



Preliminary Ecological Appraisal

New Commercial Storage Units, New House Farm,
Old Crawley Road, Faygate, Horsham, West Sussex, RH12 4RU.

June 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	Robert Walton
Project	Preliminary Ecological Appraisal – New Commercial Storage Units, New House Farm, Old Crawley Road, Faygate, Horsham, West Sussex, RH12 4RU.
Version	Final
Project team	Project Director – Joseph Baker
Report reference	C-NJA-061-002-001

Revision number	Date of issue	Author	Reviewer
001	05/09/2025	Alice Motola – BSc, MSc (Hons) - Assistant Ecologist	Joseph Baker BSc (Hons) – Director

Disclaimer

This report has been issued to the commissioning party for their sole use as part of the intended project as outlined above. No other party may use, make use or rely upon the contents of this report without obtaining prior written permission from Arun Ecology Ltd. Arun Ecology Ltd accepts no liability for use of this report other than for its intended purpose at the time the report was prepared and issued and the agreement with the commissioning party under which the work was completed.

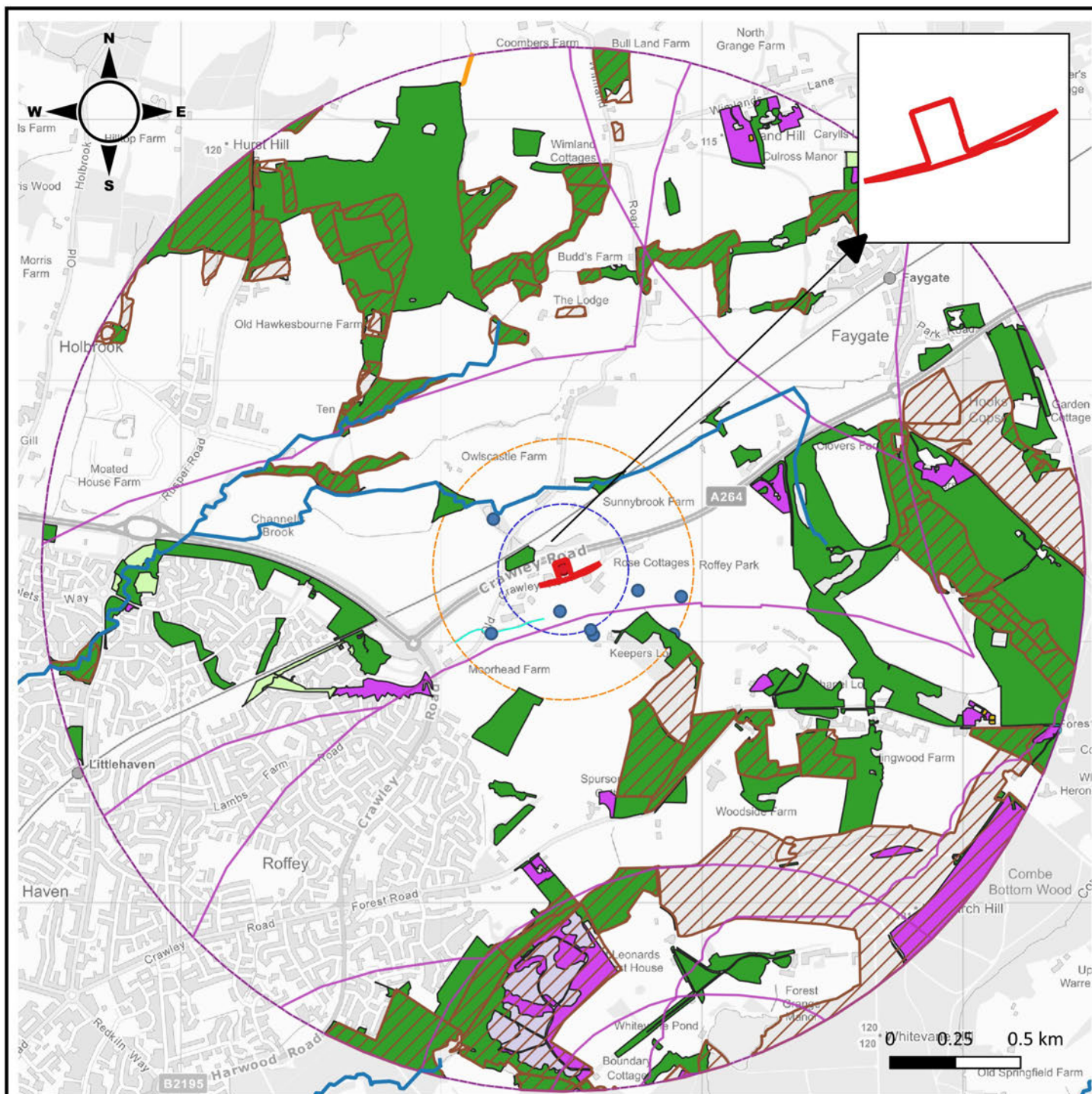
The content of this report has been provided in accordance with the provisions of the CIEEM Code of Professional Conduct and constitutes the professional opinion of Arun Ecology Ltd from an ecological point of view. The professional opinion of Arun Ecology Ltd does not constitute legal opinion, nor does it constitute structural or arboricultural advice. No warranty that is either expressed or implied, is provided by Arun Ecology Ltd in relation to the content of this report. Arun Ecology Ltd assumes no liability for any loss resulting from errors, omissions or misrepresentation made by the commissioning party or any other party. Any recommendation, opinion or finding stated in this report is based on circumstances and facts as they existed or were interpreted at the time that Arun Ecology Ltd completed the work. No independent verification has been made of any information by third parties used to inform this report and Arun Ecology Ltd accepts no responsibility for errors and omissions provided in such information.

This report is the copyright of Arun Ecology Ltd. All rights reserved. Any unauthorised reproduction or usage of this report is strictly prohibited.



Contents

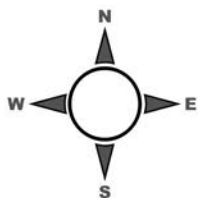
1.	Summary and Recommendations	8
2.	Introduction	10
2.1	Development Location	10
2.2	Development Proposals	10
2.3	Ecology Background	10
2.4	Brief and Objectives	10
3.	Method	12
3.1	Preliminary Ecological Appraisal	12
3.2	Desk Study.....	12
3.3	Field Habitat Survey	13
3.4	Site Habitat Suitability Assessment.....	13
3.5	Survey Dates and Conditions	14
3.6	Surveyors.....	15
3.7	Limitations.....	15
4.	Results	16
4.1	Desk Study.....	16
4.2	UK Habitat Classification Survey Results.....	18
4.3	Site Habitat Suitability Assessment.....	20
5.	Legislation and Planning Policy	24
6.	Requirements and Recommendations	32
6.1	Background	32
6.2	Designated Sites	32
6.3	Habitat Mitigation	32
6.4	Protected Species Mitigation	34
6.5	Biodiversity Net Gain and Ecological Enhancements.....	36
7.	Conclusion.....	37
8.	Bibliography	38
	Appendix I – Great Crested Newt HSI Results.....	40
	Appendix II – Legislation & Planning Policy	41
	Figure 1 - Site Location and Desk Study - Results	5
	Figure 2 - UK Habitat Classification Survey - Results	6
	Figure 3 - UK Habitat Classification Survey – Photographs.....	7



Legend

- | | | |
|--------------------------------------|-------------------------|------------------|
| Development boundary | SSSI IRZ | Ditch |
| Deciduous woodland | Watercourses | Ponds |
| Good quality semi improved grassland | Surveyed priority ponds | Site Centroid |
| Lowland heathland | Ancient Woodland | 250m search area |
| No main habitat category | Ponds | 500m search area |
| Traditional orchard | Priority rivers | 2km search area |

Figure title: Site Location and Desk Study Results			Client: C-NJA-061-002-001 Robert Walton	
Site location: New Commercial Storage Units, New House Farm, Old Crawley Road, Faygate, Horsham, West Sussex RH12 4RU				
Figure number: 1	Date drawn: 01/08/25	Scale at A4: 1:22000		
Revision: 1	Cartographer: AM	Approver: JB		



Legend

 Development boundary

UK Hab Classification

 g4 - Modified grassland

 u1c - Artificial unvegetated
unsealed surface

 h2a - Native hedgerow

1 - 2: Habitat reference number.

H1 - H2: Hedgerow reference number



0 10 20 30 40 50 m



Figure Title: UK Habitat Classification Survey Results		
Client/ Project Reference: C-NJA-061-002-001 Robert Walton		
Figure number: 2	Revision: 1	Scale at A4: 1:1200
Cartographer: AM	Date drawn: 01/08/2025	Approver: JB

Photo 1: Displaying an area of artificial unvegetated unsealed surface habitat comprising heaps of crushed construction scrap material.



Photo 2: Displaying areas of modified grassland of poor condition surrounding the scrap material heaps south of site.



Photo 3: Displaying another area of modified grassland of poor condition north of site



Photo 4: Displaying the native hedgerow habitat (H1), along the northern development boundary.



Photo 5: Displaying the species-rich native hedgerow habitat (H2), along the southern development boundary.



Site Location:			Client:	
New House Farm, Old Crawley Road, Faygate, Horsham, West Sussex RH12 4RU			Robert Walton	
Figure Title:			Project Ref:	
UK Habitat Classification Survey - Photographs			C-NJA-061-002	
Figure No:	Revision No:	Scale:		
3	1	n/a		
Cartographer:	Date Drawn:	Reviewed By:		
AM	11/072025	JB		



1. Summary and Recommendations

Proposals	- Robert Walton is proposing a development at New House Farm, Old Crawley Road, Faygate, Horsham, West Sussex, RH12 4RU (see Figure 1). - The proposals include the construction of four new commercial units with associated landscaping and parking area and the creation of a new site access point along the southern development boundary.
Surveys	- 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. - A GCN eDNA Survey was completed at Pond P1 which is comprised of two adjoining ponds connected by a ditch on the 30th June 2025.
Impact Assessment	- It is not possible to conclude that there will be no adverse impacts on the Arun Valley RAMSAR/SPA/SAC arising from the development in line with Natural England's standing guidance for any new development that requires a public water supply within the Sussex North Water Resource Zone. - The development will not adversely impact any ancient woodland or any other irreplaceable habitat type. - Two native hedgerows, that qualify as Habitats of Principle Importance (HPI) are a material consideration for the development. The development proposals include the removal of one native hedgerow and furthermore, native hedgerows within the development boundary will require safeguarding during the construction and operation phase of the development. - Based upon the desk study results, the habitats recorded within the development boundary and the development proposals bats (flightlines), hedgehogs and nesting birds are a material consideration for the development. Furthermore, [REDACTED] other mammal burrows are a precautionary consideration. - A GCN eDNA survey of Pond P1 (which includes two adjoining waterbodies connected by a ditch) returned a negative result, indicating likely absence of GCN. In our professional opinion, GCN are not a material consideration for the development, based upon the site habitats, proposals and all other ponds being located >250 m from the development boundary. - There are no trees or structures within the development boundary with suitability to support roosting bats. - It is not anticipated that the development will generate significant levels of pollution due to its small scale, however, mitigation will be required during the construction phase of the development to ensure there is not any on-site or off-site pollution to habitats or water sources.



	• In line with national and local policy, the development will be required to incorporate ecological enhancements into the design and achieve measurable net gains for biodiversity as defined by The Environment Act, 2021.
Recommendations	The recommendations below represent a summary only. The full recommendations of this report are outlined in section 6. Further Assessments, Surveys and Consultations • 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. • A Biodiversity Net Gain (BNG) assessment should be carried out for the development and submitted with the planning application at validation stage. This should include a BNG Gain Plan, Condition Assessment and Habitat Management and Monitoring Plan (where applicable). Compensation and Mitigation • The mitigation measures outlined in this report for native hedgerow and bat flightlines (light pollution) should be incorporated into the design of the development to ensure they are safeguarded in the operational phase of the development. • The mitigation measures outlined in this report for [REDACTED] and other mammal burrows, hedgehogs, nesting birds, native hedgerow and pollution prevention should be followed during the construction phase of the development. Ecological Enhancements • The ecological enhancements outlined within this report should be incorporated into the design of the development



2. Introduction

2.1 Development Location

2.1.1 Robert Walton is proposing a development (grid reference: TQ 20459 33270), at New House Farm, Old Crawley Road, Faygate, Horsham, West Sussex, RH12 4RU (see Figure 1). The above address is hereafter referred to as ‘the site’ and Robert Walton as the ‘applicant’.

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

2.2 Development Proposals

2.2.1 The applicant seeks planning consent for the construction of four new commercial units (as per Sloane & Brown Architectural Services Ltd, drawing number: 1346/02). The proposals include, specifically:

- The construction of four new commercial units: two for storage purposes and two for commercial use;
- Associated landscaping;
- Parking area; and
- The creation of a new site access point along the southern development boundary.

2.2.2 The proposals above are hereafter referred to collectively as ‘the development’ in this report and the location of the development as the development boundary (see Figure 1).

2.3 Ecology Background

2.3.1 No ecology reports for the site were provided to Arun Ecology Ltd by the applicant prior to the writing of this report.

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 (EclA); 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 UKHab 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 UKHab 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.

- 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 Planning Policy Framework (2015);
- Satellite images (powered by google via QGIS 3.40 Bratislava); and
- Purchased records from Sussex Biodiversity Record Centre (SBRC).



3.3 Field Habitat Survey

UK Habitat Classification Survey

- 3.3.1 The field survey was undertaken using the UKHab Survey methodology (UKHab, 2023a) to record the habitat types within the development boundary. The study area for the UKHab Survey was defined as all of the land within the development boundary (see Figure 2).
- 3.3.2 The UKHab 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 UKHab Survey Professional Edition to levels 3, 4 or 5 (UKHab, 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	- GCN Habitat Suitability Index (Oldham et al. 2010); and - Great Crested Newt Conservation Handbook (Langton et al, 2001).
Bats	Bat Conservation Trust Good Practice Guidelines (Collins, 2023).
Birds	- 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	[REDACTED] - 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	- Herpetofauna Workers' Manual (Gent & Gibson, 2003); and - Reptile Habitat Management Handbook (Edgar, 2010).
Invertebrates	- Good Planning Practice for Invertebrates (Buglife, 2015); and - Organising Surveys to Determine Site Quality for Invertebrates (English Nature, 2005).

3.5 Great crested newt e.DNA Survey

- 3.5.1 An e.DNA sample was collected at Pond P1 to determine the presence/ absence of GCN. All GCN eDNA samples were collected in accordance with the published technical advice note Defra Science and Research Project WC1067 (Briggs et al, 2014) and instructions provided by RSK ADAS (the laboratory supplier of the eDNA sample kits).
- 3.5.2 To collect an eDNA sample at each pond, surveyors collected a 30 mL water sample at 20 locations around Pond P1 using the sterile ladle supplied in the sampling kit (total approximately 600 mL). A subsample of 100ml was then abstracted into a pipette. A filter designed to collect the eDNA was then attached to the pipette and the water passed through the filter. This pooled sample was tested with real time PCR (qPCR) which amplified the selected part of the DNA to allow it to be detected and measured, giving a positive or negative result.



3.6 Survey Dates and Conditions

3.6.1 Details on the date, timing and weather conditions recorded during the survey are provided below in Table 2.

Table 2 – Field Survey Information.

Date	Survey Type	Survey Timings		Temperature (°C)		Rain	Wind (Beaufort scale)
		Start	Finish	Start	Finish		
08/07/2025	UKHab Survey	11:00	12:40	20	21	0	1
30/06/2025	GCN eDNA – Pond P1	10:00	10:45	24	24	0	1

3.7 Surveyors

3.7.1 The field surveys were undertaken by Alice Motola BSc, MSc (Hons). Alice Motola has over 1 year of professional consultancy experience and is adequately trained to carry out UKHab Surveys. Alice Motola is also registered to use the Level 1 Class Licence to Survey GCN.

3.7.2 The GCN eDNA survey was undertaken by Joseph Baker BSc (Hons). Joseph Baker has 10 years of ecological consultancy experience and is registered to use the Level 1 Class Licence to Survey GCN.

3.8 Limitations

3.8.1 No survey limitations were recorded during the UKHab Survey.



4. Results

4.1 Desk Study

Designated Sites & Non-statutory Designated Sites

- 4.1.1 The results of the desk study search for statutory designated sites within 1km from the development boundary, are detailed below in Table 3 (see Figure 1).

Table 3 - Statutory designated sites returned from the desk study search.

Statutory Designated Sites			
Designation Level	Site Name	Distance & Direction	Summary
RAMSAR/ SAC/SPA	Arun Valley	Site within 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.
SSSI IRZ	St. Leonards Forest	Site located 2.1km from the development boundary.	The designation of this site is due to its deciduous forest habitat covering 84.5ha and comprises relic bryophyte species, a varied bird population, the rare purple emperor butterfly and a population of lily of the valley.

Ancient Woodland

- 4.1.2 Fifty-six ancient woodland parcels were returned within 2 km of the development boundary (see Figure 1). The nearest ancient woodland parcel was located approximately 0.5 km south-east 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 4 (see Figure 1).



Table 4 - 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
Deciduous woodland	85	The nearest deciduous woodland parcel is located 0.1km northwest of the development boundary.
Traditional orchard	5	The nearest traditional orchard is situated 1.7km southeast of the development boundary.
Good quality semi-improved grassland	9	The nearest good quality semi-improved grassland habitat parcel is 0.8km southwest of the development boundary.
No main habitat but additional habitats present	28	- The nearest "no main habitat" parcel is 0.6km southwest of the development boundary. - The following additional habitats were returned: deciduous woodland, good quality semi-improved grassland, traditional orchard, lowland heathland and one priority habitat pond
Lowland heathland	9	One lowland heathland habitat parcel was recorded, 1.3km south of the development boundary.
Surveyed Priority Pond	1	One surveyed priority pond was recorded, 1.9km south-east of the development boundary.
Priority rivers	1	One priority river habitat parcel was recorded 1.9km north of the development boundary.

4.1.4 Eight ponds were recorded within 0.5 km of the development boundary and of these, one pond was within 250m south of the development boundary (see Figure 1).

4.1.5 Eleven non-priority main river parcels were returned within 2 km of the development boundary. The nearest main river parcel is flowing 0.3km north of the development boundary.



4.2 UK Habitat Classification Survey Results

4.2.1 The habitats recorded during the UKHab Survey within the development boundary are described below in Table 5 (see Figure 2 and Figure 3).

Table 5 – Habitats recorded within the development boundary during the UK Habitat Classification Survey.

Habitat Reference (Figure 2)	UKHab Survey Classification Code	Approx. Area (m ²) / length (m)	Summary and Species List
Grassland			
1	Primary: Modified grassland Secondary: active management, Code: g4, 516, Target Notes: TN1	30100 m ²	This habitat parcel corresponds to the grassland present at the centre of the development boundary. On the day of the site visit this grassland parcel appeared to have a sward height of approximately 5cm, with a non-uniform cover and several areas of exposed disturbed ground and marks caused by the heavy machinery used on site. The modified grassland was typically species poor, with 4 average plant species counted within a random 1 metered square quadrat and presented several species indicative of nutrient enrichment. Species recorded: Grasses: (A) perennial ryegrass (<i>Lolium perenne</i>), (O) Yorkshire fog (<i>Holcus lanatus</i>), (O) cocksfoot grass (<i>Dactylis glomerata</i>), (O) rough-stalked meadow-grass (<i>Poa trivialis</i>), (R) false oat-grass (<i>Arrhenatherum elatius</i>), (R) common bent (<i>Agrostis capillaris</i>), (R) heath false brome (<i>Brachypodium pinnatum</i>). Forbs and other plants: (O) common daisy (<i>Bellis perennis</i>), (O) common dock (<i>Rumex obtusifolius</i>) (R) cleavers (<i>Galium aparine</i>), (R) common ribwort plantain (<i>Plantago lanceolata</i>), (R) broadleaf plantain (<i>Plantago major</i>) (R); mouse ear (<i>Cerastium fontanum</i>), creeping buttercup (<i>Ranunculus repens</i>), (R) common trefoil (<i>Trifolium repens</i>), (R) autumn hawkbit (<i>Scorzoneroideis autumnalis</i>), (R) field pansy (<i>Viola arvensis</i>). TN1: Metal containers and heavy machinery are present on the grassland along the northern development boundary.
Urban			
2	Primary: Artificial unvegetated unsealed surface Code: u1c	1640 m ²	This habitat parcel is comprised of existing heaps of construction scrap materials present at the centre of the development boundary. No vegetation is associated with these habitat parcels.



Hedgerows			
H1	Primary: Native hedgerow Secondary: N/A Code: h2a	51m	A native hedgerow was recorded along the northern site boundary, (see Figure 2). The hedgerow was approximately 3m in height and 3.5m in width, with no gaps observed along its full length. <u>Species recorded:</u> (D) hawthorn (<i>Crataegus monogyna</i>), (O) eared willow (<i>Salix aurita</i> sp.), (R) holly (<i>Ilex aquifolium</i>), (R) common bramble (<i>Rubus fruticosus</i> agg).
H2	Primary: native hedgerow Secondary: N/A Code: h2a	233m	A native hedgerow was recorded along the southern site boundary, (see Figure 2). The hedgerow was approximately 2m in height on average and 4m in width, with no gaps observed along its full length. Other than the woody species listed below, the hedgerow comprised bracken growing along one section of its length and common ivy. <u>Species recorded:</u> (D) hawthorn, (O) horse chestnut (<i>Aesculus hippocastanum</i>), (O) bramble, (R) hazel (<i>Corylus avellana</i>), (R) ash (<i>Fraxinus excelsius</i>).



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 UKHab Survey is provided below in Table 6.

Table 6 – Site habitat assessment for protected species and species of conservation concern.

Species/Group	Site Assessment and Rationale
GCN and Other Amphibians	- Records of GCN (<i>Triturus cristatus</i>), were returned from the desk study search within 1 km of the development boundary. No EPSLs for GCN have been granted within 1 km of the development boundary. There are 8 ponds located within 500m of the development boundary and one of those (Pond P1) is within 250m distance from the development boundary. Pond P1, returned a negative e.DNA sample for GCN, and therefore, GCN are likely absent from Pond P1 (see HSI score in Appendix I, Table 8). - The modified grassland within the development boundary is regularly maintained at a very short sward height that provides insufficient cover for GCN and therefore, is unsuitable as a permanent resting place for GCN. Likewise, the artificial unvegetated unsealed surface waste/spoil/ scrap metal heaps are unsuitable for GCN, due to the temporary nature of these features and the level of anthropogenic disturbance from heavy machinery which includes transportation and crushing waste material. The open structure of the grassland and its non-uniform cover is also less likely to be used by GCN to commute through, in favour of more sheltered habitats on the edge of the development boundary, including the native hedgerows, which broadly are a habitat type that could provide a suitable resting place for GCN. - Based on the above points and the negative e.DNA result for GCN at ponds within 250m of the development boundary, in our professional opinion, GCN are reasonably unlikely to be present within the development boundary.
Bats	- Several records of bats were returned from the desk study search within 1 km of the development boundary. No EPSLs for bat species were returned from the desks study search within 1 km of the development boundary. - There are no trees or structures with suitability for roosting bats within the development boundary.



	There are two native hedgerows along the northern and southern development boundaries (H1 & H2), which provide potential bat flightlines and foraging habitat. The modified grassland within the development boundary provides potential foraging habitat for bats, at a site level, albeit of lower value.
Birds	- Several records of birds were returned from the desk study search within 1 km of the development boundary. - There are native hedgerows within the development boundary that provide potential habitat for nesting birds. The modified grassland surrounding the central urban habitat within the development boundary, is characterised by a short sward height due to regular mowing and by scattered areas of exposed disturbed ground and provides insufficient cover for ground nesting birds. Likewise, the artificial unvegetated unsealed surface habitat is unsuitable for important bird assemblages, given its current use and associated level of human disturbance. - The overall quantity and quality of available habitat for nesting birds within the footprint of the development is insufficient to support important bird assemblages and populations of conservation concern and the current management regimes in our professional opinion suggest they are reasonably unlikely to be present.
Terrestrial mammals (non-bats)	[REDACTED] Hazel dormice: One record of hazel dormice was returned from the desk study search within 1 km of the development boundary with no EPSLs returned. The native hedgerows within the development boundary provide habitats that are broadly a habitat type with potential to support hazel dormice and connects to a deciduous woodland along a road embankment. The wider network of hedgerows that extends outside of the development boundary, however, is functionally disconnected by major and minor roads from any typical hazel dormice habitats such as woodland. The modified grassland and artificial unvegetated unsealed surface habitats within the development boundary provide unsuitable habitat types for hazel dormice. Therefore, it is considered reasonably unlikely that hazel dormice will be encountered within the development boundary. Hedgehogs: Records of hedgehog were returned from the desk study search within 1 km of the development boundary. The native hedgerows and modified grassland within the development boundary may provide potential foraging habitat and resting places for hedgehog. As such, it is reasonably likely that hedgehog could be encountered within the development boundary.



	• Otters and water voles: Records of otter were not included within the desk study search for confidentiality reasons, while no records of water vole were returned within 1 km of the development boundary. No EPSLs were returned within 1 km of the development for either species. There is a ditch within 250m south of the development and a lotic water body within 0.3km north of the development boundary, which are water bodies that can typically be associated with the above species. In spite of the latter, the habitats within the development boundary, are separated from the lotic water body by the A264 road barrier which is likely to discourage dispersal of these species, and furthermore, the short, modified grassland within the main footprint of the development is a habitat reasonably unlikely to provide suitable holt or burrow creation opportunities. As such, it is reasonably unlikely that otters or water voles will be encountered within the development boundary. • Other mammals: No mammal burrows were observed within the development boundary, however one ad hoc sighting of a rabbit occurred on the day of the UKHab site visit and further evidence of animal burrows, (possibly rabbit burrows), were recorded within the wider land owned by the client. Furthermore, habitats recorded within the development boundary such as the native hedgerow margins could conceal such burrows. As such, it is possible the above species could be found in or near to the development boundary prior to its commencement.
Reptiles	• Records of common reptiles were returned from the desk study search within 1 km of the development boundary. No EPSLs for rare reptile species were returned from the desk study search within 1 km of the development boundary. • The main extent of habitat within the development boundary is formed of modified grassland characterised by a short sward height which provides insufficient structure and cover to support a permanent reptile population. The structure of the grassland also results in a poor interface between other habitats such as the native hedgerows within the development boundary. Furthermore, the habitats within the development boundary are isolated with respect to the wider landscape by road barriers and agricultural land, which also disconnect the development from the nearest deciduous woodland parcels. • Based on the above points, it is reasonably unlikely that a permanent population of reptiles will be present within the development boundary.
Invertebrates	• No 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 two native hedgerows, which are habitats that are of value to invertebrates. The remaining habitats within the development boundary, primarily formed of very short, modified grassland with patches of disturbed ground and the artificial unvegetated unsealed surface which provide only limited value for invertebrates.



	Based on the above points it is reasonably unlikely that any important invertebrate assemblages or populations of conservation concern will be encountered within the development boundary.
Plants, Lichens and Fungi	No European or nationally protected plants or SPI were recorded within the development boundary at the time of the UKHab Survey. The habitats recorded within the development boundary, including the modified grassland, and native hedgerows were typically species poor and lacked environmental heterogeneity. As such, it is reasonably unlikely any such species or any fungi or lichen species of conservation concern will be present within the development boundary.
Non-native and Invasive Species	No Schedule 9 non-native invasive species were recorded within the development boundary at the time of the UKHab 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 7. Further details of the UK legislation and planning policy relevant to the qualifying features in this section are detailed in Appendix II.

Table 7 – 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	- Conservation of Habitat & Species Regulations, 2017; - National Planning Policy Framework, 2024; and - HDC Local Plan – Policy 25 and 31.	Further assessment required	- In-line with Natural England’s standing advice, no adverse impacts on the Arun Valley RAMSAR/SAC/SPA can be concluded for any new development that requires a public water supply that is located within the SNWRZ. - 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. - The recommendations outlined in section 6.2 of this report should be followed to ensure the development proceeds lawfully.
St. Leonards Forest SSSI	- Wildlife & Countryside Act, 1981, as amended; and - HDC Local Plan – Policy 25 and 31.	Compliant/ adverse impacts reasonably unlikely	- The development type qualifies as a material consideration under the SSSI IRZ definitions for the designation due to its size and as a non-residential development. - Despite the above, the development is small in its scale, extent and magnitude and is located greater than 2 km from the actual boundary of the designation. Therefore, in our professional judgement, it is reasonably unlikely the development will result in direct loss of area within the designation or will



			indirectly adversely impact (through increased recreational pressure or through pollution) the SSSI's qualifying features. HDC may choose to consult Natural England on the development, however, in our professional opinion, the development is reasonably unlikely to contravene the law with respect to the St. Leonards Forest SSSI.
Habitats			
Irreplaceable habitat	- National Planning Policy Framework, 2024; and - HDC Local Plan – Policy 25 and 31.	Compliant/ adverse impacts reasonably unlikely	- No ancient woodland parcels are located within the development boundary or will be directly lost as part of the development. - Based on the scale, magnitude and distance of the development to nearby ancient woodland (nearest 0.5 km), it is reasonably unlikely that there will be any adverse impacts that may arise from degradation as a result of the proposed works.
Habitats of Principle Importance	- Natural Environment & Rural Communities Act, 2006 – Section 40/41; - National Planning Policy Framework, 2024; and - HDC Local Plan – Policy 25 and 31.	Mitigation required	- There were two native hedgerows that will qualify as HPI, within the development boundary (H1 & H2). The section of H2 that falls within the development boundary will be removed in its entirety (233m), as part of the development proposals to facilitate the creation of the new site access point along the southern development boundary. - The development will be required to compensate for the complete loss of the native hedgerow H2, and mitigation will be required in the operational and construction phase of the development to demonstrate how native hedgerow H1 will be conserved and retained within the development boundary. - The recommendations outlined in section 6.3 should be followed to ensure the development proceeds lawfully.
Pollution Prevention	- Environmental Protection Act, 1990; - National Planning Policy Framework, 2024; and	Mitigation required	The level of pollution generated from the development is anticipated to be low comparative to the baseline levels generated from activities on the site, due to the small scale of the development. However, pollution prevention measures



			The recommendations outlined in section 6.4 should be followed to ensure the development proceeds lawfully.
Bats	- Conservation of Habitat & Species Regulation, 2017; - Wildlife & Countryside Act, 1981 – schedule 5; - Natural Environment & Rural Communities Act, 2006 – Section 40/41.	Mitigation required	- The development is reasonably unlikely to result in any adverse impacts to roosting bats, such as harm or destruction of a roost, given that there are no structures and trees with potential to support roosting bats within the development boundary (current layout). - The proposed removal of habitat as part of the development is small scale in our professional judgement and the extent of the habitat to be lost represents a site level impact and is reasonably unlikely to adversely impact bats at a local or regional level as the extent of habitat to be lost is reasonably unlikely to be detrimental to the survival of any bat at a species level. - Based on the above, it can be reasonably predicted that the favourable conservation status of bats will not be adversely impacted by such actions without the need for further bat activity surveys, as the mitigation can be easily predicted. In this case mitigation should be incorporated into the design of the development to avoid or minimise light pollution on potential bat flightlines (as outlined in the pollution section). - The recommendations outlined in section 6.4 should be followed to ensure the development proceeds lawfully.
Birds	- Wildlife & Countryside Act, 1981 – Section 1 and Schedule 1; and - Natural Environment & Rural Communities Act, 2006 – Section 40/41.	Mitigation required	- The development will result in the complete loss of native hedgerow H2, following the creation of the new site access point. This linear habitat has potential for nesting birds and as such, appropriate mitigation will be required during the construction phase of the development. - It is reasonably unlikely that any significant assemblages or the populations of birds of conservation concern including SPI, will be adversely impacted by the development. Therefore, the conservation status of bird species of conservation concern is reasonably unlikely to be adversely impacted by the development.



			The recommendations outlined in section 6.4 of this report should be followed to ensure the development proceeds lawfully.
Great crested newts	- Conservation of Habitat & Species Regulations, 2017; - Wildlife & Countryside Act, 1981 – schedule 5; and - Natural Environment & Rural Communities Act, 2006 – Section 40/41.	Adverse impacts/offence reasonably unlikely.	- The development will not result in the direct loss of any potential breeding habitats for GCN. - Based on the negative GCN e.DNA sample returned and completion of the Natural England GCN Rapid Risk Assessment and the distance to the next nearest ponds (>250m) which includes some barriers to dispersal it is reasonably unlikely that GCN will be harmed or obstructed as a result of the development, and furthermore, that the habitat within the development boundary are associated with any potential GCN population. - The loss of a small extent of modified grassland and the complete loss of native hedgerow H2 as part of the development is therefore, reasonably unlikely to adversely impact the functionality of terrestrial habitat available to any potential GCN populations nearby to the development boundary (i.e within 500m) - Finally, that, in our professional opinion, it is reasonably unlikely any licensable actions will be associated with the development.
Hazel dormice	- Conservation of Habitat & Species Regulations, 2017; - Wildlife & Countryside Act, 1981 – schedule 5; and - Natural Environment & Rural Communities Act, 2006 – Section 40/41.	Adverse impacts/offence reasonably unlikely.	It is reasonably unlikely that the development will result in harm to hazel dormice or adversely impact hazel dormice habitat including their breeding and resting places due to habitats such as native hedgerow within the site being isolated geographically from other suitable hazel dormouse habitat. As such the development, will not adversely impact the conservation status of this species.



Hedgehogs	- Natural Environment & Rural Communities Act, 2006 - Section 41; and - Wild Mammals (Protection) Act, 1996.	Mitigation required	- It is reasonably likely that individual hedgehogs could be encountered within the development boundary, and as such, it is possible that they could be inadvertently killed with methods prohibited under the Wild Mammals (Protection) Act, 1996 without appropriate mitigation. - The recommendations outlined in section 6.4 should be followed to ensure the development proceeds lawfully.
Reptiles	- 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.	The development is reasonably unlikely to result in harm to reptiles or adversely impact a reptile population based on the current habitat within the development boundary and the current management regimes.
Other Mammal Burrows	Wild Mammals Protection Act, 1996.	Mitigation required	- Based on the location of the site and the habitats present within the development boundary, it is possible that mammal burrows could be encountered within the development boundary prior to the commencement of the development. - As such, it is possible that mammals could be inadvertently harmed with methods prohibited under the Wild Mammals Act, 1996 whilst inhabiting their burrows without appropriate mitigation. - To ensure the development proceeds lawfully the mitigation outlined in section 6.4 should be followed.
Otters	Conservation of Habitat & Species Regulation, 2017;	Adverse impacts/ offence reasonably unlikely	The development is reasonably unlikely to result in harm to individual otters or adversely impact their breeding and resting places including any associated habitats and therefore, will not adversely impact the conservation status of this species.



	- Wildlife & Countryside Act, 1981 – schedule 5; and - Natural Environment & Rural Communities Act, 2006 – Section 40/41.		
Water Voles	- Wildlife & Countryside Act, 1981 – schedule 5; and - Natural Environment & Rural Communities Act, 2006 – Section 40/41.	Adverse impacts/ offence reasonably unlikely	The development is reasonably unlikely to result in harm to individual water voles or adversely impact their burrows or habitat, and therefore, will not adversely impact the conservation status of this species.
Invertebrates	- 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	The complete loss of native hedgerow H2 and the partial loss of modified grassland as part of the development is reasonably unlikely to result in any adverse impacts to any European protected invertebrate species, nationally protected species, important populations of SPI or nationally or locally important assemblages of conservation value.
Invasive Species	- Wildlife & Countryside Act, 1981 – Schedule 9; and - Invasive Alien Species Order, 2019.	Adverse impacts/ offence reasonably unlikely	No invasive non-native species were recorded within the development boundary on the day of the UK Hab Survey. Therefore, 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 (i.e. intentional release or spreading).
Protected Plants, Fungi and Lichens	- Conservation of Habitat & Species Regulations, 2017 – Schedule 5; - Wildlife & Countryside Act, 1981 - Schedule 8; and	Adverse impacts/ offence reasonably unlikely	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.



	Natural Environment & Rural Communities Act, 2006 – Section 40/41.		
--	--	--	--



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 Designated Sites

- 6.2.1 To ensure the development is compliant with the legislation and planning policy relevant to the Arun Valley RAMSAR/SAC/SPA, HDC should be consulted on any potential adverse impacts resulting from water abstraction as part of the development. As such, a water neutrality statement is likely to be required for a development of this scale to demonstrate that the proposed development does not increase the total water abstraction within the Sussex North Water Resource Zone and to inform any appropriate assessment (if required).

6.3 Habitat Mitigation

Habitats of Principal Importance

- 6.3.1 The removal of native hedgerow (H2) in its entirety (233m), in order to facilitate the creation of the new site access point, will have to be compensated for, on-a-like-for-like basis.
- 6.3.2 To ensure the successful long-term retention of native hedgerow H1 HPI within the development boundary, measures to safeguard this habitat from damage and degradation during the construction phase of the development will be required. The following measures should be implemented:
- A buffer area of at least 1 m should be implemented between the work area and the entire length of the hedgerow HPI, visible with a physical barrier such as Heras fencing; and



- Appropriate signage will be affixed to delimit those linear features and warn that no heavy machinery or workers should trespass beyond, during the construction phase of the development, in order to prevent any damage on those features; and

6.3.3 To ensure the long-term safeguarding and retention of native hedgerow H1 within the development boundary as part of the operational phase of the development, the hedgerow should be segregated from commercial activities. This can be achieved with the installation of fencing, such as post and rail fencing and establishing an appropriate buffer of approximately 1.5 m (where reasonably practical) formed of semi-natural habitat.

Pollution Prevention Measures

6.3.4 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;
- Appropriate 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

6.4.1 In the unlikely event that a burrow entrance of a mammal is discovered within the development boundary that could be of a suitable size for [REDACTED] the following actions should be taken:

- Works paused and an ecologist consulted regarding any likely burrow or [REDACTED]
- [REDACTED]
- [REDACTED] or mammal burrow that could be in use by [REDACTED] that is reasonably likely to be impacted by the development should be monitored for an appropriate period by an ecologist and the appropriate licencing requirements obtained.

6.4.2 To ensure the development proceeds lawfully, any rabbit or fox burrows found within the immediate area of the development should not be tracked over by machinery and those that will be impacted as part of the development should be dug out with hand tools to prevent unlawful methods of killing (such as those outlined under the Wild Mammals (Protection) Act, 1996).

Bats

6.4.3 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).

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

- Avoid illumination of any proposed native hedgerows where reasonably practical within the development boundary; and
- Minimise the overall levels of light pollution within the development boundary and any light spill outside of 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

- 6.4.5 The removal of the native hedgerow (H2) and any other vegetation with suitability for nesting birds within the development boundary should ideally be completed outside of the breeding bird season (typically March – September). If it is not possible to avoid the breeding bird season to complete these works, a pre-works inspection by an appropriately qualified ecologist should be undertaken.
- 6.4.6 If an active bird nest or nesting activity is recorded within any of the above habitats 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.

Hedgehogs

- 6.4.7 Where reasonably practical, measures should be taken to avoid the unnecessary killing or injuring (that could result in undue suffering and harm) of hedgehog as a result of the developments construction-based activities. Stakeholders and contractors should remain vigilant for the presence of hedgehogs around any vegetation, debris or stored materials. A reasonable action would be to move an individual hedgehog to a safe location either within retained habitat on-site or off-site. During the construction phase of the development, any excavations on site should be covered nightly or include a suitable escape ramp to prevent nocturnal mammals (including hedgehog) from becoming trapped.



6.5 Biodiversity Net Gain and Ecological Enhancements

Biodiversity Net Gain

- 6.5.1 A BNG assessment for the development should be undertaken within the development boundary to ensure the development is compliant with the legislation and national planning policy requirements.
- 6.5.2 The BNG assessment should follow industry good practice guidelines and the principles of BNG (Baker et al, 2019 and CIEEM, 2021) and be calculated based upon the final landscaping plans using the latest edition of the Statutory Biodiversity Metric Tool.
- 6.5.3 The BNG assessment should be accompanied by a BNG Gain Plan and Habitat Management and Monitoring Plan (where there are 'significant gains' in the case of a HMMP) and should outline the strategy for achieving biodiversity net gain over a defined 30-year period.

Ecological Enhancements

- 6.5.4 The following ecological enhancements relevant to the development are recommended:
 - Installation of artificial habitat provisions to include:
 - One crevice bat box to be installed within the development boundary;
 - Two bird boxes bird box to be installed within the development boundary; and
 - One large insect house to be installed within semi-natural habitat located within the development boundary.
- 6.5.5 All habitat enhancements have been excluded within this section and will be included within a BNG assessment for the development.



7. Conclusion

- 7.1.1 Further assessment will be required to ensure the development proceeds lawfully with respect to designated sites. Mitigation will also be required in the construction and operational phase of the development to ensure the development proceeds lawfully. Furthermore, development will be required to achieve measurable gains for biodiversity as defined under The Environment Act, 2021 and include ecological enhancements within its design. 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 [REDACTED]
- 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., & [REDACTED] Mammal Society No.09. The Mammal Society. London.



- 8.1.22 HM Government (2022) Guidance Hazel dormice: advice for making planning decisions Available online at: www.gov.uk/government/publications.
- 8.1.23 Horsham District Council Local Plan (2015). Available online at: https://www.horsham.gov.uk/__data/assets/pdf_file/0016/60190/Horsham-District-Planning-Framework-November-2015.pdf.
- 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 Shawyer 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 UKHab (2023a). The UK Habitat Classification User's Manual Version V2.0 at <http://www.ukhab.org/>.
- 8.1.31 UKHab (2023b).UK Habitat Classification Definition V2.0 at <http://www.ukhab.org/>.



Appendix I – Great Crested Newt HSI Results.

8.2 GCN HSI Survey

8.2.1 The result of the GCN HSI assessment undertaken at Pond P1 (ponds within 250 m of the development boundary) are provided below in Table 8.

Table 8 - Legislation and planning policy evaluation of the development.

Pond Number	Location		HSI Parameter Description											Notes
	Grid Reference	Distance	Geographic Location	Pond Area	Pond Permanence	Water Quality	Shade	Waterfowl Effect	Fish Presence	Pond Density	Terrestrial Habitat	Macrophyte Cover	HSI Score	
P1	TQ 20454 33119	100 m	1.00F	1.00	1.00	0.67	0.6	0.67	1.00	0.8	0.67	0.6	0.78	- Pond P1 is two separate ponds connected by permanently wet ditch system, as such they are connected waterbodies.
	TQ 20191 33034	290 m	1.00	1.00	1.00	0.33	1.00	0.01	1.00	0.8	0.67	0.3	0.5	



Appendix II – Legislation & Planning Policy

8.3 Background

- 8.3.1 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.
- 8.3.2 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.

8.4 RAMSAR Convention

- 8.4.1 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).
- 8.4.2 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.

8.5 Conservation of Habitat and Species Regulations, 2017

- 8.5.1 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

- 8.5.2 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.

8.5.3 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

8.5.4 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.

8.5.5 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.

8.5.6 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.

8.6 Wildlife and Countryside Act, 1981 (as amended)

8.6.1 The Wildlife and Countryside Act, 1981 (as amended) primarily transposes the UK Governments 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

8.6.2 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

8.6.3 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

8.6.4 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

8.6.5 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

8.6.6 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.

8.6.7 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

8.6.8 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.

8.7 Countryside Right of Ways Act, 2000

- 8.7.1 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

- 8.7.2 Part III of the CRoW Act, 2000 includes provisions for wildlife protection and nature conservation and includes amendments to the Wildlife & Countryside Act, 1981.
- 8.7.3 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.
- 8.7.4 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.

8.8 National Parks and Access to the Countryside Act, 1949

- 8.8.1 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.

8.9 Natural Environment & Rural Communities Act, 2006

- 8.9.1 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

- 8.9.2 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.
- 8.9.3 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

- 8.9.4 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.
- 8.9.5 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.
- 8.9.6 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.

8.10 [REDACTED]

- 8.10.1 [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

8.11 Wild Mammals (Protection) Act, 1996.

- 8.11.1 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.



8.12 The Environment Act, 2021

- 8.12.1 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

- 8.12.2 Part 6 – Sections 98 - 101 of the act outlines provisions for biodiversity gain in planning.
- 8.12.3 Schedule 14 makes provision for biodiversity gain to be a condition of planning permission in England.
- 8.12.4 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.
- 8.12.5 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.
- 8.12.6 The relevant percentage is set at 10% for biodiversity gain.
- 8.12.7 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).
- 8.12.8 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.

8.12.9 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.

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

8.12.11 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.

8.13 National Planning Policy Framework (2024)

8.13.1 The National Planning Policy Framework (NPPF, Ministry of Housing Communities and Local Government, 2024) sets out the Governments 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.

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



Conserving and Enhancing the Natural Environment

8.13.3 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;

8.13.4 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

8.13.5 f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

8.13.6 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.

8.13.7 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.

8.13.8 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.

8.13.9 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

8.13.10 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.



8.13.11 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.

8.13.12 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.

8.13.13 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

8.13.14 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.

8.14 Biodiversity and Geological Conservation Circular 06/2005

8.14.1 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.

8.14.2 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

8.14.3 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’.

8.14.4 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’.



- 8.14.5 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.'

8.15 Horsham District Council Adopted Local Plan (2015)

Policy 25

- 8.15.1 Policy 25 sets out Horsham District Councils (HDCs) commitment to protecting the Natural Environment and Landscape Character. Policy 25 states:
- 8.15.2 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:
- 8.15.3 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.
- 8.15.4 Maintain and enhances the Green Infrastructure Network and addresses any identified deficiencies in the District.
- 8.15.5 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.
- 8.15.6 Conserve and where possible enhance the setting of the South Downs National Park.

Policy 31

- 8.15.7 Policy 31 sets out Horsham District Councils (HDCs) commitment to protecting biodiversity in the district. Policy 31 states:
- 8.15.8 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.

- 8.15.9 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.
- 8.15.10 3) Where felling of protected trees is necessary, replacement planting with a suitable species will be required.
- 8.15.11 4. a) Particular consideration will be given to the hierarchy of sites and habitats in the district as follows:
- i. Special Protection Area (SPA) and Special Areas of Conservation (SAC)
 - ii. Sites of Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs); and
 - iii. Sites of Nature Conservation Importance (SNCIs), Local Nature Reserves (LNRs) and any areas of Ancient woodland, local geodiversity or other irreplaceable habitats not already identified in I & II above.
- 8.15.12 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:
- i. The reason for the development clearly outweighs the need to protect the value of the site; and,
 - ii. That appropriate mitigation and compensation measures are provided.
- 8.15.13 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.

8.16 Birds of Conservation Concern

- 8.16.1 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.

- 8.16.2 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.

8.17 IUCN Red List

- 8.17.1 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.

8.18 Bibliography – Appendix II

- 8.18.1 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 fifth 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>.
- 8.18.2 Countryside Right of Ways Act, 2000 (C37) (Online) London, The Statutory Office. Available at <http://www.legislation.go.uk>.
- 8.18.3 DEFRA (2011) Biodiversity 2020: A strategy for England's Wildlife and Ecosystem services. (Online). Available at <https://assets.publishing.service.gov.uk>.
- 8.18.4 HM Government (2018) A Green Future: Our 25 Year Plan to Improve the Environment. Available online at: www.gov.uk/government/publications.
- 8.18.5 Horsham District Council Local Plan (2015). Available online at: https://www.horsham.gov.uk/_data/assets/pdf_file/0016/60190/Horsham-District-Planning-Framework-November-2015.pdf.
- 8.18.6 JNCC (2019) RAMSAR Convention, (Online) Joint Nature Conservation Committee. Available at <http://www.JNCC.gov.uk/our-work/Ramsar-convention>.
- 8.18.7 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>.
- 8.18.8 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>.



- 8.18.9 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.
- 8.18.10 National Park and Access to the Countryside Act, 1949. (Online). Available at <http://legislation.gov.uk>.
- 8.18.11 Natural Environment & Rural Communities Act, 2006. (Online) Available at <http://legislation.gov.uk>.
- 8.18.12 ODPM Circular 06/2005. Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and their impact within the Planning System (2005). Norwich: HMSO. Available at <http://www.go.uk/government/publications/biodiversity-and-geological-conservation-circular-06-2005>.
- 8.18.13 [REDACTED]
- 8.18.14 South Downs Adopted Local Plan. Online. Available at: https://www.southdowns.gov.uk/wp-content/uploads/2019/07/SD_LocalPlan_2019_17Wb.pdf.
- 8.18.15 The Conservation of Habitat & Species Regulation (2017) (Online). London: The Statutory Office. Accessed January 2024. Available from <http://legislation.gov.uk>.
- 8.18.16 The Environment Act, 2021. (Online) Available at <http://legislation.gov.uk>.
- 8.18.17 Wildlife and Countryside Act, 1981 (As amended). (Online). Available at <http://www.legislation.gov.uk>.
- 8.18.18 Wild mammals (Protection) Act, 1996. C1. (Online). London. Statutory Office. Accessed January 2024. Available at www.gov.uk/government/publications.