



Horsham
District
Council

HORSHAM DISTRICT COUNCIL CONSULTATION

TO:	Horsham District Council – Planning Dept
LOCATION:	Mowbray Development Site, Employment Land
DESCRIPTION:	Construction of Primary Road from the Left-In, Left-Out junction with the A264 (constructed pursuant to Outline Planning Permission DC/16/1677) to Bush Lane (Bridleway 1585), footpaths and cycleways, foul and surface water drainage including a SUDS basin and foul pumping station, landscaping, substations and associated infrastructure.
REFERENCE:	DC/25/1543
RECOMMENDATION:	Objection-No objection / more information
SUMMARY OF COMMENTS & RECOMMENDATION:	
Many of the outstanding concerns have been resolved. Some remain, largely requesting amendments and inclusions within any forthcoming HMMP. It is at the case officer's discretion whether the RCA methodology and details are sought prior to grant of planning permission. The updated metric demonstrates that the development will have a 15.13% net gain (+1.99 units) in area habitats, a 142.70% net gain (+6.85 units) in hedgerows, and a -1.19% net loss (-0.06 units) in watercourses. The change results in more other neutral grassland in moderate condition being proposed, and improved classification and higher lengths of hedgerow creation and enhancement. There is an error within the metric highlighting that the baseline and post-development habitat tabs for area do not match. There are also 2x modified grassland creation entries with no areas. This will need to be rectified to discharge the deemed biodiversity gain condition. A post-development UKHab map corresponding with the metric entries will also be expected within any forthcoming HMMP. Since the first round of comments, a River Condition Assessment has been undertaken by a qualified surveyor, with the outputs and completed watercourse module of the metric provided. It is not entirely clear on the methodology undertaken or the location of the MoRPH surveys. Additional changes made to the metric include recording of trees to be lost to the development (T273 & T356). Further information and clarification have been provided for some comments; however, some remain to be addressed, and a few new comments have arisen considering the further information provided. It is also noted that the HDC Landscape Officer raised concerns relating to inconsistencies across documents, notably the levels plans (and the proposed earthworks) and tree protection plan. If these concerns are not resolved, I request to be	

reconsulted prior to grant of planning permission to determine if the full extent of vegetation loss has been correctly accounted for in the metric.

The updated metric demonstrates that the development will have a ~~10.21~~ **10.27%** net gain (~~+1.32~~ **1.34** units) in area habitats, a ~~17.18~~ **79.94%** net gain (~~+0.82~~ **3.84** units) in hedgerow habitats, ~~and a -1.19% net loss (-0.06 units) in watercourse habitat.~~

However, the watercourse module of the metric and a River Condition Assessment has not been completed, and therefore the baseline is considered incorrect. This must be completed prior to grant of planning permission. Many additional points are raised for further information or modifications relating to the baseline and post-development habitats.

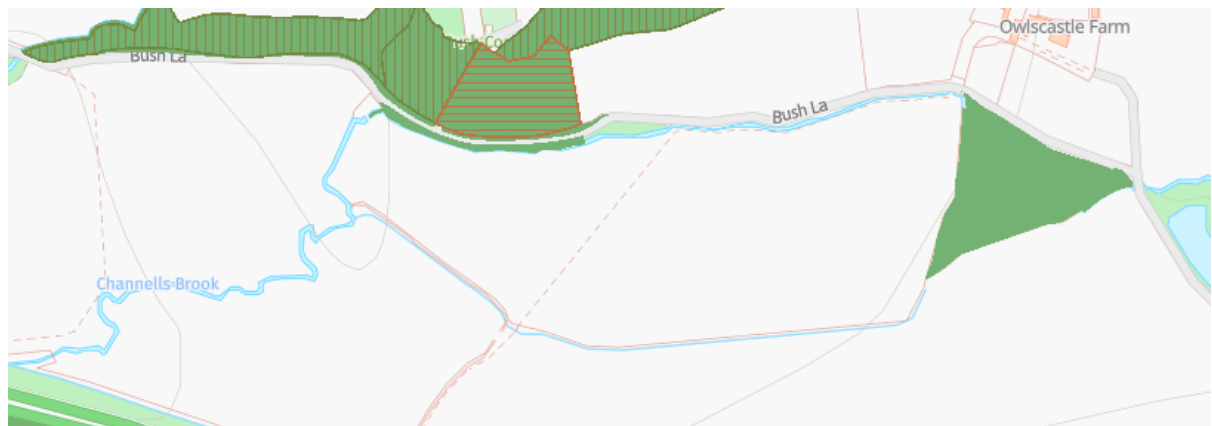
MAIN COMMENTS:

The below comments relate primarily to the Biodiversity Net Gain requirement for the above application. Note, these comments are not exhaustive. All other ecology matters will be reviewed by Place Services and/or NatureSpace where necessary.

The submitted metric demonstrates that the development will have a ~~10.21~~ **10.27%** net gain (~~+1.32~~ **1.34** units) in area habitats, a ~~17.18~~ **79.94%** net gain (~~+0.82~~ **3.84** units) in hedgerow habitats, ~~and a -1.19% net loss (-0.06 units) in watercourse habitat.~~ As per HDCs definition, this is considered significant on-site BNG and therefore will require a legal agreement to secure. Monitoring reports will typically need to be submitted to HDC in years 1,2,5,10,15,20,25 and 30. However note, amendments are required prior to grant of planning permission which may change the calculated figures in the metric.

Biodiversity Context

Lowland mixed deciduous woodland (priority habitat) is located immediately adjacent to the red line boundary of the site, both in the north-west and east. Ancient woodland is approximately 20m away to the north-west of the site, and this woodland is intercepted from the site by Bush Lane.



(Blue linear features = watercourses; solid green shading = priority habitat woodland; hashed shading = ancient woodland and replanted ancient woodland. Source MAGIC.defra.gov.uk)

Given the proximity of these sensitive habitats, mitigation such as installation of fencing and dust sheets, a lighting strategy sympathetic to wildlife, and adherence to pollution prevention guidelines throughout the construction and operational phase will be required within the CEMP. Assurance is also requested that these habitats will not be publicly accessible.

The Applicants response in the Ecology and Landscape Consultee Responses document (Stantec, 2026) confirms that no new accesses are being created within the priority habitat and ancient woodland parcels adjacent to the red line boundary – with thanks.

Baseline

Metric

Channells Brook lies immediately adjacent to the red line boundary, and as such the site lies within the riparian zone (10m). There is also a watercourse running along the centre of the site. Both watercourses and their riparian zones are therefore caught under the BNG requirement.

Para 3.1.9 of the BNG Report states that as there is no suggestion that the stream would meet priority habitat status, the watercourse module has been omitted due to it falling under the de minimis exemption. The BNG exemptions do not apply to the different modules individually, and for a development to be exempt, the Regulations state that the development must meet the first and second condition, with the second condition having two points whereby both must be met for an exemption to apply. The development is not exempt as it impacts more than 25sqm of onsite area habitat and more than 5m of linear habitat (both points to condition two of the exemption). Therefore, this has been incorrectly applied, as the entirety of the site is triggered by the biodiversity net gain requirement, and therefore by default includes the watercourse module section of the metric.

As such, a River Condition Assessment will need to be undertaken by a certified assessor, and the watercourse module of the metric will need to be completed. The RCA results and metric must be resubmitted prior to grant of any planning permission.

Note that many culverts are proposed to be installed on the existing watercourse within the site, and a headwall outfall is proposed to Channells Brook. Please see the metric user guide on how to account for the installation of culverts and headwalls/outfalls.

A River Condition Assessment has now been undertaken by the ecologist (a qualified surveyor), and the Cartographer outputs have been provided to evidence the watercourse in moderate condition – with thanks.

The baseline watercourse module has been completed within the metric, with the loss of stream accounted for where a headwall will be installed (as per metric user guide rules) – with thanks.

However, it should be highlighted that no methodology or location of MoRPH surveys have been provided. This is requested to determine that this has been carried out to a satisfactory level.

The agent has refused to provide this information due to it being a fixed structure. Note that methodologies are listed in many ecological reports to ensure consistency with good practice and to highlight limitations. The agent mentions a ten-figure grid reference is included and the survey was undertaken at the location of the proposed inflow. The methodology requires 5 modular surveys undertaken along the stretch of watercourse, hence the reason for asking for the details. It is at the Case Officers discretion whether this information is provided to ensure the assessment is robust.

It is noted in the ecologists Further Ecology Information note (Derek Finnie Associates, 2026) that to reach the 10%, further solutions are being explored however it is currently proposed that river credits will be purchased if alternative solutions cannot be found. Note that river *credits* (HDC emphasis) will not be accepted without justification as per government guidance, however purchase of watercourse habitat bank units is considered an acceptable secondary route to on-site efforts.

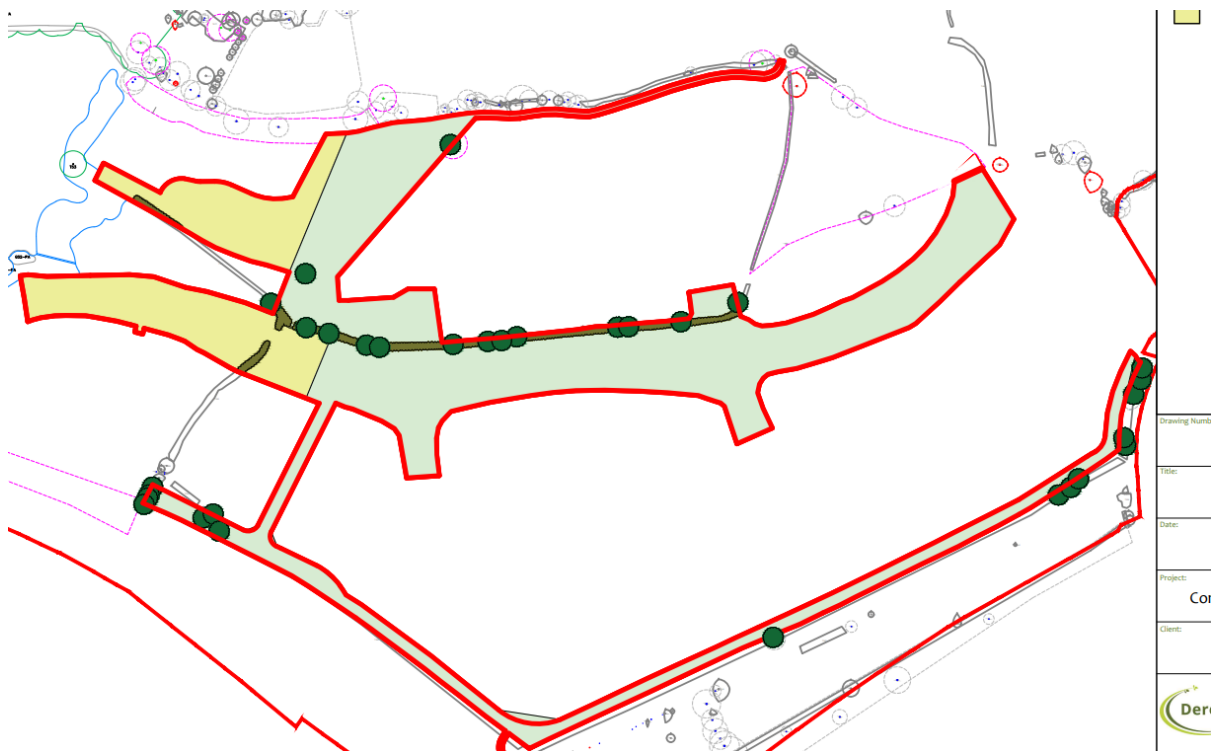
Habitat Map

130sqm of woodland has been entered within the metric, although it cannot be clearly ascertained from the Phase 1 Map whereabouts this is located on the site. Please can this be added.

The ecologist has confirmed in the Further Ecology Information note that the woodland is '*contiguous with the Channells Brook along the north of the site*'. However, this does not appear to be mapped, and it is my understanding that this parcel of woodland is outside the red line boundary and not subject to any impacts. On further investigation, I believe the woodland included in the metric are the sections to be removed to facilitate drainage and earth works in the west of the site.

Please can these parcels be added to the Phase 1 Map for purposes of including in the HMMP. In addition, please can the watercourses subject to RCA also be added.

This has been provided in the BNG report – with thanks. Please include this and post-development map in LEMP/HMMP when finalising for legal agreement.



^BNG Report Phase 1 Map (2025).

It is also noted that several individual trees are mapped within the Phase 1 Map, however only one tree has been inputted into the metric which is to be removed. It is understood that T356 (oak, DBH 40cm), T272 (5x holly, avg DBH 15cm) T273 (alder, avg DBH 26cm), T277 (ash, DBH 60cm) and mixed tree group G54 (DBH <40cm) are to be cleared, and partial clearances of mixed species groups are mentioned – see Para 5.14 and 5.15 of the Arboricultural Report (David Jarvis Associates 2025, ref: 2898-2-17-TD-0001-S5-P1)

Please can the final individual tree number for the baseline assessment be confirmed, and the trees to be removed (both individually, and within other area habitat parcels whereby the species is not excluded as a tree sp. within UKHab description and has a DBH of 30cm or greater) and their corresponding references be accounted for within the metric baseline and marked as lost. It is also noted that the Bat tree roost assessment plan (Bioscan UK Ltd, 2016) submitted under DC/16/1677 highlighted that several trees had medium bat roosting potential, with one tree having high bat roosting potential. It is

acknowledged that 2025 surveys have been undertaken across the site, and the ES claims that the results of these surveys remain largely unchanged. Further information is therefore requested as to the relationship between the trees to be removed and the potential for roosting bats.

The ecologist has confirmed in the Further Ecology Information note that the new AIA states that two trees will be lost to the development that are relevant to accounting tree losses in the metric. These are T273 and T356, and the appropriate amendments to the metric have been made – with thanks.

The loss of T277 (and partial removal of the woodland edge W281) is now omitted from the AIA. It is noted that T277 is diseased (ash dieback) but has a fair structural condition. Clarification is requested as to why this tree is now marked as retained.

The agent states the amended scheme allows for T277 retention, despite being diseased. It is understood that the loss of G54 is accounted for in the woodland loss.

Mixed scrub is mentioned within the LEMP, with the habitat being present at baseline and post-development (excluding woodland scrub edge), however does not appear within the metric or Planting Proposals. Please can this be amended and clearly depicted on a landscape map. The inclusion of mixed scrub is desirable for the linnet population identified onsite.

The ecologist has confirmed in the Further Ecology Information note that the mixed scrub mentioned in the LEMP is in error, and there is no mixed scrub within the application boundary. Please can this section be removed from the LEMP, as this is still present in the updated version (see Section 4.13 onwards).

Concern resolved, with thanks.

Condition Assessments

No completed condition assessments are provided for individual trees. Please can this be provided.

These have been provided. However, it is noted that Criterion E has been failed for tree T356, but in the Further Ecological Information note, the ecologist states '*an oak, T356, was considered to be of sufficient size to offer the potential to contain Possible Roost Features (PRFs). However, no PRFs were noted during the ground inspection. The tree does, however, support a moderate ivy growth so as a precaution, it has been assessed as having Low potential to support roosting bats and should be inspected again and dismantled, with any major limbs left in place for 24 hours.*'. Therefore, Criterion E should be passed, which results in this tree being in good condition.

This has been amended in the metric – concern resolved, with thanks.

Post-development

Metric

It is noted that throughout the centre of the site, hedgerow and trees are proposed to be created to line the road. Confirmation is requested if the planting of these trees are separate to the hedgerow. If not, these should not be counted separately and should instead be inputted as a length of native hedgerow with trees. Note that no hedgerow creation has been included within the metric. If minded to include one more native woody species to the hedgerow mix, this would then qualify as a species-rich native hedgerow with trees.

Confirmation has been provided in the Ecology and Landscape Consultee Responses document that the tree planting is separate to the hedgerow, and the native hedgerow has been added to the metric. Concern resolved, with thanks. Note that on the Planting Proposals, the hedgerow comprises 5 woody species and therefore qualifies as species-rich, and therefore this entry in the metric may be amended.

This has been amended.

Habitats

It is noted that much of the proposed woodland copse is situated within existing tree RPAs, with tree planting proposed on the other side of these trees, increasing competition for space and resources. It would be preferable to keep any new tree planting outside of the retained trees canopies and RPAs, to ensure they will establish well. It is also recommended to have a minimum width of 20m, and a length larger than 6.5m to better conform to woodland definitions within government guidance.

Given the reluctance to change this approach, it is requested that any remedial measures in case of planting failure (and existing tree failure or deterioration as a result of any works or disturbance) be included in the LEMP/HMMP.

The response states that the standard 5-year period for replacing planting failures is reflected in 5.63 of the LEMP. My comment also refers to retention of existing trees (see underlining), and therefore it is requested that this is clarified in the LEMP/HMMP.

Planting proposal

A greater variety of native tree specimen species are requested, with planting of the non-native specimens being restricted near to the lowland mixed deciduous woodland priority habitat (reference is made to Planting Proposals 5 of 6, David Jarvis Associates 2025, ref: 2898-5-2-20). Specimen trees in these areas should be species locally found within the woodland adjacent to the site.

Not fully addressed, with non-native specimen trees still located in close proximity to the priority woodland habitat in the east of the site.

It is disappointing that the agent does not agree with this approach. This approach would minimise the potential spread of non-native trees setting seed in the priority woodland. It is not envisaged that the appearance of native trees along the road will look out of place with the woodland backdrop comprised of similar species, and appearance was not raised as an issue under Point 20 of the HDC Landscape Architects response.

Planting of climbing species such as native honeysuckle (*Lonicera periclymenum*) and traveller's joy (*Clematis vitalba*) should also be incorporated into the woodland mix, as these provide good links between the shrub and canopy layer, as well as providing additional habitat and autumn resources for small mammals and invertebrates.

These have been added to the Planting Proposals – with thanks.

Habitat creation for protected and priority species

It is acknowledged from the ES that skylark is still recorded onsite. The habitats proposed within the site do not cater for skylark, which prefer undisturbed open habitat such as treeless grasslands and farmland. As such, further information is sought on what habitat creation is being offered across the larger strategic site for this species to compensate for the loss of farmland habitat.

Not addressed.

The agent has confirmed that the loss was deemed acceptable, and therefore no mitigation is proposed. It is disappointing that habitats of a similar ecological function for skylark are not being offered as part of the BNG proposals.

Draft LEMP

Please can all relevant plans, including an overall landscape plan, be appended to the LEMP for the purposes of the legal agreement. Note that all responsibilities should be known at the signing of the agreement.

The Ecology and Landscape Consultee Responses document states that these will be added when required.

Biocides

Note that biocides should only be used as a last resort, unless eradicating species as listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). Please can words to this effect be added into the LEMP to cover all habitats.

This has been added – concern resolved, with thanks.

Vigorous plants

Note that cutting back vegetation on a 3-year rotation will not control vigorous plants, and the frequency of cutting will need to be increased if control is necessary.

This has been added – concern resolved, with thanks.

Grassland

Use of fertilizer on grassland areas will encourage vigorous plants and is not recommended when trying to achieve a diverse floristic sward.

This has been amended to 'only as required' – concern resolved, with thanks.

Other mechanisms should be explored to reduce nutrient soil prior to employing topsoil stripping, as this disrupts the soil microbial communities and releases stored carbon. Spraying a field-wide application of glyphosate is not considered appropriate as an initial method. Whilst other mechanisms take longer, they are more sustainable. It is recommended to conduct soil testing to know whether 'meadow grassland' is feasible and to monitor nutrient levels. Given that 'other neutral grassland' in moderate condition is proposed, management methods under Section 5.116 onwards should generally be applied across the site (excluding areas of modified grassland for recreational amenity).

Note that yellow rattle will only successfully germinate after a period of cold stratification and with a very short sward before sewing in autumn (50mm) and during early spring (the latter max 2cm if possible).

No cuts should be undertaken in waterlogged or very wet conditions to avoid soil compaction.

Generally, arisings are left in situ for no more than 72 hours.

Does not appear to be addressed.

The agent states that reference to meadow grassland has been removed, and grass mixed have been added to the key. However, other neutral grassland is being proposed, which is not mentioned. Please can the differences in grassland by UKHab classification and their management be made clear in a forthcoming HMMP for the legal agreement. Note that it must contain the target condition criteria (as below) and how these will be achieved. Please refer to Natural England's HMMP template for the necessary content.

Woodland

It is noted that Section 5.3 refers to publicly accessible areas of woodland for all visitors. Please can further detail be provided as to proposed footpaths through the woodland, and if there are any inaccessible areas dedicated to biodiversity.

Clarification has been added in the LEMP. Concern resolved, with thanks.

Target conditions

The LEMP does not refer to the target condition criteria to reach the overall desired condition as per the entries within the metric.

Has not been addressed.

The agent states that they envisage a HMMP will be secured by condition. Note that the HMMP will be an obligation under the S106 legal agreement.

ANY RECOMMENDED CONDITIONS:

If minded to approve -

Informative

Scenario 1: BNG Required.

NAME:	Linsey King Ecology Officer (Planning)
DEPARTMENT:	Strategic Planning - Specialists
DATE:	11/11/2025 02/02/2026 23/03/2026