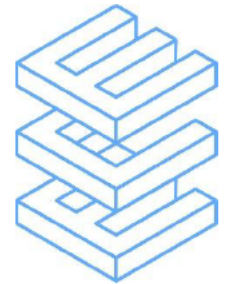


Client	The Hunter Group		
Project	Nash Manor		
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Author	S Lower	Checked	C Barker



This Preliminary Ecological Appraisal (PEA) was originally prepared in relation to the proposed conversion of an existing agricultural building to a residential use. The current proposals relate specifically to the creation of a single dwelling.

The scope, scale and nature of the development remain consistent with the assumptions used within the original report, and the ecological sensitivities of the site and its surroundings have not materially changed. As such, the findings, conclusions and recommendations set out in the PEA remain valid and applicable to the current proposal for a single dwelling.

Following the original submission, the site has been subject to a further walkover review by a suitably qualified ecologist. This walkover confirmed that:

- The site context and baseline ecological conditions remain broadly unchanged;
- No new ecological features of significance have arisen; and
- There has been no material change in the ecological constraints relevant to the proposed development.

On this basis, the ecologist is satisfied that the original conclusions of the report remain robust and can be relied upon to support the resubmission. No additional survey work has been identified as necessary beyond that already set out in the original recommendations, subject to the same caveats regarding timescales and updates where works are delayed.

# Preliminary Ecological Appraisal

GYdHYa VYf 2024

**Land at Nash Manor Farm,  
Nutbourne,  
West Sussex**

Prepared by  
CSA Environmental

On behalf of  
Lee Goossens

Report No: CSA/6555/03

This report may contain sensitive ecological information. It is the responsibility of the Local Authority to determine if this should be made publicly available.

Report Reference	Revision	Date	Prepared by	Approved by	Comments
CSA/6555/03	-	27/09/2024	WC/CC	CC/LG	



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Appendix F: Pond Plan

## EXECUTIVE SUMMARY

Conversion of an existing farm building to a residential dwelling is proposed at Nash Manor Farm, Nutbourne under permitted development rights.

CSA Environmental was instructed by Lee Goossens to undertake a Preliminary Ecological Appraisal (PEA) of the Site to identify any ecological constraints to the proposed development, inform scheme design, highlight opportunities for ecological enhancement and determine the need for any additional investigation/survey. As part of this PEA, a desk study and field survey of the Site were undertaken in May 2024, including a UK Habitat Classification survey and a Preliminary Roost Assessment (PRA) for bats.

The Site comprises an existing single farm building associated hard standing curtilage to the south and access track providing a link to Nutbourne Lane to the south-east. The building is located in an existing agricultural setting, comprising grassland paddocks to the north and west and a recently planted orchard to the east.

There are no statutory or non-statutory nature conservation designations covering the Site. However, the Site lies within the Sussex North Water Supply Zone where inappropriate water levels are a known vulnerability of Arun Valley SAC/SPA/Ramsar site (located c. 1.4km south-west of the Site). Given that the scope of the proposals will result in the change of use of an existing farm building, a significant increase in water usage may not be anticipated. However, it is recommended that due regard is given to confirming Water Neutrality when considering water supply requirements. No constraints are identified in relation to any other nature conservation designations identified within the Zone of Influence.

No evidence of roosting bats or barn owl were identified during the PRA. The barn is considered to have 'negligible' potential for roosting bats or barn owl to be present. Whilst no trees are present within the Site, two mature oak trees are present in close proximity, which are considered to offer potential roosting opportunities for bats. As such, recommendations have been provided with regards to any new external lighting provision. No other significant constraints in relation to protected species have been identified, however precautionary measures have been identified in relation to nesting birds, reptiles and amphibians.

No overriding constraints to development of the Site have been identified. Recommendations have been provided for ecological enhancement measures that could be delivered as part of the proposed development.

## 1.0 INTRODUCTION

- 1.1 This report has been prepared by CSA Environmental on behalf of Lee Goossens. It sets out the findings of a Preliminary Ecological Appraisal (PEA) of Land at Nash Manor Farm, Nutbourne (hereafter referred to as 'the Site'). Conversion of an existing farm building to a residential dwelling is proposed at the Site, under permitted development rights.
- 1.2 The scope of this appraisal has been determined with due consideration for best-practice guidance provided by the Chartered Institute of Ecology and Environmental Management (CIEEM, 2017), and to the *Biodiversity: Code of practice for planning and development* (BS 42020:2013) published by the British Standards Institution (2013).
- 1.3 The Site is located around central grid reference TQ 0708 1942, to the north of Nutbourne village, and comprises an existing farm building and associated curtilage and access track from Nutbourne Lane (see Habitats Plan CSA/6555/102 in Appendix A).
- 1.4 This PEA aims to:
  - Characterise baseline ecological conditions of the Site and its wider context
  - Identify any ecological constraints to development of the Site
  - Inform scheme design
  - Identify further ecological surveys and investigation necessary to inform a full Ecological Impact Assessment (EclA) of the Site
  - Highlight opportunities for ecological enhancement
- 1.5 To achieve these aims, an ecological desk study and field survey were undertaken of the Site, the findings of which are presented herein.
- 1.6 As set out in best practice guidelines (CIEEM, 2017) a PEA is typically only suitable for planning submission where there are no ecological constraints relating to the project. Where ecological constraints are identified, such as the presence of important ecological features, the effects of development on these features should be assessed within a separate EclA report, which would supersede the PEA.

## **2.0 LEGISLATION, PLANNING POLICY & STANDING ADVICE**

### **Legislation**

2.1 Legislation relating to wildlife and biodiversity of particular relevance to this PEA includes:

- The Conservation of Habitats and Species Regulations 2017 (as amended)
- The Wildlife and Countryside Act 1981 (as amended)
- The Natural Environment and Rural Communities (NERC) Act 2006
- The Protection of Badgers Act 1992
- The Environment Act 2021

2.2 This above legislation has been addressed, as appropriate, in the production of this report. Further information on the above legislation is provided in Appendix B.

### **National Planning Policy**

2.3 The National Planning Policy Framework (NPPF) (Department for Levelling Up, Housing & Communities, 2023) sets out the government planning policies for England and how they should be applied. Chapter 15: Conserving and Enhancing the Natural Environment, is of particular relevance to this report as it relates to ecology and biodiversity. Further details are provided in Appendix B.

2.4 The Government Circular 06/2005, which is referred to by the NPPF, provides further guidance in respect of statutory obligations for biodiversity and geological conservation and their effects within the planning system.

### **Local Planning Policy**

2.5 A number of local planning policies relate to ecology, biodiversity and/or nature conservation. These are summarised in Table 1 of Appendix B. These policies have been addressed, as appropriate, in the production of this report.

### **Standing Advice**

2.6 Natural England and Defra's Standing Advice (Natural England & Defra, 2014) regarding habitats and protected species aims to support local authorities and forms a material consideration in determining applications in the same way as any individual response received from Natural England following consultation. Standing advice has therefore been given due consideration, alongside other detailed guidance documents, in the production of this report.

## 3.0 METHODS

### Desk Study

- 3.1 An ecological desk study was undertaken comprising a review of online resources and biological records centre data as detailed below.
- 3.2 The Multi-Agency Geographic Information for the Countryside (MAGIC) online database was reviewed in May 2024 to identify nature conservation designations within the following search radii:
  - Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Ramsar sites within 10km of the Site (including possible/proposed sites)
  - Sites of Special Scientific Interest (SSSI), National Nature Reserves (NNR), Local Nature Reserves (LNR) within 3km of the Site
  - Other relevant data e.g. Ancient Woodland Inventory within 1km of the Site
- 3.3 A review was undertaken of the location of any such designations, their distance from and connectivity with the Site, and the reasons for their designation. This information was used to determine whether they may be within the proposed development's Zone of Influence (Zoi).
- 3.4 Records of any non-statutory nature conservation designations and records of protected/notable habitats and species were obtained from the Sussex Biological Records Centre (SxBRC) in May 2023. This information was requested for an area encompassing the Site and adjacent land within a c. 1km radius of the farm. This search area was selected to include the likely zone of influence upon non-statutory designations and protected or notable habitats and species.
- 3.5 Further online resources were reviewed for information which may aid the identification of important ecological features. The Woodland Trust's online Ancient Tree Inventory was reviewed for known ancient or veteran trees within the Site and adjacent land. Interactive online mapping provided by the charity 'Buglife' was used to determine whether the Site falls within an Important Invertebrate Area.
- 3.6 In accordance with Natural England's Great Crested Newt Mitigation Guidelines (2001), a desktop search was undertaken to identify ponds within 500m of the Site which may have potential to support breeding great crested newts *Triturus cristatus*, using Ordnance Survey (OS) mapping, the MAGIC database and aerial photography.
- 3.7 Where possible under the terms of the data provider, relevant desk study data are presented in Appendix C.

## Field Survey

- 3.8 A UK Habitat Classification survey ('UKHab') of the Site was undertaken by Clare Caudwell CEcol MCIEEM (FISC Level 4) on 25 April 2024. The UK Habitat Classification survey was undertaken in fine and dry weather conditions and encompassed the Site and immediately adjacent habitats that could be viewed. Habitat type and condition were recorded and mapped in line with the UK Habitat Classification survey methodology (UK Hab; Butcher *et al.*, 2020). A Habitats Plan (CSA/6555/102) showing the baseline habitat parcels is provided in Appendix A.
- 3.9 UKHab is a unified and comprehensive system for mapping and classifying habitats, designed to provide a simple and robust approach to surveying and monitoring, and replaces Phase 1 Habitat survey methods. The method allows for identification of important habitat types, including habitats of Principal Importance under Section 41 (S41) of the NERC Act (2006) and Habitats Directive Annex I habitats. This method also allows for direct translation of habitats into the Statutory Biodiversity Metric (Defra, 2024).
- 3.10 The following parameters were adopted for the UKHab survey undertaken for this PEA:
- UKHab Professional edition (Butcher *et al.*, 2023, commercial End User Licence Agreement (EULA))
  - Minimum Mappable Unit (MMU):
    - 10m<sup>2</sup>/0.001ha (polygons)
    - 5m (linear)
  - Primary Habitats recorded to a minimum of Level 2 (see below) with UKHab codes provided
  - Mandatory secondary codes used
  - Base-mapping comprising a combination of aerial imagery and topographic information
- 3.11 Primary Habitats are recorded to a minimum of Level 2. Where the survey is conducted at an appropriate time of year (e.g. May to July for grassland) habitats may be recorded to Level 3, 4 or 5, only if conditions and the experience of the surveyor allow.
- 3.12 Alongside the UKHab survey, additional field survey information was collected, comprising:
- Detailed floral species lists recorded for each identified habitat/parcel
  - Evidence of, or potential for, European Protected Species (EPS) (including bats, great crested newt, dormouse and otter)
  - Evidence of, or potential for, other protected species (including birds, reptiles, water vole, [REDACTED] certain invertebrates)

- Evidence of, or potential for, other notable species (including S41 Species of Principal Importance as well as notable, rare, protected or controlled plants and invertebrates)
  - Any other survey information relevant to ecological matters
- 3.13 Results of the UKHab survey are presented on the Habitats Plan in Appendix A. Appendix D provides photographs of the habitats at the Site and Appendix E provides a list of floral species recorded in each habitat parcel. Nomenclature for higher plants within this report is consistent with the fourth edition of *The New Flora of the British Isles* (Stace, 2019).

#### Preliminary Roost Assessment (Trees and Structures)

- 3.14 All accessible buildings and established trees on-site were inspected and assessed for their potential to support roosting bats, with due consideration for the *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (Collins, 2023). Full survey methods and results are provided in Appendix E.

#### **Limitations**

- 3.15 There were no specific limitations to the desk study or field survey, which was conducted at a suitable time of year for habitat survey and in good conditions.

#### **Evaluation and Assessment**

- 3.16 The evaluation and assessment of ecological features is beyond the scope of a PEA and has therefore not been undertaken here. Formal evaluation and assessment of any identified important ecological features should be undertaken as part of either a full EclA, or receptor-specific survey and assessment in accordance with the published CIEEM method (CIEEM, 2018).

## 4.0 BASELINE ECOLOGICAL CONDITIONS

### Nature Conservation Designations

- 4.1 There are no statutory designations covering any part of the Site.
- 4.2 Three international statutory designations were identified within 10km of the Site, including Arun Valley SAC, SPA and Ramsar site (c. 1.4km south-west of the Site), The Mens SAC (c. 4.9km north-west of the Site) and Duncton to Bignor escarpment (c. 9.64km south-west of The Site).
- 4.3 Three national statutory designations were identified within 3km of the Site. The closest of these designations is Marehill Quarry SSSI (c. 0.94km south-west of the Site). This Site is also designed as a non-statutory Local Geological Site (LGS) and is partially managed as a Sussex Wildlife Trust Reserve. The SSSI / LGS designations relate to the sites geological interest, however the cave systems created by the former quarrying use support winter hibernation roosts for a range of bat species including Natterer's *Myotis nattereri*, Whiskered *Myotis mystacinus* and Daubenton's *Myotis daubentonii*.
- 4.4 A further two national statutory designations were identified within 3km of the Site. These were the Pulborough Brooks SSSI (c. 1.76km south-west of the Site) and Hurston Warren SSSI (c.1.84km south).
- 4.5 These designations are described in Table 1 below.

**Table 1.** Statutory and Non-Statutory Designations within search radii

Site Name & Designation	Distance & Direction from Survey Area	Special Interests or Qualifying Features
International Designations within 10km		
Arun Valley Ramsar	c. 1.4km south-west	Wet meadows on the floodplain of the River Arun between Pulborough and Amberley. The area is of outstanding ornithological importance for wintering wildfowl and breeding waders. The Site holds several British Red Data Book invertebrates and Nationally rare and scarce plant species.
Arun Valley SAC and SPA	c. 1.4 km south-west	Wet meadows on the floodplain of the River Arun between Pulborough and Amberley. Designated for being one of the three main population centres of Ramshorn snail <i>Anisus vorticulus</i> .
Arun Valley SPA	c. 1.4 km south-west	Wet meadows on the floodplain of the River Arun between Pulborough and Amberley. Designated for regular use by 1% of more of the Great Britain population of Annex 1 Bewick's Swan <i>Cygnus columbianus bewickii</i> .

The Mens SAC	c. 4.9km north-west	Mature beech woodland, classified as Annex 1 habitat Atlantic acidophilous beech forest with Ilex and sometimes Taxus in the shrub layer ( <i>Quercion roboretum</i> or <i>Ilici-Fagenion</i> ).
Duncton to Bignor escarpment SAC	c. 9.64km south-west	Mature beech forests, classified as Annex 1 habitat <i>Aperulo-fagetum</i> . Rare plants present include white helleborine <i>Cephalanthera damasonium</i> , yellows bird's nest <i>Monotropa hypopitys</i> and green helleborus <i>Helleborus viridis</i> .
National Designations within 3km		
Marehill Quarry (SSSI)	c. 0.94km south-west	Designated for historical and stratigraphic interest, managed by Sussex Wildlife Trust
Pulborough Brooks (SSSI)	c. 1.76km south-west	Wetland home to waterfowl such as wigeon <i>Anas Penelope</i> and teal <i>Anas crecca</i> , managed by RSPB.
Hurston Warren (SSSI)	c. 1.84km south	Comprises heathland, grass and wetland, suitable for acid grassland plants. It attracts pantaloone bee <i>Dasygaster hirtipes</i> , field cricket <i>Gryllus campestris</i> and crane fly <i>Tipuloidea</i> . It is also nesting ground for the nightjar <i>Caprimulgus europaeus</i> .
Non-Statutory Designations within 1km		
Marehill Quarry LGS	c. 0.6km south-west	Designated for historical and stratigraphic interest, managed by Sussex Wildlife Trust

## Habitats and Flora

- 4.6 Habitats recorded on-site are illustrated in Appendix A with detailed species lists provided in Appendix E. Relevant UKHab codes are provided within parentheses for each habitat type recorded [e.g. Other Neutral Grassland (g3c)].

### Ancient Woodland / Trees

- 4.7 There is no ancient woodland, as shown on the ancient woodland inventory, covering any part of the Site or immediately adjacent land.
- 4.8 Two parcels of Ancient Woodland are present within 1km of the Site, these include an unnamed parcel of woodland c. 600m to the east, and another parcel c. 800m north of the Site.
- 4.9 No trees on or adjacent to Site are listed on the Ancient Tree Inventory.

### S41 Priority Habitats

- 4.10 Three Section 41 Priority Habitats are present within 1km of the Site, including Good Quality Semi-Improved Grassland, Traditional Orchard and Deciduous Woodland, the closest of which is a parcel of Tradition Orchard located to the south of Nash Manor Farm.

### Notable Flora Records

- 4.11 The SxBRC provided 45 records of 27 notable plant species from within the search area between 1905 and 2020. Those of potential relevance to the Site are summarised in Table 2 below. None of these species were recorded on-Site during the field survey.

**Table 2.** Relevant notable flora data search

Common name	Taxon name	Latest record date	Proximity to site	Status
Bluebell	<i>Hyacinthoides non-scripta</i>	2009	c. 230m	WCA Sch8
Green winged orchid	<i>Anacamptis morio</i>	2008	c. 690m	RedList GB post2001 NT, RedList ENG post2001 VU
Crosswort	<i>Cruciata laevipes</i>	2010	c.600m	RedList ENG post2001 NT
Wild strawberry	<i>Fragaria vesca</i>	2008	c. 290m	RedList ENG post2001 NT
Aggregate-headed hawkweed	<i>Hieracium aggregatum</i>	2011	c. 290m	Nationally Rare
Field scabious	<i>Knautia arvensis</i>	2004	c. 290m	RedList ENG post2001 NT
Common valerian	<i>Valeriana officinalis</i>	2011	c.290m	RedList ENG post2001 NT

### Site Description

- 4.12 The Site comprises a single farm building, associated hard standing curtilage to the south and access track providing a link to Nutbourne Lane to the south-east. Surrounding (off-Site) habitats include modified grassland to the north, west and south; and a small field of other neutral grassland recently planted as an orchard to the east. Two mature oak *Quercus robur* trees are present along the eastern boundary between the barn and the recently planted orchard to the east; both of which are outside of the Site boundary. A small, dilapidated barn (steel frame and corrugated steel panels; with majority of the roof missing), occurs to the north, with further farm barns and dwellings associated with the farm to the south.

### Buildings (u1b5)

- 4.13 One existing farm building is present on Site, comprising livestock barn with breeze block construction below and corrugated steel above. The barn is single storey, with a shallow pitched roof and flat roofed section to the east, with no enclosed roof space. Internally the barn has wooden

beams, and a roof of modern style construction. The majority of the barn is open plan, with open access to the north and south of the eastern side of the building. The western part of the barn is sub-divided into stable blocks and a tack room. The barn did not appear to be in active use for livestock, but used for the storage of hay and other farm machinery / materials. Anti-bird nesting has been installed around much of the interior of the barn. An assessment of these buildings in terms of their suitability for roosting bats and nesting birds is provided in the relevant sections below.

#### Developed Land – Sealed Surface (u1b) with 'Vacant or Derelict Land' (82)

- 4.14 A hard-standing curtilage is present to the south of the barn, linking to an existing hard-standing access track which links to Nutbourne Lane to the south-east. A large, vegetated mound / rubble pile occurs on the hard-standing immediately south of the barn. This is being colonised by species such as groundsel *Senecio vulgaris*, common mallow *Malva sylvestris*, dock *Rumex* sp., creeping buttercup *Ranunculus repens*, dandelion *Taraxacum* agg., red deadnettle *Lamium purpureum*, yarrow *Achillea millefolium*, common nettle *Urtica dioica*, bristly oxtongue *Helminthotheca echioides*, cleavers *Gallium aparine* and grasses such as Yorkshire fog *Holcus lanatus*.

#### Other Neutral Grassland (g3c) with Tall Herb (16)

- 4.15 A very small area of other neutral grassland occurs within the Site boundary to the north-west of the barn. Further areas of modified grassland occur adjacent to the Site boundary to the north, west and either side of the access track. Typical species within the modified grassland include perennial rye grass *Lolium perenne*, creeping bent *Agrostis stolonifera*, soft brome *Bromus hordeaceus* and some cock's foot *Dactylus glomerata* with common nettle, creeping thistle *Cirsium arvense*, creeping buttercup, dock sp. and white clover *Trifolium repens*, yarrow and ribwort plantain *Plantago lanceolata*.

#### Scrub (h3d)

- 4.16 A very small of area of bramble scrub occurs at the south-eastern corner of the Site, between the hard-standing curtilage south of the barn and the adjacent field to the east.

### **Fauna**

- 4.17 The SxBRC provided 517 records of 62 notable fauna species from within the search area. Protected / notable species records comprises bats (at least 10 species), four mammal species, 40 bird species, two reptile species, one amphibian species, five invertebrate species.

Bats

4.18 Bat records returned 316 records from the data search include the following species: common pipistrelle *Pipistrellus pipistrellus*, soprano pipistrelle *P. pygmaeus*, noctule *Nyctalus noctula*, and brown long-eared bat *Plecotus auratus*. The closest records are of an unidentified long-eared bat species southwest (c. 0.43km from the Site). The nearest records of an identified species is a brown long eared (c. 0.78km from the Site) to the North.

*Preliminary Roost Assessment – Structures (on-Site)*

4.19 All on-site structures were assessed for their potential to support roosting bats. The on-Site barn was considered to have 'Negligible' potential for roosting bats given the barn construction (breeze block below / corrugated material above with lack of roof liner or enclosed roof space), open, light and draft nature and the presence of anti-bird nesting which limited access to many areas of the roof internally. No evidence (e.g. droppings / feeding remains etc) were found in the barn during the survey. Photos of the exterior and the interior of the barn are provided in Appendix E.

*Preliminary Roost Assessment – Trees (off-Site)*

4.20 No trees are present on-Site, However, two mature oak trees are present on the eastern boundary to the north and south of the exist of the Site. These trees are likely to offer potential roosting opportunities for bats, particularly the oak tree to the south which was noted to contain several potential cavity features such as rot holes / splits.

4.21 [REDACTED]

Dormouse

4.22 The SxBRC have provided no records dormouse *Muscardinus avellanarius* from within the search area. No impacts to dormice are anticipated as a result of the proposals.

Hedgehog

4.23 The SxBRC have provided two records of hedgehog *Erinaceus europaeus* from within the search area. Whilst this species is likely present within the wider landscape, no impacts to hedgehog are anticipated as a result of the proposals.

### Birds

- 4.24 A total of 129 records of 42 bird species were identified within the search area, dating from 1983 to 2021. Those of conservation importance and potential relevance to the Site include Barn owl *Tyto alba*.
- 4.25 A number of feral pigeon *Columba livia* were observed to be nesting within the barn; having gained access to come of the internal beams / ledges despite the presence of anti-bird netting in many areas. No other incidental records of bird species were made during the Site visit, although it is acknowledged that the barn and small areas of bramble scrub could potentially be used for nesting by other bird species.

### Barn Owl

- 4.26 A total of 14 records of a barn owl (maximum abundance four) were returned within the data results. These have not been given an accurate grid reference and as such cannot be placed accurately in reference to the Site, however the majority of records are noted to come from the Pulborough Brooks (RPSB) site.
- 4.27 No evidence of barn owl (e.g. pellets / notable areas of droppings etc) was observed during the survey. Whilst the surrounding habitats may provide hunting opportunities for this species, the potential for barn owl to roost within the on-Site building is considered to be limited by the presence of anti-bird netting internally and the narrow nature of ledges / beams available for nesting / perching. As such, no impacts to this species are anticipated as a result of the proposals.

### Reptiles

- 4.28 A total of four records of two reptile species were identified within the search area including slow-worm *Anguis fragilis* and grass snake *Natrix helvetica*. Habitats within the Site are considered to offer very limited opportunities for reptiles, although these species may be present within the surrounding landscape.

### Amphibians

- 4.29 A total of two great crested newt was returned by SxBRC. The closest records of great crested newt were recorded south-west (c. 0.98km from the Site). No other records of amphibian species were identified within the search area.

### Great Crested Newt

- 4.30 Despite spending much of their annual lifecycle within the terrestrial environment, great crested newts are dependent upon the presence of suitable aquatic breeding habitat for a population to persist.
- 4.31 Two ponds were identified within a dispersible range of the Site, based on OS mapping. These ponds located just within a 250m radius of the Site, with the closest pond (P1) being located c.220m to the south-east

of the Site (see Pond Plan, provided in Appendix F). These ponds are isolated from the Site by Nutbourne Lane.

- 4.32 No aquatic resources for amphibians are located within the Site. Terrestrial opportunities are considered to be limited, the with the majority of the site being occupied by buildings / hard-standing. Given the intervening distance, and presence of suitable terrestrial habitat in closer proximity to the ponds identified, it is considered unlikely that great crested newt (if breeding within these ponds) would disperse onto the Site or be impacted by the proposals.

#### Invertebrates

- 4.33 The site is located within the South Downs Important Invertebrate Area (IIA). Although the Site offers little habitat suitable for invertebrates of importance.
- 4.34 A total of seven records of five invertebrate species were identified within the search area. Some of the species recorded may make use of resources provided within the wider landscape, but no significant adverse effects are anticipated to these species as a result of the proposals.

## 5.0 DISCUSSION AND RECOMMENDATIONS

### Nature Conservation Designations

#### *Arun Valley SAC/SPA/Ramsar site*

- 5.1 The Site lies within the Sussex North Water Supply Zone. Inappropriate water levels are a known vulnerability of Arun Valley SAC/SPA/Ramsar site. Natural England released a Position Statement in September 2021, stating '*Developments within Sussex North must not add to this impact and one way of achieving this is to demonstrate water neutrality.*' Horsham District Council have published a response to Natural England's Position Statement and have acknowledged that '*As part of our decision making process an assessment of water neutrality will now be needed for many of our applications* (Horsham District Council, no date).
- 5.2 As such, should the proposals require a public water supply, it will need to be demonstrate that they will not contribute to the impact through water abstraction or through the imposition of appropriate impact avoidance or mitigation measures. Natural England have advised that one way of achieving this is to demonstrate water neutrality (i.e. '*water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place*'), and that a Water Budget calculation can be undertaken to determine this. Where water neutrality cannot be demonstrated, mitigation measures will be required (e.g. minimising water use in new builds and water off-setting).
- 5.3 Given that the scope of the proposals will result in the change of use of an existing farm building, a significant increase in water usage may not be anticipated. In addition, it is understood that existing water uses are not covered by the Statement. However, it is recommended that due regard is given to the above guidance with regards to confirming Water Neutrality when considering water supply requirements, to ensure that likely significant effects to the Arun Valley designated sites may be screen out, in line with Habitats Regulations Assessment requirements.

#### *Other Statutory and Non-Statutory Designations*

- 5.4 Based on the nature of the proposals, the distance between the Site and identified other nature conservation designations, and their features for designation / published vulnerabilities, it is considered that the proposals are unlikely to cause significant effects on identified the identified nature conservation designations. As such no constraints are identified in relation to these nature conservation designations.

### Habitats and Flora

- 5.5 Emerging legislation and existing policy supports the provision of Biodiversity Net Gain (BNG) through development. The NPPF states that

planning decisions should provide net gains for biodiversity, and central government have legislated a requirement for at least 10% net gain in relation to all major planning applications, expected to take effect in February 2024. Applying the Biodiversity Metric to quantify BNG in association with development is already supported in current Planning Practice Guidance. However, permitted development, including change of use, is exempt from these mandatory BNG requirements. As such, no formal BNG assessment is considered to be required.

### Habitats

- 5.6 Built habitats (e.g. buildings / hard-standing) dominate the Site are considered to be of negligible ecological value. The loss of very small areas of modified grassland and bramble scrub is not considered to result in appreciable negative effects in terms of habitat loss / resources for local wildlife.
- 5.7 The potential for indirect impacts to important ecological features on adjacent land; e.g. mature oak trees to the north and south of the eastern boundary should be considered as part of the proposals, ensuring that adequate buffers and root protection areas are in place in accordance with 'BS 5837:2012 Trees in relation to design, demolition and construction'.

### **Fauna**

#### Bats

- 5.8 Bats and their roost sites are afforded strong protection under the provisions of the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017, and as such should any impacts to roost sites be anticipated then implementation of any consented scheme would need to be subject to a European Protected Species (EPS) mitigation licence from Natural England.
- 5.9 The existing barn is considered to offer negligible opportunities for roosting bats; and as such no further survey work is recommended to inform the proposals. However, should works to the barn be delayed for a period of more than 12 months from the publication of this assessment then an update inspection for sign of roosting bats, to be undertaken by an experienced bat ecologist is recommended to confirm that no new evidence of roosting bats is present.
- 5.10 Scrub and trees adjacent to the eastern boundary of the Site, as well as other semi-natural habitats within the wider landscape may provide suitable habitat for foraging and commuting bats, with mature trees providing potential roosting opportunities. As such, it is recommended that the proposals seek to avoid excessive lighting which could disturb foraging / commuting bats. External lighting should be kept to a minimum, with the use of timer / PRI luminaires, with a directional light

steam which can be directed in a downwards direction to minimise vertical and horizontal light spill. The use of warm LED lighting (of at least 3000K) is recommended where possible. This will ensure that dark corridors are maintained for bats and other nocturnal wildlife, in line with Bat Conservation Trust 2023 guidelines (BCT, 2023).

#### Nesting birds

- 5.11 All wild birds are protected from killing and injury, and their nests and eggs are protected from damage and destruction, under the Wildlife and Countryside Act 1981 (as amended). Therefore, any clearance of nesting habitat or features required to facilitate the proposals should avoid the period between March and August (inclusive) when nesting birds are most likely to be present. If this is not possible, habitats and buildings will need to be checked for nesting birds by a suitably qualified ecologist prior to clearance with works only proceeding if no nesting evidence or behaviour are observed.

#### Reptiles

- 5.12 Opportunities for reptiles within the site are limited to very smaller areas of scrub and colonising ground. However, it should be noted that all British reptile species are listed within Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and are afforded protection against killing and injury under parts of sub-section 9(1) of the Act. In addition, all British reptile species are species of principal importance under S41 of the NERC Act (2006) in England. As such, gradual clearance of any suitable vegetation is recommended outside of the winter hibernation period. Should any reptiles be disturbed during these works then they should be left to disperse into surrounding habitats adjacent to the working area.

#### Great Crested Newt

- 5.13 Great crested newt and their habitats (resting places) are afforded strong protection under the provisions of the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017. However, given the distance of any potential breeding ponds from the Site, and limited nature of terrestrial opportunities for this species / other amphibians, it is not considered that the proposals would result in impacts to this species. As discussed above in relation to reptiles, it would be appropriate however to take a precautionary approach to any habitat clearance.

### **Summary of Recommendations**

- 5.14 Based on the ecological constraints identified above, Table 2 summarises recommendations for further work necessary to determine the need for, and scope of, any avoidance, mitigation and/or compensation measures to address potential adverse effects of

development. The outcome of this further work will inform an EclA of the final scheme.

**Table 2.** Recommendations for further investigation/survey

<b>Ecological Feature</b>	<b>Further Work</b>	<b>Applicable Timescales</b>
Arun Valley SPA / SAC / Ramsar site	Undertake a Water Budget Calculation to determine Water Neutrality requirements (if required)	Prior to planning application submission
Trees (off-site)	Trees are to be protected in line with 'BS 5837:2012 Trees in relation to design, demolition and construction'	During demolition / construction
Bats	Update building surveys should works be delayed more than one year	Anytime prior to demolition
Nesting birds	Any clearance of nesting habitat (including buildings) must avoid the bird nesting period. If this is not possible, works must only proceed following a nesting bird check by an ecologist	March – August, inclusive
Reptiles and amphibians	Clearance of hedgerow habitats (if required) to be undertaken under ecological watching brief	March - October

## **Opportunities for Ecological Enhancement**

5.15 To promote adherence to the NPPF and Policy 31 of the Horsham District Planning Framework (2015), the following opportunities for ecological enhancement have been identified:

- Incorporation of native plants and those of wildlife importance in to landscaping scheme to provide foraging opportunities for birds, invertebrates and bats
- Improved connectivity of green infrastructure with new hedgerow planting and infill planting
- Provision of new bat roosting opportunities within refurbished buildings and retained mature trees
- Provision of bird nesting opportunities within refurbished buildings and retained mature trees

## 6.0 CONCLUSIONS

- 6.1 Confirmed ecological constraints to development at the Site have been identified as the presence of:
- Water Neutrality in relation to the Sussex North Water Supply Zone
  - Buildings supporting nesting birds
  - Mature trees (off-site)
- 6.2 The following additional investigation/survey work is recommended to inform an evidence-based EclA of the proposed development, such that suitable ecological impact avoidance, mitigation and/or compensation measures may be adopted:
- Arun Valley SPA / SCA / Ramsar site – consultation with a drainage specialist with regards to Water Neutrality requirements
  - Update PRA of buildings for roosting bats (should demolition be delayed for more than one year)
  - Birds / reptiles / amphibians – stage habitat clearance at the right time of year (if required)
- 6.3 Recommendations for ecological enhancement measures that could be delivered as part of development at the Site have been provided here-in, which will aid accordance with Policy 31 of the Horsham District Planning Framework (2015).
- 6.4 No overriding constraints to development have been identified subject to the implementation of appropriate mitigation measures in respect of confirmed ecological constraints, and further recommended survey work.

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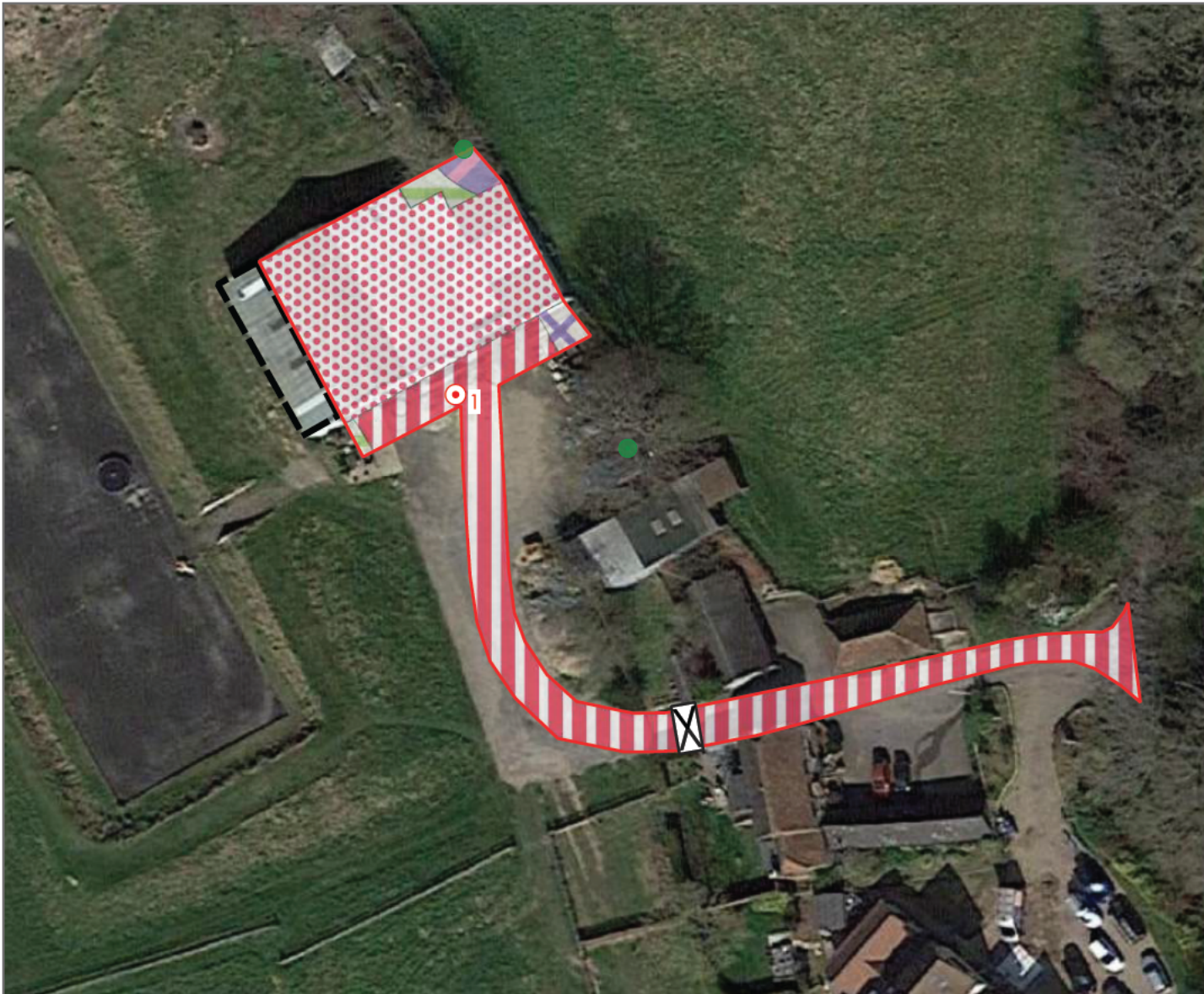
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## **Appendix A**

Habitats Plan



-  Site boundary (2021.PL4D)
-  Other neutral grass and (g3c)
-  Dense scrub (h3)
-  Bramble scrub (h3d)
-  Developed land; sealed surface (u1b)
-  Buildings (u1b5)
-  Building extent beyond red line
-  Scattered trees
-  Target note



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Office 20, Citibase, 95 Ditchling Road,  
Brighton BN1 4ST

† 01273 573871  
e [brighton@csaenvironmental.co.uk](mailto:brighton@csaenvironmental.co.uk)  
w [csaenvironmental.co.uk](http://csaenvironmental.co.uk)

<b>Project</b>	The Barn at The Nash Manor, Nutbourne	<b>Date</b>	Sept 2024	<b>Drawing No.</b>	CSA/6555/102
<b>Drawing Title</b>	Habitats Plan	<b>Scale</b>	Refer to scale	<b>Rev</b>	-
<b>Client</b>	Lee Goosens- The Hunters Group	<b>Drawn</b>	WC	<b>Checked</b>	CC

## **Appendix B**

Legislation and Planning Policy

- 1.1. The **Conservation of Habitats and Species Regulations 2017** (as amended) make prescriptions for the designation and protection of Sites of Community Importance ('European sites', i.e. Special Areas of Conservation and Special Protection Areas) and European Protected Species (EPS). The latter include all native bats, great crested newts, dormice, otters and certain reptiles, listed under Annex II of the Regulations. Following the UK's departure from the European Union, the provisions of the Regulations have been retained through enactment of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, which came into force on 31 December 2020.
- 1.2. The **Wildlife and Countryside Act 1981** (as amended, principally by the Countryside and Rights of Way Act 2000) forms the basis for protection of statutory designated sites of national importance (e.g. Sites of Special Scientific Interest; SSSIs) and native species that are rare and vulnerable in a national context. Additionally, badgers are protected under the **Protection of Badgers Act 1992**.
- 1.3. The **Environment Act 2021** received Royal Assent in November 2021. Through an amendment to the Town and Country Planning Act 1990 the Environment Act introduced a mandatory requirement for all planning permissions to be conditional upon the submission of a Biodiversity Gain Plan for approval by the Local Planning Authority. The Plan will need to demonstrate a net gain of at least 10% in the biodiversity value of the development site.
- 1.4. Section 40(1) of the **Natural Environment and Rural Communities (NERC) Act 2006** (as amended) states that each public authority, "must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving and enhancing biodiversity." This legislation makes it clear that planning authorities should consider impacts to biodiversity when determining planning applications, with particular regard to the Section 41 (S41) lists of 56 habitats and 943 species of principal importance. The UK Biodiversity Action Plan (BAP) has been superseded by the Biodiversity 2020 Strategy, however Local BAPs continue to influence biodiversity management and conservation effort, including through the spatial planning system, at the local scale.
- 1.5. The **National Planning Policy Framework (2023)** (NPPF) sets out government planning policies for England and how they should be applied. With regards to ecology and biodiversity, Chapter 15: Conserving and Enhancing the Natural Environment, paragraph 180, states that the planning system and planning policies should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

- 1.6. Paragraph 186 sets out the principles that local planning authorities should apply when determining planning applications:
- 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.
  - 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.
  - 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.
  - 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.
- 1.7. Accompanying the NPPF, central government guidance on the implementation of planning policies is set out within online Planning Policy Guidance (PPG). The Natural Environment PPG addresses principles across a broad spectrum of topics targeting biodiversity conservation, from individual site and species protection through to the supporting of ecosystem services, and the use of local ecological networks to support the national Nature Recovery Network. In particular, the PPG promotes the delivery of measurable Biodiversity Net Gain through the creation and enhancement of habitats alongside development.
- 1.8. The **Government Circular 06/2005**, which is referred to within the NPPF, defines statutory nature conservation sites and protected species as a material consideration in the planning process.
- 1.9. Local planning policies of relevance to ecology, biodiversity and/or nature conservation have been set out in Table 1 below.

<b>Table 1. Summary of regional and local planning policy relating to ecology</b>	
<b>Policy</b>	<b>Summary</b>
<b>Horsham District Planning Framework (excluding South Downs National Park) 2015</b>	
<b>Strategic Policy 25: The Natural Environment and Landscape Character</b>	<p>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:</p> <ol style="list-style-type: none"> <li>1. 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.</li> <li>2. Maintain and enhances the Green Infrastructure Network and addresses any identified deficiencies in the District.</li> <li>3. 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.</li> <li>4. Conserve and where possible enhance the setting of the South Downs National Park.</li> </ol>

<p><b>Policy 31 Green Infrastructure and Biodiversity</b></p>	<p>Green Infrastructure and Biodiversity</p> <ol style="list-style-type: none"> <li>1. Development will be supported where it can demonstrate that it maintains or enhances the existing network of green infrastructure. Proposals that would result in the loss of existing green infrastructure 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.</li> <li>2. Development proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate. 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 through the creation of green spaces, and linkages between habitats to create local and regional ecological networks.</li> <li>3. Where felling of protected trees is necessary, replacement planting with a suitable species will be required.</li> <li>4. a) Particular consideration will be given to the hierarchy of sites and habitats in the district as follows: <ol style="list-style-type: none"> <li>i. Special Protection Area (SPA) and Special Areas of Conservation (SAC)</li> <li>ii. Sites of Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs)</li> <li>iii. Sites of Nature Conservation Importance (SNCl), Local Nature Reserves (LNRs) and any areas of Ancient woodland, local geodiversity or other irreplaceable habitats not already identified in i &amp; ii above.</li> </ol> <p>b) Where development is anticipated to have a direct or indirect adverse impact on sites or features for biodiversity, development will be refused unless it can be demonstrated that:</p> <ol style="list-style-type: none"> <li>i) The reason for the development clearly outweighs the need to protect the value of the site; and,</li> <li>ii) That appropriate mitigation and compensation measures are provided.</li> </ol> </li> <li>5. Any development with the potential to impact Arun Valley SPA or the Mens SAC will be subject to a HRA 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.</li> </ol>
<p><b>Horsham District Local Plan 2023-2040. Regulation 19 (December 2023 Draft)</b></p>	
<p><b>Strategic Policy 9: Water Neutrality</b></p>	<ol style="list-style-type: none"> <li>1. All development within the Sussex North Water Resource Zone (WRZ) will need to demonstrate water neutrality through water efficient design and offsetting of any net additional water use of the development. This is to be achieved by ensuring that: <p>Water Efficient Design</p> <ol style="list-style-type: none"> <li>a) New residential development is designed to utilise no more than 85 litres of mains supplied water per person per day;</li> </ol> </li> </ol>

	<p>b) New non-domestic buildings to achieve a score of 3 credits within the water (WAT01 Water Consumption) issue category for the BREEAM Standard or an equivalent standard set out in any future update; and</p> <p>Offsetting Water Use</p> <p>c) Development proposals must demonstrate that having achieved water efficient design, any mains-supplied water use from the development is offset such that there is no net increase in mains-supplied water use within the WRZ compared with pre-development levels.</p> <p>Water Neutrality Statement</p> <p>2. A water neutrality statement will be required to demonstrate how policy requirements have been met in relation to water efficient design and offsetting. The statement shall provide, as a minimum, the following:</p> <ul style="list-style-type: none"> <li>a) baseline information relating to existing water use within a development site;</li> <li>b) full calculations relating to expected water use within a proposed development; and</li> <li>c) full details of how any remaining water use will be offset.</li> </ul> <p>Offsetting Schemes</p> <p>3. A local authority-led water offsetting scheme will be introduced to bring forward development and infrastructure supported by Local and Neighbourhood Plans. The authorities will manage access to the offsetting scheme to ensure that sufficient water capacity exists to accommodate planned growth within the plan period.</p> <p>4. Development proposals are not required to utilise the local authority-led offsetting scheme and may bring forward their own offsetting schemes. Any such development proposals will need to have regard to the local authority-led offsetting scheme and associated documents.</p> <p>5. Offsetting schemes can be located within any part of the Sussex North Water Resource Zone, with the exception that offsetting will not be accepted within the Bramber/Upper Beeding area identified in the Policies Map, unless the application site is located within the Bramber/Upper Beeding area.</p> <p>Alternative Water Supply</p> <p>6. Where an alternative water supply is to be provided, the water neutrality statement will need to demonstrate that no water is utilised from sources that supply the Sussex North WRZ. The wider acceptability and certainty of delivery for alternative water supplies will be considered on a case-by-case basis.</p> <p>Area of Water Stress</p> <p>7. Should the need to demonstrate water neutrality no longer be required, new residential development must be designed to utilise no more than 110 litres of mains supplied water per person per day, as per the Building Regulations optional requirement for tighter water efficiency. Should tighter national standards be introduced during the Local Plan period applicable for areas of serious water stress, they will be applied.</p>
<p><b>Strategic Policy 13: The Natural Environment and Landscape Character</b></p>	<p>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 expect development proposals to be landscape-led from the outset so that they clearly inform the design and layout. Proposals will also be required to:</p>

	<p>1. Protect, conserve and enhance the landscape and townscape character, taking into account features / areas identified as being of landscape importance and the individual settlement characteristics, and maintain settlement separation;</p> <p>2. Maintain and enhance the Green Infrastructure Network, the Local Nature Recovery Strategy and national Nature Recovery Network and, where practicable, help to address any identified needs and deficiencies in these networks across the District;</p> <p>3. Maintain and enhance the existing network of geological sites and biodiversity, including safeguarding existing designated sites and species, and secure measurable net gains in biodiversity; and</p> <p>4. Incorporate SuDS into a scheme in an optimal location for their purpose whilst also securing landscape and biodiversity enhancements and delivering high-quality green spaces. Proposals will be expected to provide details to demonstrate that the whole life management and maintenance of the SuDS are appropriate, deliverable and will not cause harm to the natural environment and/or landscape.</p>
<p><b>Strategic Policy 17: Green infrastructure and Biodiversity</b></p>	<p><b>Green Infrastructure</b></p> <p>1. Development will be supported where it can demonstrate that it maintains and enhances the existing network of green infrastructure and contributes to the delivery of public open space, the Local Nature Recovery Strategy, Nature Recovery Network, natural capital, ecosystem services and / or biodiversity. Green Infrastructure should be integral to the design and layout of development, and new provision, including green linkages, should be provided taking into account Natural England's green infrastructure guidance and the council's green infrastructure strategy. Provision should seek to optimise public access to open space and nature via foot, bicycle, wheeling, and also horse as appropriate.</p> <p>2. Proposals that would result in any loss, degradation or harmful impacts to green infrastructure, or core areas of the Local Nature Recovery Strategy and Nature Recovery Network will be resisted unless it can be demonstrated that new opportunities will be provided that appropriately mitigates and / or compensates for the respective harm and ensures that the ecosystem services of the area are retained and enhanced. Development proposals will be expected to remove invasive species.</p> <p>3. Proposals will be expected to retain and enhance existing priority habitats and trees, and accord with the aims and objectives of the Green Infrastructure and Local Nature Recovery Strategies. Habitat enhancement including additional hedgerow and tree planting must take account of the local landscape and habitat context. It should seek to optimise biodiversity, ecological connectivity and function, and climate change resilience.</p> <p>4. Development likely to affect a watercourse and its associated corridor should seek to conserve and enhance its ecological, landscape and recreational value. This should include providing adequate natural buffer zones to the watercourse.</p> <p><b>Biodiversity</b></p> <p>5. The Council will support appropriate new development which delivers at least 12% biodiversity net gain and:</p>

- a) Retains and enhances significant features of nature conservation value on development sites;
- b) Makes a positive contribution to biodiversity and accords with the aims and objectives of the Green Infrastructure and Local Nature Recovery Strategies, through the creation of appropriate green spaces, that provide linkages between habitats to create local and regional ecological networks that enable the movement of wildlife through development sites; and / or
- c) Following the principle of 'right habitat in the right place', significantly increases woodland or other habitats for the purpose of appropriately enhancing biodiversity, carbon sequestration, pollution control, and / or flood mitigation.

6. Relevant development proposals will be expected to deliver 12% biodiversity net gain and must submit Biodiversity Net Gain information to show how this will be achieved using the mandated Biodiversity Metric or the Small Sites Metric as appropriate and must abide by the metric trading rules. Submissions must make clear what will be provided to meet no net loss and what will deliver net gains. The net gain must be achieved through the delivery of appropriate on-site biodiversity net gain or, where this is not practicable, through off-site net gain within the District especially areas, as suitable to the habitats subject to gain, identified in the District's Green Infrastructure Strategy or the Local Nature Recovery Strategy, or as agreed by the Council. All such schemes, excluding any respective element using statutory biodiversity credits, must submit for approval by the Council a funded maintenance and management plan, including monitoring / reporting and appropriate enforcement processes, that secures the biodiversity net gains for at least 30 years.

7. All other development proposals must seek to demonstrate how measurable biodiversity net gains will be delivered.

**Protected Sites and Species**

8. Proposals must give appropriate consideration to protected and notable species. They will be expected to protect priority species and seek to aid their recovery, and must conserve, restore and enhance priority habitats, and should create and manage appropriate new habitats, taking into account pollination, where practicable.

9. Particular consideration will be given to the hierarchy of sites and habitats, including buffer areas, within the District, or functionally linked to, as follows:

- a) Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar sites;
- b) Sites of Special Scientific Interest (SSSIs), National Nature Reserves (NNRs), Veteran Trees, Ancient Woodland and other irreplaceable habitats;
- c) Local Wildlife Sites (LWS), Local Nature Reserves (LNRs) and any areas of priority habitats including traditional orchards, local geodiversity, Core Sites in the emerging NRN and other irreplaceable habitats not already identified in a & b above.

10. An appropriate buffer around woodland will be required, this will be at least 15m around Ancient Woodland or greater in accordance with good practice, and consideration should be given to the potential for protected species, such as bats, and impacts on hydrology. Around ancient and veteran trees a minimum buffer zone of at least 15 times larger than the

	<p>diameter of the tree, or 5 metres from the edge of the tree's canopy whichever is the larger, will be required.</p> <p>11. Where the felling of a tree is necessary, for example due to disease, replacement planting with a suitable tree species, age and location to retain and enhance the link with the wider network of habitats and Green Infrastructure, will be required.</p> <p>12. 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:</p> <ul style="list-style-type: none"><li>a) The mitigation hierarchy has been applied and the objectives of a site's designation, where applicable, and integrity of the area will not be undermined;</li><li>b) The reason for the development clearly outweighs the likely impact to notified features and / or the need to protect the value of the site; and</li><li>c) Appropriate mitigation and compensation measures will be provided alongside the delivery of measurable biodiversity net gain as relevant.</li></ul> <p>13. Any development with the potential to impact the Arun Valley SPA / SAC / Ramsar site, The Mens SAC and / or Ebernoe Common 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 Habitat Regulation Assessment of this Plan.</p>
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## **Appendix C**

Desk Study Information

## Ecological Data Search SxBRC/23/105 - Summary Report

An ecological data search was carried out for land at The Nash Manor, Nutbourne on behalf of Lydia Galbraith (CSA Environmental Ltd) on 22/05/2023.

The following datasets were consulted for this report:

	Requested	Radius/buffer size
Designated sites, habitats & ownership maps	Yes	1km
Protected, designated and invasive species	Yes	1km

### Summary of results

#### Sites and habitats

Statutory sites	1 SSSI
Non-statutory sites	1 LGS
Section 41 habitats	2 habitats
Ancient and/or ghyll woodland	Present

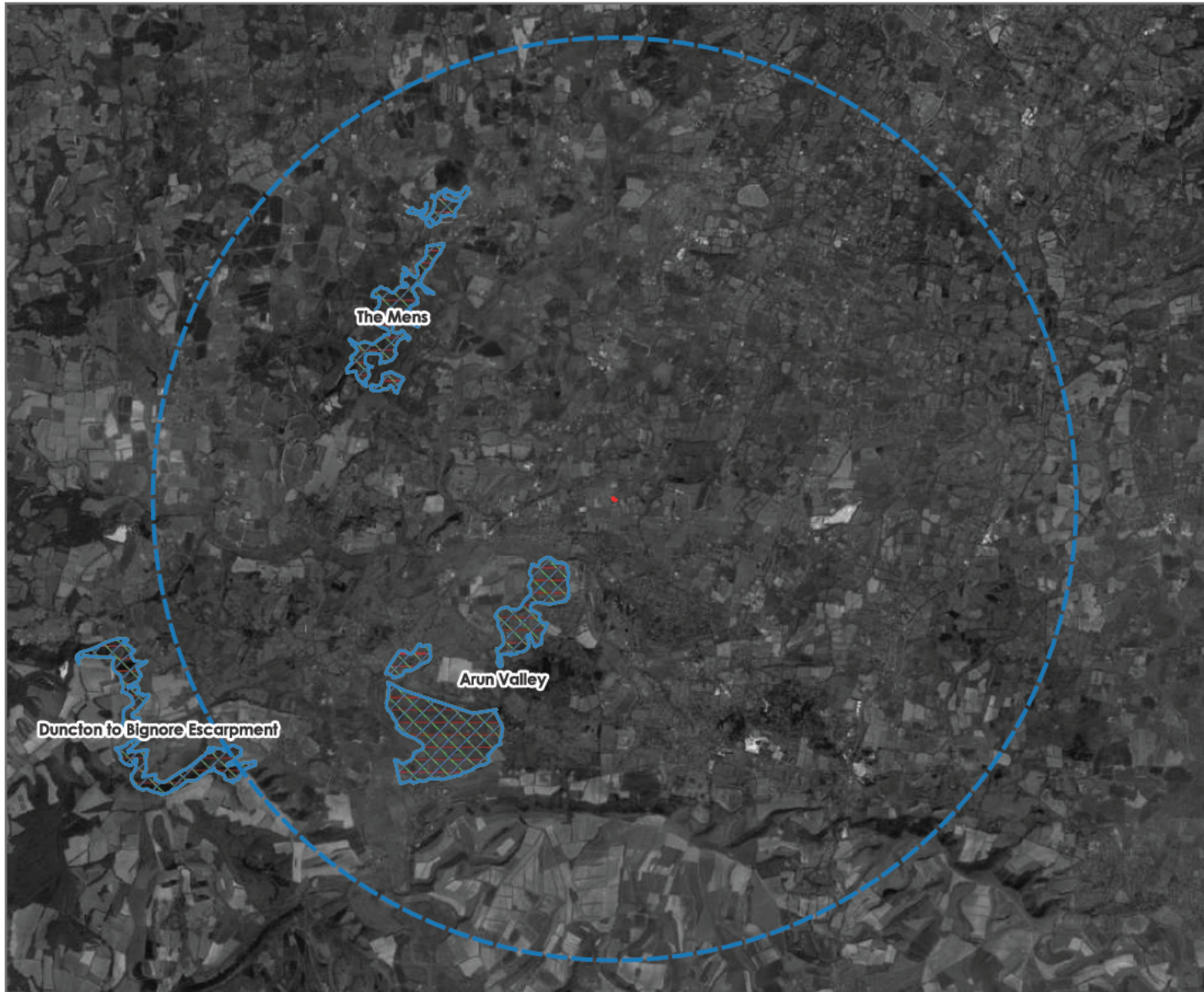
#### Protected and designated species






International designations	27 species	347 records
National designations	63 species	627 records
Other designations	122 species	724 records
<b>Total</b>	<b>135 species</b>	<b>1,014 records</b>
Invasive non-native	19 species	53 records

The report is compiled using data held by Sussex Biodiversity Record Centre (SxBRC) at the time of the request. SxBRC does not hold comprehensive species data for all areas. Even where data are held, a lack of records for a species in a defined geographical area does not necessarily mean that the species does not occur there – the area may simply not have been surveyed.

**This summary page may be published.  
The full report and maps may not be published or otherwise shared.**

**The data search report is valid until 22/05/2024 for the site named above.**



-  Site boundary
-  10km buffer
-  Special Area of Conservation (SAC)
-  Ramsar
-  Special Protection Area (SPA)

0 2,500 5,000 m



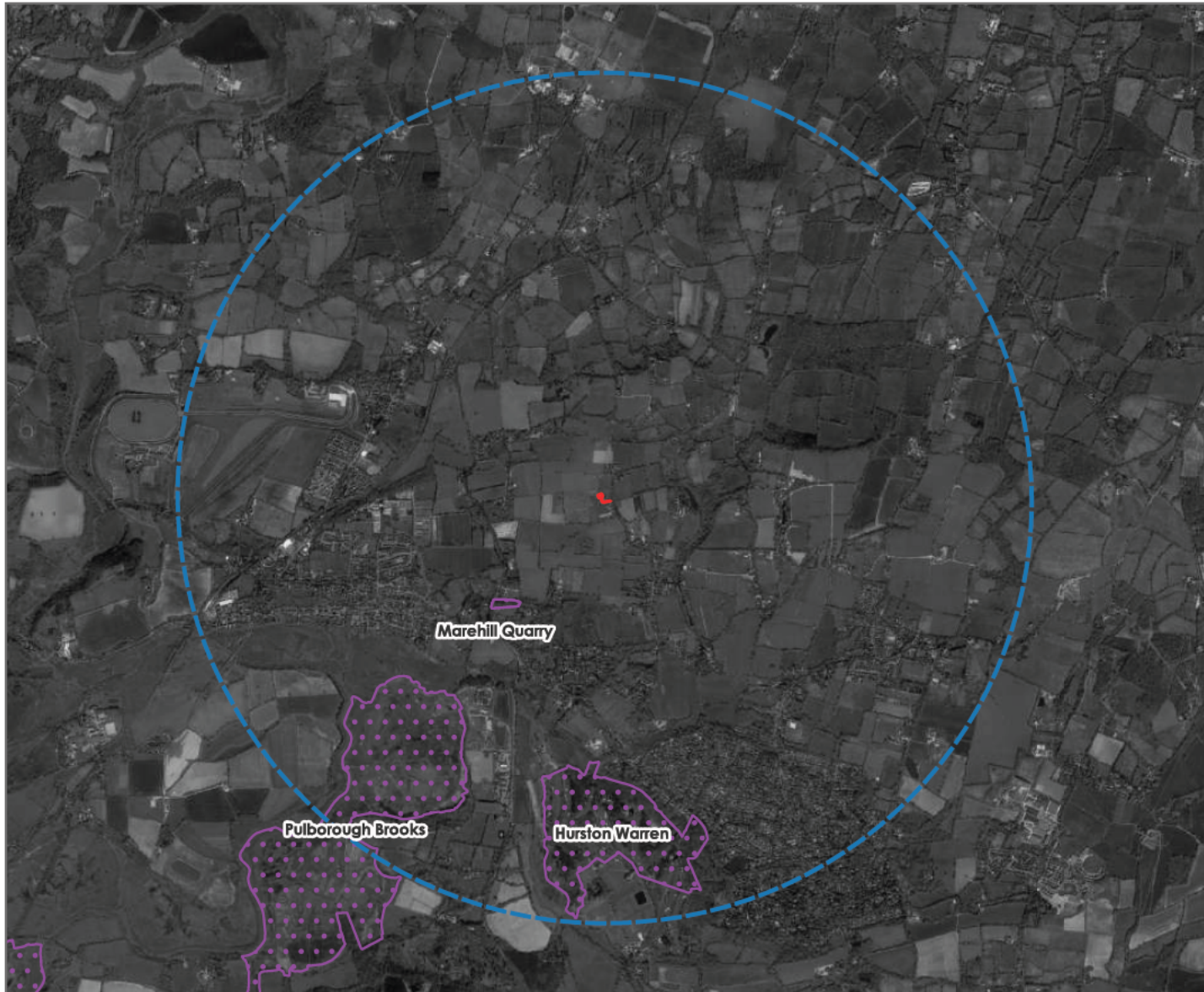
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Office 20, Citibase, 95 Ditchling Road,  
Brighton BN1 4ST

† 01273 573871  
e [brighton@csaenvironmental.co.uk](mailto:brighton@csaenvironmental.co.uk)  
w [csaenvironmental.co.uk](http://csaenvironmental.co.uk)

<b>Project</b>	The Nash Manor, Nutbourne	<b>Date</b>	Sept 2024	<b>Drawing No.</b>	CSA/6555/104
<b>Drawing Title</b>	10km International Designations	<b>Scale</b>	Refer to scale	<b>Rev</b>	-
<b>Client</b>	Lee Goosens- The Hunters Group	<b>Drawn</b>	WC	<b>Checked</b>	CC



- Site boundary
- 3km buffer
- Site of Special Scientific Interest (SSSI)



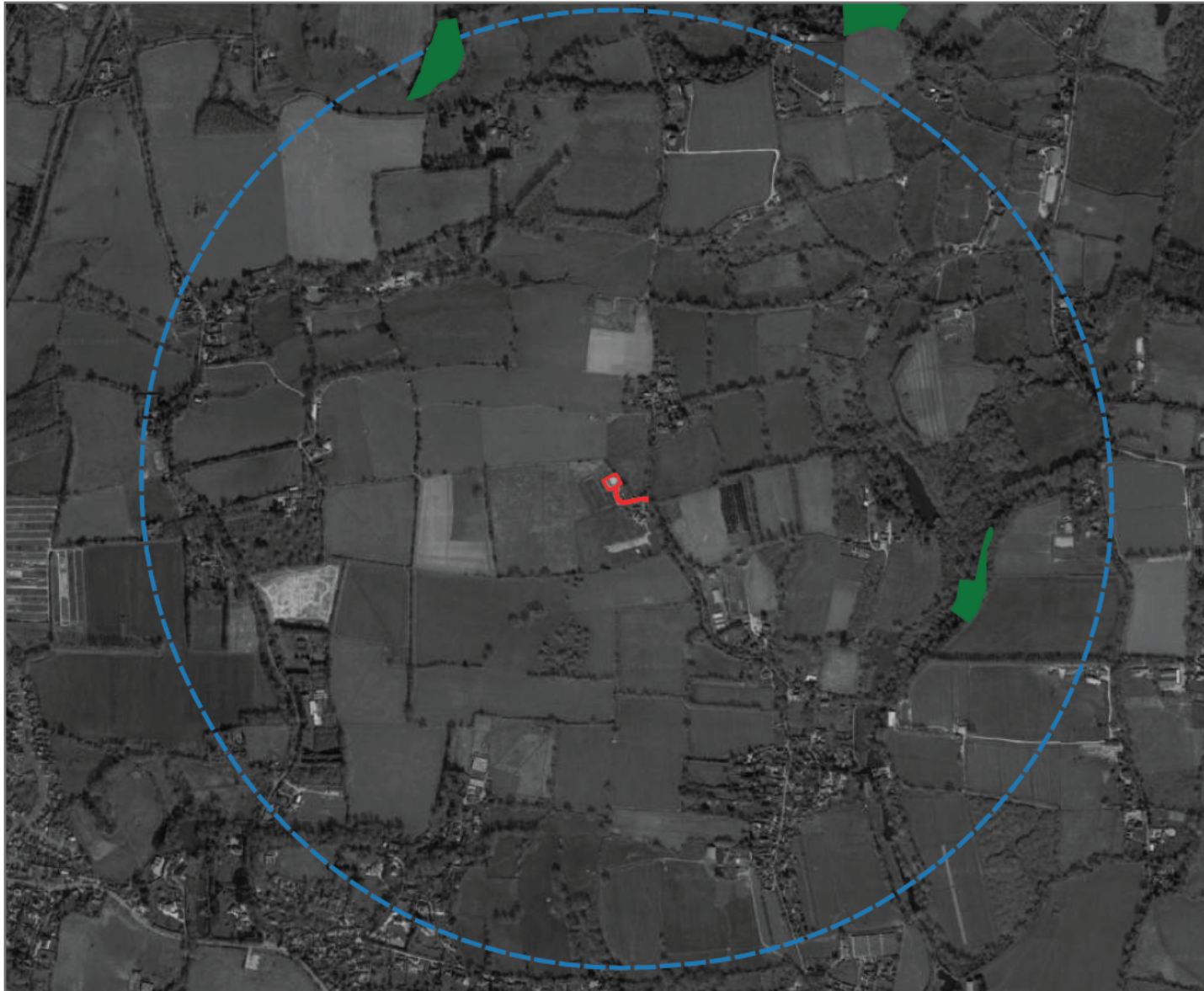
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Brighton BN1 4ST

† 01273 573871  
e [brighton@csaenvironmental.co.uk](mailto:brighton@csaenvironmental.co.uk)  
w [csaenvironmental.co.uk](http://csaenvironmental.co.uk)

<b>Project</b>	The Nash Manor, Nutbourne	<b>Date</b>	Sept 2024	<b>Drawing No.</b>	CSA/6555/105
<b>Drawing Title</b>	3km National Designations	<b>Scale</b>	Refer to scale	<b>Rev</b>	-
<b>Client</b>	Lee Goosens- The Hunters Group	<b>Drawn</b>	WC	<b>Checked</b>	CC



-  Site boundary
-  1km buffer
-  Ancient & Semi-Natural Woodland



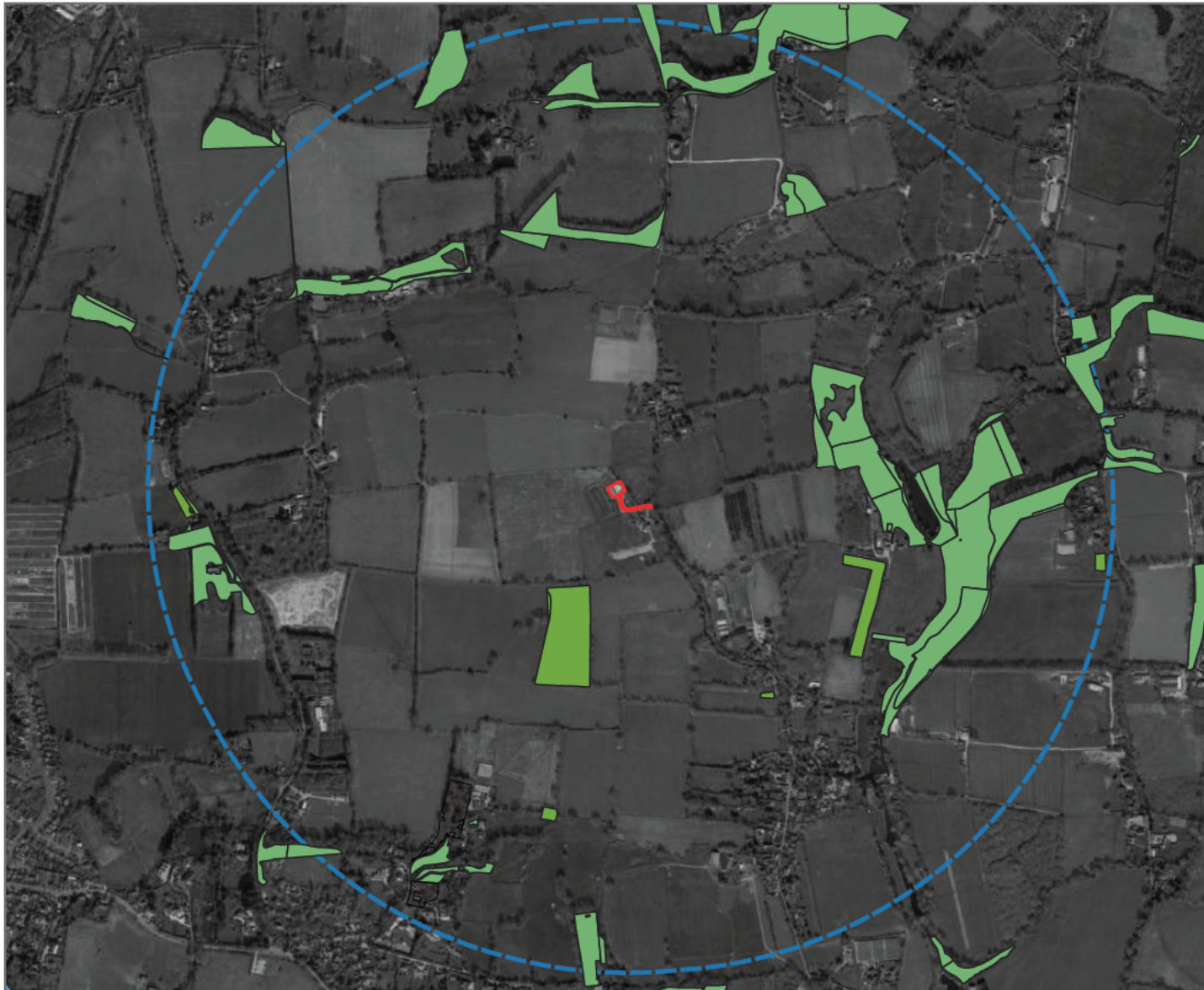
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Brighton BN1 4ST

† 01273 573871  
e brighton@csaenvironmental.co.uk  
w csaenvironmental.co.uk

<b>Project</b>	The Nash Manor, Nutbourne	<b>Date</b>	June 2024	<b>Drawing No.</b>	CSA/6555/106
<b>Drawing Title</b>	Ancient Woodland	<b>Scale</b>	Refer to scale	<b>Rev</b>	-
<b>Client</b>	Lee Goossens	<b>Drawn</b>	WC	<b>Checked</b>	CC



- Site boundary
- 1km buffer
- Deciduous woodland
- No main habitat but additional habitats
- Traditional orchard



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Office 20, Citibase, 95 Ditchling Road,  
Brighton BN1 4ST

† 01273 573871  
e [brighton@csaenvironmental.co.uk](mailto:brighton@csaenvironmental.co.uk)  
w [csaenvironmental.co.uk](http://csaenvironmental.co.uk)

<b>Project</b>	The Nash Manor, Nutbourne	<b>Date</b>	June 2024	<b>Drawing No.</b>	CSA/6555/107
<b>Drawing Title</b>	Priority habitats	<b>Scale</b>	Refer to scale	<b>Rev</b>	-
<b>Client</b>	Lee Goossens	<b>Drawn</b>	WC	<b>Checked</b>	CC

## **Appendix D**

Photographs



Photograph 1. Dilapidated barn farm north of Site.



Photograph 2. Northern- eastern elevation of on-site barn.



Photograph 3. Northern elevation of on-site barn.



Photograph 4. North-western corner of on-site barn.



Photograph 5. Barn interior.



Photograph 6. Barn interior.



Photograph 7. Barn interior.



Photograph 8. Barn interior (western side)



Photograph 9. South-western elevation of on-site barn.



Photograph 10. Vegetated mound, south of barn.



Photograph 11. Mature oak tree close to south-eastern site boundary (off-site).



Photograph 12. Hard-standing access track from Nutbourne Lane.

## **Appendix E**

### Preliminary Bat Roost Assessment

## 1.0 INTRODUCTION

1.1 This report has been prepared by CSA Environmental on behalf of Lee Goossens. It sets out the findings of a Preliminary Roost Appraisal (PRA) of an existing agricultural barn at Nash Manor Farm, Nutbourne (hereafter referred to as 'the Site').

## 2.0 Legislation

2.1 All British bat species are legally protected under Regulation 43 of the Conservation of Habitats and Species Regulations 2017 (as amended). These Regulations make it an offence to:

- Deliberately capture, injure, or kill a bat
- Deliberately disturb bats, impairing their ability to survive, breed, reproduce or rear/nurture their young, or which significantly affects the local distribution or abundance of the species
- Damage or destroy a breeding site or resting place used by bats

2.2 All bats and their roosts in the UK were previously fully protected under the Wildlife & Countryside Act 1981 (as amended). Amendments to the Act have removed most provisions as they relate to bats, however it remains an offence to:

- Intentionally or recklessly disturb a bat while it is occupying a structure or place which it uses for shelter or protection
- Intentionally or recklessly obstruct access to any structure or place used for shelter or protection

2.3 It is important to note that bat roosts are protected throughout the year, regardless of whether or not bats are present at the time. Under the Regulations, the offence of damaging or destroying a breeding site or resting place is subject to 'strict liability', i.e. an offence is committed irrespective of whether the causal act was deliberate or otherwise.

2.4 Where development is proposed that would result in an offence under the Regulations, a European Protected Species (EPS) statutory derogation licence (often termed 'EPS Mitigation Licence') will need to be secured from Natural England to permit an act that would otherwise be unlawful. Such a licence can only be granted following receipt of planning permission with all relevant conditions discharged, and where it has been demonstrated that specific statutory derogation tests have been met.

### **3.0 Methods**

- 3.1 The following survey methods, design, data analysis and interpretation have been undertaken with due consideration of the Bat Conservation Trust (BCT) guidelines 4th edition (Collins, 2023).

#### Preliminary Roost Assessment (PRA)

##### *Structures*

- 3.2 A detailed external and internal inspection of the barn was completed on 25 April 2024, using a high-powered torch, as appropriate. The survey was carried out by Clare Caudwell CEcol MCIEEM (Natural England Class Licence Registration Number 2015-15070-CLS-CLS).
- 3.3 External inspection focused on identifying potential bat access points to the interior of each structure and any external features that could potentially be used by crevice-dwelling species. Particular attention was given to window sills, window panes, weatherboarding, and pitch/ridge tiles; as evidence is typically found in these locations.
- 3.4 The internal inspection involved a systematic search for bats or any evidence of their activity, in particular droppings and/or feeding remains within the buildings.
- 3.5 A description of the structures was made, including construction, condition (in respect of roosting, rather than building or structural integrity) and age (where known).
- 3.6 The aim of this inspection is to record direct (i.e. actual roosting bats) or indirect evidence of roosting bats (e.g. droppings), as well as the nature and number of features with 'potential' to support roosting bats. This includes consideration of structures to support bats whilst in hibernation.

##### *Assessing 'Potential' of Buildings to Support Roosting Bats*

- 3.7 All structures were assigned to one of four categories in respect of their 'potential' to support roosting bats, or the confirmation of any bat roosts identified. 'Potential' in this context is taken to be the broad suitability of features to support roosting bats, based upon the nature, condition or structure of such features, in the absence of confirmed evidence of roosting.
- 3.8 Assigning the following categories is intended to determine the effort of any further targeted survey or inspections which are necessary to prove presence or likely absence of roosting bats, rather than to assign importance to such features.
- 3.9 The following categories are assigned to structures herein:

- **Confirmed Roost** – where one or more bat roosts are identified during PRA inspections, either through direct sightings of bats, and/or indirect evidence such as bat droppings.
- **High** – A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers 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 site.
- **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 and hibernation – the categorisation described here is made irrespective of species conservation status, which is established after presence is confirmed).
- **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 roost 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).
- **Negligible** – No obvious habitat features on site likely to be used by roosting bats; however, a small element of uncertainty remains as bats can use small and apparently unsuitable features on occasion.
- **None** – No habitat features on site likely to be used by any roosting bats at any time of the year (i.e. a complete absence of crevices/suitable shelter at all ground/underground levels).

3.10 The potential of a tree or structure to support roosting bats is often influenced by its age and construction, thermal stability, lighting and levels of human activity. Furthermore, the proximity to foraging habitat - particularly woodland, parkland and wetland- as well as the presence of navigational routes (e.g. hedgerows, treelines and watercourses) influence both the potential for bats to roost, as well as the species which may roost. Professional judgement is therefore applied, based upon known factors which effect the potential of features to support roosting bats, insofar as determining the need or scope of further surveys or inspections.

#### *Limitations*

4.0 The survey, which was conducted in dry and overcast conditions, and at a suitable time of year for evidence of roosting bats to be detected. Access was achieved throughout the majority of the barn, with the exception of the internal 'tack room'.

## 5.0 Results

### Preliminary Roost Assessment (PRA)

#### *Context*

- 5.1 The Site comprises a single farm building, associated hard standing curtilage to the south and access track providing a link to Nutbourne Lane to the south-east. The building is set within a rural landscape with open pasture, hedgerows and small areas of woodland present in the surrounds.

#### *Structures*

- 5.2 One existing farm building is present on Site, comprising livestock barn with breeze block construction below and corrugated steel above. The barn is single storey, with a shallow pitched roof and flat roofed section to the east, with no enclosed roof space. Internally the barn has wooden beams, and a roof of modern style construction.
- 5.3 The majority of the barn is open plan, with open access to the north and south of the eastern side of the building. The western part of the barn is sub-divided into stable blocks and a tack room. The barn did not appear to be in active use for livestock, but used for the storage of hay and other farm machinery / materials. Anti-bird nesting has been installed around much of the interior of the barn.
- 5.4 The barn was considered to have 'Negligible' potential for roosting bats given the barn construction (breeze block below / corrugated material above with lack of roof liner or enclosed roof space), open, light and draft nature and the presence of anti-bird nesting which limited access to many areas of the roof internally. No evidence (e.g. droppings / feeding remains etc) were found in the barn during the survey.
- 5.5 Photos of the exterior and the interior of the barn are provided in Appendix D of the associated Preliminary Ecological Assessment.

## **Appendix F**

Pond Plan (CSA/6555/103)



- Site boundary
- 250m buffer
- 500m
- Ponds (with reference)



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Office 20, Citibase, 95 Ditchling Road,  
Brighton BN1 4ST

† 01273 573871  
e [brighton@csaenvironmental.co.uk](mailto:brighton@csaenvironmental.co.uk)  
w [csaenvironmental.co.uk](http://csaenvironmental.co.uk)

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<b>Drawing Title</b>	Pond Plan	<b>Scale</b>	Refer to scale	<b>Rev</b>	-
<b>Client</b>	Lee Goossens	<b>Drawn</b>	WC	<b>Checked</b>	CC

# CSA

environmental

Dixies Barns, High Street,  
Ashwell, Hertfordshire  
SG7 5NT

**t** 01462 743647  
**e** [ashwell@csaenvironmental.co.uk](mailto:ashwell@csaenvironmental.co.uk)  
**w** [csaenvironmental.co.uk](http://csaenvironmental.co.uk)

---

Office 20, Citibase,  
95 Ditchling Road,  
Brighton BN1 4ST

**t** 01273 573871  
**e** [brighton@csaenvironmental.co.uk](mailto:brighton@csaenvironmental.co.uk)  
**w** [csaenvironmental.co.uk](http://csaenvironmental.co.uk)

---

9 Hills Road,  
Cambridge,  
CB2 1GE

**t** 07713 468300  
**e** [cambridge@csaenvironmental.co.uk](mailto:cambridge@csaenvironmental.co.uk)  
**w** [csaenvironmental.co.uk](http://csaenvironmental.co.uk)

---

3 Ripple Court,  
Brockridge Park, Twynning,  
Tewkesbury GL20 6FG

**t** 01386 751100  
**e** [tewkesbury@csaenvironmental.co.uk](mailto:tewkesbury@csaenvironmental.co.uk)  
**w** [csaenvironmental.co.uk](http://csaenvironmental.co.uk)

---

Wizu Workspace, 32 Eyre St,  
Sheffield City Centre,  
Sheffield S1 4QZ

**t** 07838 290741  
**e** [sheffield@csaenvironmental.co.uk](mailto:sheffield@csaenvironmental.co.uk)  
**w** [csaenvironmental.co.uk](http://csaenvironmental.co.uk)

---

Worting House,  
Church Lane, Basingstoke,  
RG23 8PY

**t** 01256 632340  
**e** [basingstoke@csaenvironmental.co.uk](mailto:basingstoke@csaenvironmental.co.uk)  
**w** [csaenvironmental.co.uk](http://csaenvironmental.co.uk)