for all species and habitats covered by these sites to contribute towards the maintenance and restoration of their favourable conservation status.

8.4.6 Designation can include but is not limited to the following reasons:

- A natural habitat type specified in Annex I of the Habitat Directive;
- A species specified in Annex II of the Habitats Directive;
- For the coherence of the national network of protected sites; and
- For threats of degradation or destruction to which the sites are exposed.



8.5 Wildlife and Countryside Act, 1981 (as amended)

8.5.1 The Wildlife and Countryside Act, 1981 (as amended) primarily transposes the UK Government's obligations under the Bird Directive and Bern Convention into law. The act outlines provisions for the protection of nationally important sites for nature conservation and provides protection at different levels for certain animals and plants, including certain prohibitions.

Protection of Birds

8.5.2 Part 1 – Section 1 includes certain prohibitions for the protection of birds which make it a criminal offence for a person to:

- Intentionally kill, injure or take any wild bird;
- Intentionally take, damage, or destroy the nest of any wild bird while it is in use or being built;
- Intentionally take or destroy the egg of any wild bird;
- Have in any one's possession or control any egg or part of an egg which has been taken in contravention of the Act or the Protection of Birds Act, 1954;
- Use traps or similar items to kill, injure or take wild birds;
- Have in one's possession or control any bird of a species occurring on schedule 4 of the Act unless registered, and in most cases ringed, in accordance with the secretary of state's regulations; and
- Intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the independent young of such a bird.

Protection of Animals

8.5.3 Part 1 – Section 9 of the act includes certain prohibitions for the protection of certain animals named in schedule 5. In summary offences include:

- If any person intentionally or recklessly kills, injures or takes any wild animal included in schedule 5;
- If any person has in his possession or control any live or dead wild animal included in schedule 5, or any part of, or anything derived from, such an animal;



- If any person intentionally or recklessly damages or destroys, or obstructs access to, any structure or place which any wild animal included in schedule 5 uses for shelter or protection; or
- Disturb any such animal while it is occupying a structure or place which it uses for that purpose; and
- Sells, offers or exposes for sale, or has in their possession or transports for the purpose of sale, any live or dead wild animal included in schedule 5, or any part of, or anything derived from, such an animal, or publishes or causes to be published any advertisement likely to be understood as conveying that they buy or sell, or intends to buy or sell, any of those things.

Protection of Plants

8.5.4 Part 1 – Section 13 includes certain prohibitions for the protection of certain wild plants named in schedule 8. In summary offences include if any person:

- Intentionally picks, uproots or destroys any wild plant included in schedule 8, or not being an authorised person, intentionally uproots any wild plants not included in that schedule;
- Sells, offers or exposes for sale, or has in their possession or transports for the purpose of sale, any live or dead wild plant included in schedule 8, or any part of, or anything derived from, such a plant; or
- Publishes or causes to be published any advertisement likely to be understood as conveying that they buy or sell, or intends to buy or sell, any of those things.

Invasive Species

8.5.5 Part 1 – Section 14 includes certain prohibitions for the introduction of certain invasive species named in schedule 9 of the act. In summary offences include if any person:

- Subject to the provisions of this part, (a) if any person releases or allows to escape into the wild any animal which is of a kind which is not ordinarily resident in and is not a regular visitor to Great Britain in a wild state; or (b) is included in Part of Schedule 9; and/ or
- Subject to the provisions of this part, any person who plants, or otherwise causes to grow, any plant in the wild at a place out with its native range is guilty of an offence.



Sites of Specific Scientific Interest

- 8.5.6 Part 2 – Sections 28-33 of the act set out the law regarding Sites of Specific Scientific Interest (SSSI) by the conservation bodies in England (Natural England) and Wales (Natural Resource Wales) and outlines the offences with respect to SSSI.
- 8.5.7 The offences outlined in the act apply to any person(s), public body, landowner or occupier as well as statutory undertakers or permitted developments. Examples of offences include (but are not limited to):
- Any person intentionally or recklessly damaging or destroying any of the features of special interest of an SSSI, or disturbing wildlife for which the site was notified;
 - Public bodies are not allowed to carry out damaging operations on an SSSI, except where they notified the relevant conservation agency. It is also an offence for a public body to fail to minimise damage on an SSSI or – if damage occurs – to fail to restore a SSSI to its former state; and
 - Statutory bodies have a general duty to take reasonable steps to further to conservation and enhancement of the special feature of SSSI's;
 - Where statutory bodies propose to undertake or permit activities that could affect a SSSI they must consult the relevant statutory nature conservation agency. If the activity cannot be avoided it must be undertaken in a way least damaging to the SSSI; and
 - If you are the owner or occupier of a SSSI, it is an offence to carry out any activity that may likely damage the SSSI without consent from the relevant conservation agency. The law requires that you inform the conservation agency of any changes in the ownership or occupancy.

Other Protected Areas

- 8.5.8 Part 2 – Section 34 to 52 of the act deals with other protected areas within the UK such as limestone pavements, national nature reserves and marine nature reserves. The act allows designation of these sites by the appropriate authority for the purpose of conserving flora and fauna or geological or physiological features of specific interest in an area to protect the site. Furthermore, the act prohibits certain actions in National Parks for certain habitats without consent from local authorities.

8.6 Countryside Right of Ways Act, 2000

- 8.6.1 The Countryside Right of Ways Act, 2000 (CRoW Act, 2000) makes provisions for public access, amends the law for public rights of ways and amends existing law on



nature conservation and the protection of wildlife as well as makes further provisions for Areas of Outstanding Natural Beauty.

Wildlife Legislation

- 8.6.2 Part III of the CRoW Act, 2000 includes provisions for wildlife protection and nature conservation and includes amendments to the Wildlife & Countryside Act, 1981.
- 8.6.3 Schedule 9 of the CRoW Act, 2000 increases powers for the protection and management of SSSI. There are increased powers for appropriate authorities to secure management agreements for SSSI. A duty is placed on public bodies to have regard for the continued conservation and enhancement of SSSI. Furthermore, there are increased penalties for the prosecution of wildlife crime, including for third parties that damage SSSI.
- 8.6.4 Schedule 12 of the CRoW Act, 2000 makes certain offences under the provision of the Wildlife and Countryside Act, 1981 arrestable. Greater powers are given to police and appointed wildlife inspectors under the CRoW Act, 2000 and enables heavier penalties for the prosecution of wildlife crime.

8.7 National Parks and Access to the Countryside Act, 1949

- 8.7.1 This act makes provisions for National Parks and the establishment of a National Parks Commission; to confer on the Nature Conservancy and local authorities' powers for the establishment and maintenance of nature reserves. Part III of the act specifically outlines provisions for the designation of nature reserves.

8.8 Natural Environment & Rural Communities Act, 2006

- 8.8.1 The Natural Environment and Rural Communities Act (NERC), 2006 is primarily intended to implement key aspects of the governments rural strategy published in July 2004. It also addresses a wider range of issues relating broadly to the natural environment.

Section 40

- 8.8.2 Section 40 of the NERC Act, 2006, places a duty on any public authority and statutory undertaker to have due regard for the conservation and enhancement of biodiversity when delivering their functions, extending the provisions outlined under section 74 of the CRoW Act, 2000.
- 8.8.3 The policy goes on to state that conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population of that habitat.



Section 41

8.8.4 Section 41 of the NERC Act, 2006 requires the secretary of state in consultation with Natural England to outline Species of Principle Importance (SPI) and Habitats of Principle Importance (HPI) that in their opinion are important for the conservation of biodiversity.

8.8.5 The secretary of state is required to:

- Take such steps as appear to the secretary of state to be reasonably practicable to further the conservation of the living organisms and types of habitat included in any list published under this section; or
- Promote the taking by other of such steps.

8.8.6 The NERC Act, 2006 also provides some amendments to the Wildlife & Countryside Act, 1981 (as amended) and includes provisions for enforcement powers and the protection of SSSI.

8.9 Protection of Badgers Act, 1992

8.9.1 The Protection of Badgers Act, 1992 makes it a criminal offence to wilfully kill, injure or take any badger, or attempt to do so. It also makes it an offence to intentionally or recklessly damage, destroy or obstruct access to any part of a badger sett.

8.10 Wild Mammals (Protection) Act, 1996.

8.10.1 The Wild Mammals (Protection) Act, 1996 makes provision for the protection of wild mammals from certain cruel acts, and for connected purposes. It would be an offence for any person that mutilates, kicks, beats, nails or otherwise impales, stabs, burns, stones, crushes, drowns, drags or asphyxiates any wild animal with intent to inflict unnecessary suffering.

8.11 The Environment Act, 2021

8.11.1 The Environment Act, 2021 gained royal ascent on the 9th November, 2021. The act is wide ranging and broadly has the following aim:

‘a bill to make provision about targets, plans and policies for improving the natural environment, for statements and reports about environmental protection; for the office of environmental protection; about waste and resource efficiency; about air quality; for the recall of products that fail to meet environmental standards, about water, about nature and biodiversity; for conservation covenants; about the regulation of chemicals, and for connected purposes’.



Nature and Biodiversity

- 8.11.2 Part 6 – Sections 98 - 101 of the act outlines provisions for biodiversity gain in planning.
- 8.11.3 Schedule 14 makes provision for biodiversity gain to be a condition of planning permission in England.
- 8.11.4 Schedule 14 states that, the biodiversity gain objective is met in relation to development for which planning permission is granted if the biodiversity value attributable to the development exceeds the pre-development biodiversity value of the on-site habitat by at least the relevant percentage.
- 8.11.5 It goes on to state that the biodiversity value attributable to the development is the total of:
- The post development biodiversity value of the on-site habitat;
 - The biodiversity value, in relation to the development, of any registered offsite biodiversity gain allocated to the development; and
 - The biodiversity value of any biodiversity credits purchased for the development.
- 8.11.6 The relevant percentage is set at 10% for biodiversity gain.
- 8.11.7 Part 6 – Section 100 of the act outlines provisions by regulation for the secretary of a register of biodiversity gain sites (known as the biodiversity gain site register).
- 8.11.8 A biodiversity gain site is land where:
- A person is required under the conservation covenant or planning obligation to carry out works for the purpose of habitat enhancement;
 - That or another person is required to maintain the enhancement for at least 30 years after the completion of the works; and
 - For the purpose of schedule 7A to the Town and Country Planning Act, 1990 the enhancement is made available to be allocated (conditionally or unconditionally, and whether for consideration or otherwise) in accordance with the terms of the covenant or obligation to one or more developments for which planning permission is granted.
- 8.11.9 Part 6 – Section 101 states that the secretary of state may make arrangements under which a person who is entitled to carry out the development of any land may purchase a credit from the secretary of state for the purpose of meeting the



biodiversity gain objective referred to in schedule 7A to the Town and Country Planning Act, 1990 and Schedule 2A of the Planning Act, 2008.

8.11.10 A credit is to be regarded for the purpose of that schedule as having such biodiversity value as is determined under the arrangements.

8.11.11 The arrangements may in particular include arrangements relating to:

- Applications to purchase credits;
- The amount payable in respect of a credit of a given value;
- Proof of purchase; and
- Reimbursement for credits purchased for development which is not carried out.

8.12 National Planning Policy Framework (2024)

8.12.1 The National Planning Policy Framework (NPPF, Ministry of Housing Communities and Local Government, 2024) sets out the Government's planning policies for England and how these should be applied. It provides a framework which locally prepared plans for housing and other developments can be produced.

8.12.2 The NPPF supplements Government Circular: Biodiversity and Geological Conservation 06/2005 (Office of the Deputy Prime Minister, 2005).

Conserving and Enhancing the Natural Environment

8.12.3 Paragraph 187 states: Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened



species such as swifts, bats and hedgehogs;

- 8.12.4 e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- 8.12.5 f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
- 8.12.6 Paragraph 188 states: Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.
- 8.12.7 Paragraph 189 states that: Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.
- 8.12.8 Paragraph 190 states that: When considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:
- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
 - b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
 - c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.



8.12.9 Within areas defined as Heritage Coast (and that do not already fall within one of the designated areas mentioned in paragraph 189), planning policies and decisions should be consistent with the special character of the area and the importance of its conservation. Major development within a Heritage Coast is unlikely to be appropriate, unless it is compatible with its special character.

Habitats and Biodiversity

8.12.10 Paragraph 192 states that: To protect and enhance biodiversity and geodiversity, plans should:

- Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and
- b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

8.12.11 When determining planning applications, local planning authorities should apply the following principles:

- a) If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around



developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

8.12.12 The following should be given the same protection as habitats sites:

- a) potential Special Protection Areas and possible Special Areas of Conservation;
- b) listed or proposed Ramsar sites; and
- c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

8.12.13 The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

Ground Conditions and Pollution

8.12.14 Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;
- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

8.13 Biodiversity and Geological Conservation Circular 06/2005

8.13.1 Biodiversity and geological conservation circular 06/2005 provides administrative guidance on the application of the law relating to planning and nature conservation as it applies in England. It complements the national planning policy in the NPPF, 2023 and the Planning Practice Guidance. Broadly the guidance covers designated



sites, the conservation of habitats and species, including outside of designated sites, protected species by law and the duties and powers used by planning authorities.

- 8.13.2 Paragraph 82 of the guidance states that ‘in determining the application for development that is covered by up-to-date standing advice, a planning authority must take into account this standing advice’.

Protected Species and Planning

- 8.13.3 Paragraph 98 of the guidance states ‘the presence of a protected species is a material planning consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat’.
- 8.13.4 Paragraph 98 also states that ‘they (the planning authority) should consider attaching appropriate planning conditions or entering into planning obligations under which the developer would take steps to secure the long-term protection of the species’.
- 8.13.5 Paragraph 99 of the guidance goes on to state: ‘it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision’. Paragraph 99 also states that ‘this is justified only, where there is a reasonable likelihood of the species being present and affected by the development.’

8.14 Horsham District Council Adopted Local Plan (2015)

- 8.14.1 This section includes the deliberate inclusion of revisions made to Policy 31 outlined below under the draft HDC Local Plan (2020). This has been undertaken in view of recent legislative changes in the UK and additional local requirements that are reasonably likely to be considered at determination for this planning application.

Policy 25

- 8.14.2 Policy 25 sets out Horsham District Councils (HDCs) commitment to protecting the Natural Environment and Landscape Character. Policy 25 states:
- 8.14.3 The Natural Environment and landscape character of the District, including the landscape, landform and development pattern, together with protected landscapes and habitats will be protected against inappropriate development. The Council will support development proposals which:



- 8.14.4 Protects, conserves and enhances the landscape and townscape character, taking into account areas identified as being of landscape importance, the individual settlement characteristics, and maintains settlement separation.
- 8.14.5 Maintain and enhances the Green Infrastructure Network and addresses any identified deficiencies in the District.
- 8.14.6 Maintains and enhances the existing network of geological sites and biodiversity, including safeguarding existing designated sites and species, and ensures no net loss of wider biodiversity and provides net gains in biodiversity where possible.
- 8.14.7 Conserve and where possible enhance the setting of the South Downs National Park.

Policy 31

- 8.14.8 Development will be supported where it can demonstrate that it maintains and enhances the existing network of green infrastructure, the Nature Recovery Network, natural capital and biodiversity. Proposals that would result in the loss of existing green infrastructure or part of the Nature Recovery Network will be resisted unless it can be demonstrated that new opportunities will be provided that mitigates or compensates for this loss and ensures that the ecosystem services of the area are retained.
- 8.14.9 Proposals will be expected to retain and enhance existing freshwater features, hedgerows, trees and deciduous woodland and the provision of additional hedgerow and tree planting will be sought subject to appropriate consideration of local and wider context, habitats and species.
- 8.14.10 Where the felling of a tree is necessary, for example due to disease, replacement planting with a suitable species and location to retain the link with the wider network of habitats and Green Infrastructure, will be required.
- 8.14.11 Development proposals will be expected to remove invasive species and will be required to contribute to the enhancement of existing biodiversity and deliver, as a minimum, a 10% net gain through the delivery of appropriate on-site biodiversity net gain or, where this is not practicable, to off-set the delivery to the Nature Recovery Network.
- 8.14.12 Proposals should create and manage appropriate new habitats, taking into account pollination, where practicable. The Council will support new development which retains and /or enhances significant features of nature conservation on development sites. The Council will also support development which makes a positive contribution to biodiversity, and where appropriate the Nature Recovery Network, through the creation of green spaces, and linkages between habitats to create local and regional ecological networks and allow the movement of wildlife through development sites.



8.14.13 Particular consideration will be given to the hierarchy of sites and habitats in the District as follows:

- Special Protection Area (SPA) and Special Areas of Conservation (SAC);
- Sites of Special Scientific Interest (SSSI) and National Nature Reserves (NNRs);
- Local Wildlife Sites (LWS), Local Nature Reserves (LNRs) and any areas of Ancient Woodland, traditional orchards, local geodiversity or other irreplaceable habitats not already identified in a & b above.

8.14.14 Where development is anticipated to have a direct or indirect adverse impact on sites or features of importance to nature conservation, development will be refused unless it can be demonstrated that:

- The objectives of a site's designation, where applicable, and integrity of the area will not be undermined;
- The reason for the development clearly outweighs the need to protect the value of the site; and,
- That appropriate mitigation and compensation measures are provided.

8.14.15 Any development with the potential to impact Arun Valley SPA or The Mens SAC will be subject to a Habitats Regulation Assessment to determine the need for an Appropriate Assessment. In addition, development will be required to be in accordance with the necessary mitigation measures for development set out in the HRA of this plan.

8.15 Birds of Conservation Concern

8.15.1 Birds of Conservation Concern is a report compiled by a coalition of the UK's leading bird conservation and monitoring organisations and reviews the conservation status of all regularly occurring birds in the UK, Channel Islands and Isle of Man. The report was first released in 1996 and is currently in its 5th edition, released in 2021.

8.15.2 The bird species that breed and overwinter in the UK are assessed against a set of objective criteria and placed on the Green, Amber or Red lists that indicate the levels of conservation concern. The quantitative criteria collected is assessed against the historical decline, recent trends in population and range, population size, localisation, and the level of international importance of each species, as well as its global and European threat status.



8.16 IUCN Red List

8.16.1 The international Union for Conservation of Nature (IUCN) Red List of Threatened Species (also known as the IUCN Red List or Red Data Book) is an inventory of the global conservation status of biological species. The inventory is based upon internationally accepted criteria that evaluates the extinction risk of species in all regions of the world. There are two types of red list, the global and national lists. In the UK the IUCN Red List is overseen by an interagency working group that is coordinated by the Joint Nature Conservation Commission.

8.17 Bibliography – Appendix II

- 8.17.1 A., Eaton., Aebischer, N., Balmer, D., Brown, A., Douse, A., Lindley, P., McCulloch, N., Noble, D., and Win I. (2021) The Status of our bird populations: the first Birds of Conservation Concern In the United Kingdom, Channel Islands and Isle of Man and second IUCN Red List assessment of extinction risk for Great Britain. *British Birds* 114: 723-747. (Online). Available online at <https://britishbirds.co.uk/content/status-our-bird-populations>.
- 8.17.2 Countryside Right of Ways Act, 2000 (C37) (Online) London, The Statutory Office. Accessed January 2024. Available at <http://www.legislation.gov.uk>.
- 8.17.3 DEFRA (2011) Biodiversity 2020: A strategy for England's Wildlife and Ecosystem services. (Online). Available at <https://assets.publishing.service.gov.uk>.
- 8.17.4 HDC (2015) Horsham District Council Adopted Local Plan.
- 8.17.5 HM Government (2018) A Green Future: Our 25 Year Plan to Improve the Environment. Available online at: www.gov.uk/government/publications.
- 8.17.6 JNCC (2019) RAMSAR Convention, (Online) Joint Nature Conservation Committee. Available at <http://www.JNCC.gov.uk/our-work/Ramsar-convention>.
- 8.17.7 JNCC (2020) Red Lists in Great Britain, Joint Nature Conservation Committee. (Online) Accessed January 2024. Available at <http://jncc.gov.uk/our-work/red-list-in-great-britain>.
- 8.17.8 JNCC (2022) Conservation Designations for UK Taxa 2022. (Online), Joint Nature Conservation Committee. Available at <http://hub.jncc.gov.uk/assets/478f7160-967b-4366-acdf-8941fd33850b>.
- 8.17.9 Ministry of Housing, Communities & Local Government (2024) National Planning Policy Framework. (Online) Ministry of housing and Local Government, Fry Building, 2 Marsham Street, London, SW1P 4DF.
- 8.17.10 National Park and Access to the Countryside Act, 1949. (Online). Available at <http://legislation.gov.uk>.
- 8.17.11 Natural Environment & Rural Communities Act, 2006. (Online). Available at <http://legislation.gov.uk>.
- 8.17.12 ODPM Circular 06/2005. Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and their impact within the Planning System (2005). Norwich: HMSO. Accessed April 2023. Available at <http://www.go.uk/government/publications/biodiversity-and-geological-conservation-circular-06-2005>.
- 8.17.13 Protection of Badgers Act (1992) (C1-3) (Online). London, The Statutory Office. Accessed January 2024. Available at <http://legislation.gov.uk>.
- 8.17.14 The Conservation of Habitat & Species Regulation (2017) (Online). London: The Statutory Office.. Available from <http://legislation.gov.uk>.
- 8.17.15 The Environment Act, 2021. (Online). Available at <http://legislation.gov.uk>.



- 8.17.16 Wildlife and Countryside Act, 1981 (As amended). (Online). Available at <http://www.legislation.go.uk>.
- 8.17.17 Wild mammals (Protection) Act, 1996. C1. (Online). London. Statutory Office. Available at www.gov.uk/government/publications.