



Preliminary Ecological Appraisal

Land Adjacent 1 Woodcot, New Road, Billingshurst,
West Sussex, RH14 9DS

May 2026



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	Joanna Linton
Project	Preliminary Ecological Appraisal – Land Adjacent 1 Woodcot, New Road, Billingshurst, West Sussex, RH14 9DS
Version	Final
Project team	Project Director – Hannah Baker
Report reference	C-NJA-101-001-001

Revision number	Date of issue	Author	Reviewer
001	12/05/2026	Alice Motola BSc, MSc (Hons) – Consultant Ecologist	Hannah Baker BSc (Hons), MSc, ACIEEM – Principal Ecologist and 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
2.2	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.....	16
3.6	Surveyors	16
3.7	Limitations	16
4.	Results	17
4.1	Desk Study	17
4.2	UK Habitat Classification Survey Results.....	19
4.3	Site Habitat Suitability Assessment	22
5.	Legislation and Planning Policy	26
6.	Requirements and Recommendations.....	35
6.1	Background.....	35
6.2	Designated sites.....	35
6.3	Ecological Enhancements	36
6.4	Habitat Mitigation	36
6.5	Protected Species Mitigation	38
6.6	Further Surveys.....	40
7.	Conclusion	41
8.	Bibliography.....	42
	Appendix I – Legislation & Planning Policy.....	44
	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

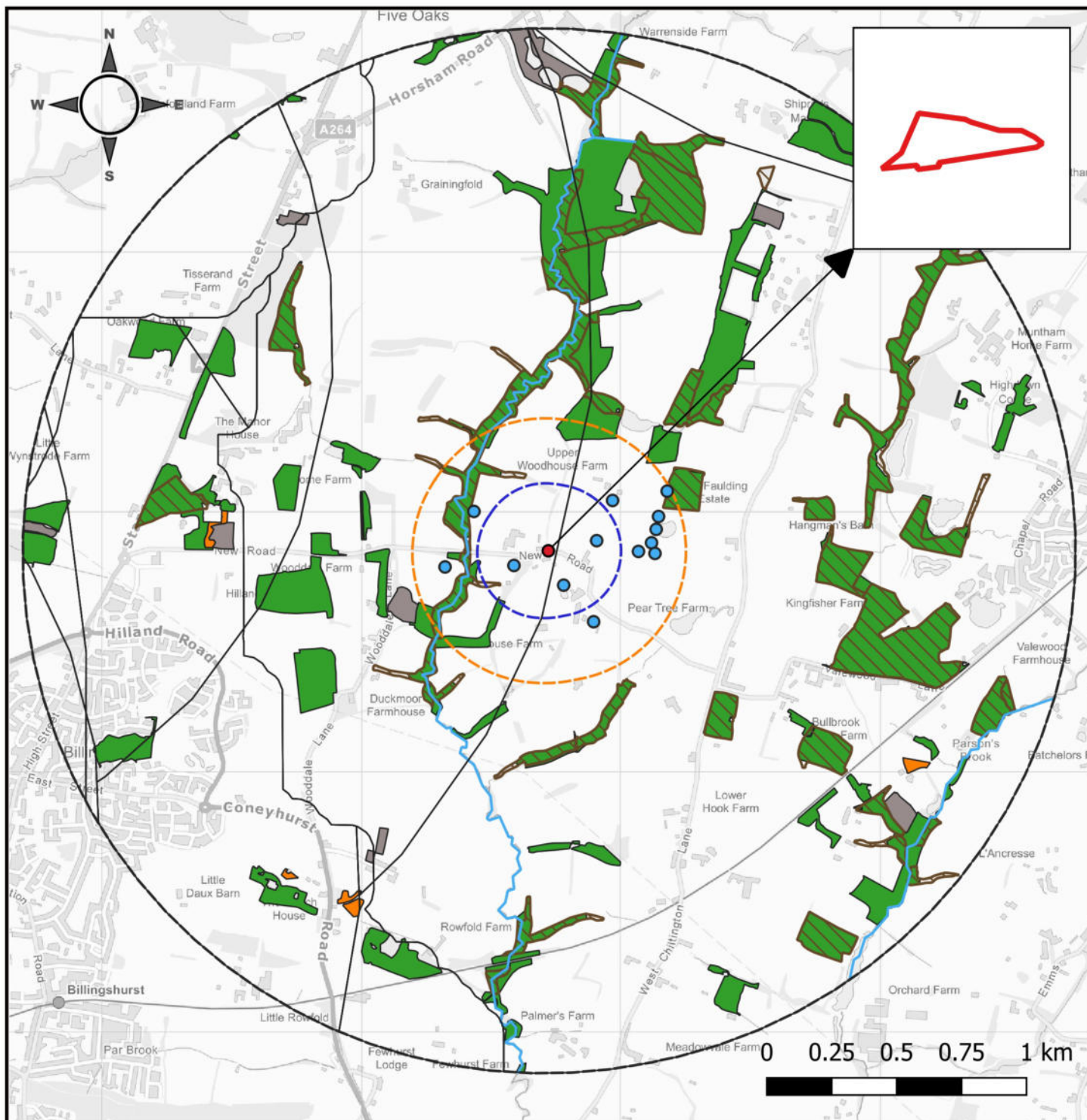


Figure title:

Site Location and Desk Study Results

Client:

Joanna Linton
C-NJA-101

Site location:

Land Adjacent 1 Woodcot, New Road, Billingshurst, West Sussex, RH14 9DS

Figure number:

1

Date drawn:

05/03/26

Scale at A4:

1:22000

Revision:

1

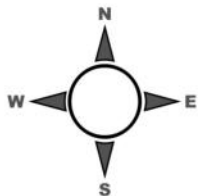
Cartographer:

AM

Approver:

HB





Legend

Development boundary

Brick well

UKHab Baseline

g4 - Modified grassland

u1b - Developed land;
sealed surface

u1f - Sparsely vegetated
urban land

w1f - Lowland mixed
deciduous woodland

h2a - Native hedgerow

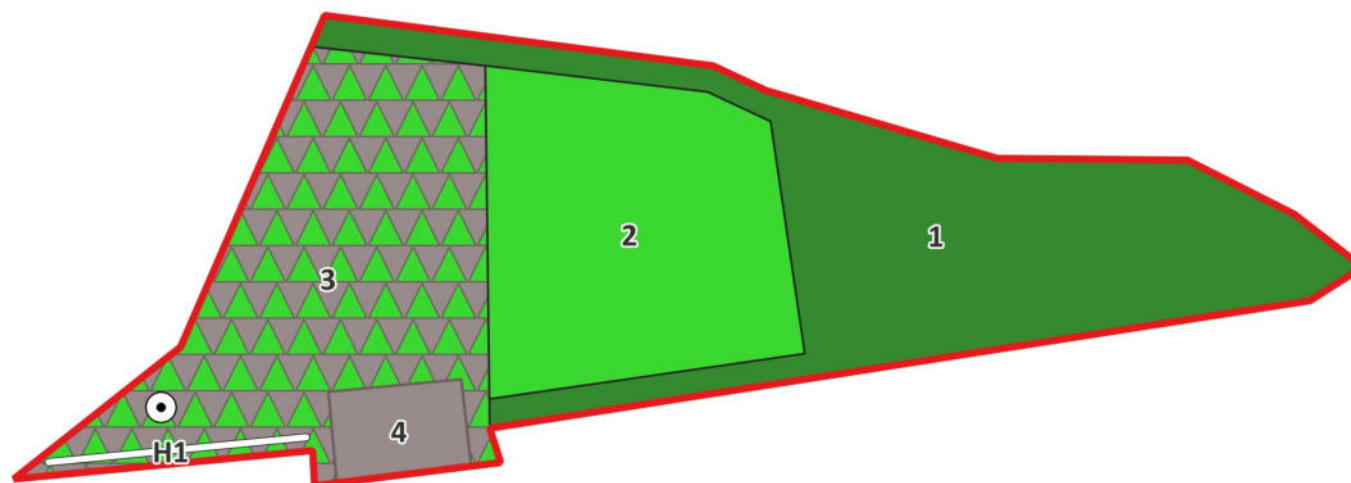


Figure Title:
UK Habitat Classification Survey
Results

Client/ Project Reference:
Joanna Linton
C-NJA-101

Figure number: 2	Revision: 1	Scale at A4: 1:300
Cartographer: AM	Date drawn: 06/03/2026	Approver: HB

Photo 1: Displaying a lowland mixed deciduous woodland parcel, within the eastern section of the development boundary.



Photo 2: Displaying a modified grassland parcel, within the central section of the development boundary.



Photo 3: Displaying a sparsely vegetated urban land parcel, within the western section of the development boundary.



Photo 4: Displaying a developed land; sealed surface parcel, within the southwestern section of the development boundary.



Photo 5: Displaying both the native hedgerow H1 and the brick well, within the southwestern corner of the development boundary.



Photo 6: Displaying the northern section of the lowland mixed deciduous woodland parcel, within the development boundary.



Figure Title: UK Habitat Classification Survey – Photographs			Client: Joanna Linton
Site Location: Land Adjacent 1 Woodcot, New Road, Billingshurst, West Sussex, RH14 9DS			Project Ref: C-NJA-101
Figure No: 3	Revision No: 1	Scale: n/a	
Cartographer: AM	Date Drawn: 06/03/2026	Reviewed By: HB	



1. Summary and Recommendations

Proposals	• Arun Ecology Ltd was appointed by Joanna Linton ('the Client') to undertake a Preliminary Ecological Appraisal (PEA) for a proposed development at Land Adjacent 1 Woodcot, New Road, Billingshurst, West Sussex, RH14 9DS (see Figure 1). • The proposals include the construction of a self-build dwelling utilising existing access and landscaping within the 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.
Impact Assessment	• Mitigation will be required within the design of the development to ensure there are no adverse impacts that arise from light pollution on bat flightlines, that fall within the 12 km Wider Conservation Zone of The Mens SAC and Ebernoe Common SAC. • No ancient woodland or any other irreplaceable habitats were recorded within the development boundary or will be adversely impacted as part of the development proposals. • Mitigation will be required within the design and construction phase of the development to ensure the long-term safeguarding of the lowland mixed deciduous woodland that falls within the development boundary and that is reasonably likely to qualify as a Habitat of Principal Importance (HPI). • Based upon the desk study results, the habitats recorded within the development boundary and the development proposals, [REDACTED] mammal burrows, bats, nesting birds, great crested newts, hedgehogs and reptiles are identified as material ecological considerations. • No buildings, structures or trees with features suitable for roosting bats will be adversely impacted by the development. • 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 no 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. It is our understanding, however, that mandatory Biodiversity Net Gain (BNG) as defined under The Environment Act, 2021 will not be required, as the proposed dwelling forms part of a self-build planning application.



Recommendations	The recommendations below represent a summary only. The full recommendations of this report are outlined in section 6. Further Assessments, Surveys and Consultations • In line with Natural England’s standing advice for GCN, presence or probable absence surveys for GCN at ponds within 250 m of the development boundary should be undertaken, to determine if any adverse impacts will arise on GCN as a result of the development. • Alternatively, the applicant may opt-in to join the HDC GCN DLL scheme. Registration under the GCN DLL can be undertaken at any time and would not require any further surveys to determine the planning application. Mitigation • The mitigation measures outlined in this report for lowland mixed deciduous woodland HPI, [REDACTED] mammal burrows, bats, hedgehogs, nesting birds, reptiles and pollution prevention should be followed during the design and construction phase of the development. • Finally, the provision of artificial habitat boxes and natural refugia for wildlife are recommended to provide retrospective mitigation for any potential habitat loss associated with the removal of n = 4 estimated trees within the lowland mixed deciduous woodland. Ecological Enhancements • The ecological enhancements outlined within this report should be incorporated into the design of the development.
------------------------	---



2. Introduction

2.1.1 Arun Ecology Ltd was appointed by Joanna Linton ('the Client') to undertake a Preliminary Ecological Appraisal (PEA) for a proposed development (grid reference: TQ 10728 26850) at Land Adjacent 1 Woodcot, New Road, Billingshurst, West Sussex, RH14 9DS (see Figure 1). The above address is hereafter referred to as 'the site'.

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

2.2 Development Proposals

2.2.1 Planning consent is sought for a development (as shown on Philips Surveyors Ltd, Drawing No. FE01, dated December 2025), which comprises:

- The construction of a self-build residential dwelling, utilising existing access; and
- Associated landscaping, within the development boundary.

2.2.2 The proposals above are hereafter referred to collectively as 'the development' in this report. The defined red line planning boundary (as shown in Figure 2) is hereafter referred to as the 'development boundary'.

2.3 Ecology Background

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

2.4 Brief and Objectives

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

- Identify the likely ecological constraints associated with the development;
- Identify any mitigation measures likely to be required, following the 'mitigation hierarchy', as per BS42020:2013 Clause 5:2 (BSI, 2013);
- Identify any additional surveys that may be required to inform an Ecological Impact Assessment (ECiA); and
- Identify the opportunities offered by the development to deliver ecological enhancements and net gains for biodiversity.

2.4.2 The brief agreed with the client 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, including a detailed assessment of the suitability of structures and trees to support roosting bats; and
- Provide a PEA report supported by digitised 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 Special Scientific Interest (SSSI) and locally designated sites – 2 km;
- All other non-statutory designated sites – 1 km;
- Habitats of Principle Importance (HPI), Ancient woodland and Main Rivers – 2 km;
- Ponds – 0.5 km; and
- Protected Species, Species of Principle Importance (SPI) and other species of conservation concern – 1 km (from the last 20 years).

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

- The Multi-Agency Geographical Information for the Countryside (MAGIC);
- Government open-source GIS datasets;
- Horsham District Council Adopted Local Plan (2015)
- Satellite images (powered by google via QGIS 3.44); and
- Purchased records from Sussex Biodiversity Record Centre (SxBRC).



3.3 Field Habitat Survey

UK Habitat Classification Survey

- 3.3.1 The field survey was undertaken using the 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 used where necessary to describe features deviating from the primary habitat 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 ARG UK 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 Tyto alba Survey Methodology and Techniques for use in Ecological Assessment (Shawyer, 2011).
Mammals	[REDACTED] - The Dormouse Conservation Handbook (Bullion, S., Wolton, R. & White, I. 2025); - 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).

Bats – Preliminary Roost Assessment

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



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

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

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



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

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

3.5 Survey Dates and Conditions

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

Table 4 – Field Survey Information.

Date	Survey Type	Survey Timings		Temperature (°C)		Rain	Wind (Beaufort scale)
		Start	Finish	Start	Finish		
12/02/2026	UK Hab Survey and bat PRA.	09:30	10:45	8	9	None	1

3.6 Surveyors

3.6.1 The field survey was undertaken by Alice Motola BSc, MSc (Hons). Alice Motola has 2 years 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 Great Crested Newts and a MoRPh River accredited surveyor.

3.7 Limitations

3.7.1 The UKHab survey was undertaken outside the optimal survey period for vascular plant identification (April–October). This is not considered a significant limitation to the conclusions of this report, as sufficient information was collected to accurately classify the habitats present within the development boundary in accordance with the UKHab Survey Methodology (UKHab, 2023a). The majority of the site comprised modified grassland, which was easily identifiable outside of the growing season, and other habitats present were likewise distinct and readily classified despite the timing of the survey.

3.7.2 No other survey limitations were recorded during the UKHab Survey.



4. Results

4.1 Desk Study

Designated Sites

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

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

Designation Level	Site Name	Distance & Direction	Summary
Statutory Designated Sites			
SAC/SSSI	The Mens	The Mens designation is located 6.8 km southwest of the development boundary. The site falls within the SACs 12 km 'wider conservation area'.	Designated due to its lowland broadleaved, mixed and yew woodland, and its assemblages of invertebrates and breeding birds. Barbastelle bat (<i>Barbastella barbastellus</i>) is also another qualifying feature of this designation.
SAC, SSSI, NNR	Ebernoe Common	Ebernoe Common designation is located 12 km west of the development boundary. The site falls within the SACs 12 km 'wider conservation area'.	Ebernoe Common SAC, SSSI and NNR covers approximately 233 ha. Ebernoe Common is designated for its beech forests, maternity colonies of Barbastelle, (<i>Barbastella barbastellus</i>) and Bechstein's bat (<i>Myotis bechsteinii</i>).
Non-Statutory Designated Sites			
LWS	Bishop's Wood	This designation is located 0.42 km north of the development boundary.	Designated for its deciduous and ancient woodland habitats.

Ancient Woodland

- 4.1.2 There were thirty-nine ancient woodland parcels returned within 2 km of the development boundary (see Figure 1). The nearest ancient woodland parcel was 0.20 km southwest of the development boundary.



Habitats of Principle Importance

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

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

Habitat of Principle Importance		
Habitat Type	Number of HPI parcels within 2 km	Distance and direction of nearest HPI parcel and other notable parcels
Deciduous woodland	66	The nearest deciduous woodland parcel is located 0.20 km southwest of the development boundary.
Traditional orchard	5	The nearest traditional orchard is 1.2 km west of the development boundary.
No main habitat but additional habitats present	9	- The nearest parcel of this category is 0.51 km southwest of the development boundary; and - These parcels include deciduous woodland and traditional orchard.

- 4.1.4 Thirteen ponds were recorded within 0.5 km of the development boundary, of which three, were located within 250 m (see Figure 1). The nearest pond is located 119 m southwest of the development boundary. There were no surveyed priority ponds within 2 km of the development boundary.
- 4.1.5 Seven main river parcels were returned within 2 km of the development boundary (see Figure 1). None of the parcels were listed as priority river habitats under the national inventory. The nearest main river parcel is located 0.28 km west of the development boundary.

Protected Species and Other Species of Conservation Concern

- 4.1.6 No European Protected Species Licences (EPSLs) have been granted within 1 km of the site.



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 6 (see Figure 2 and Figure 3).

Table 6 – Habitats recorded within the development boundary during the UK Habitat Classification Survey.

Habitat Reference (Figure 2)	UK Hab Survey Classification Code	Approx. Area sqm /length m	Summary and Species List
Woodland			
1	Primary: Lowland mixed deciduous woodland. Code: w1f	190 m ²	A parcel of lowland mixed deciduous woodland was recorded in the northern and eastern sections of the development boundary. The woodland canopy was continuous along the northern and southeastern development boundaries with a central clearing area devoid of trees yet comprising the typical woodland ground flora, leaf litter and moss. The understorey in the wooded sections lacked a dense structure throughout its extent. Furthermore, a small number of estimated trees (n = 4), had already been removed prior to the survey visit, given the presence of recent tree stumps, cut wood log piles and wood sawdust, within the development boundary. <u>Species recorded:</u> Canopy layer: field maple (O), oak (O). Shrub layer: hawthorn (D), dog rose (R), dogwood (R), apple (R). Ground flora: common ivy (D), lords and ladies (O), cleaver (O), wood avens (R), bramble (R), dog's mercury (R), bluebell (R), Bermuda grass (R), primrose (R), common dock (R), false brome(R), rose sp. (R).



Grassland			
2	Primary: Modified grassland Secondary: N/A Code: g4	137 m ²	A parcel of modified grassland was recorded within the central section of the development boundary. False brome was dominating the grassland sward, a species usually growing on shady, coarse grassland on base-rich soils often bordering woodland, like in this instance. This habitat would normally be classified as other neutral or calcareous, however, given that the grassland has been modified by high levels of neglect, or land management, it was classified as g4 (Modified grassland). Some of the species recorded were indicative of nutrient enrichment, such as nipplewort and cleavers. The modified grassland was species poor with 4-5 species per meter squared recorded. The modified grassland presented a variable sward height ranging approximately between 5-15 and a tussocky general appearance. There were also scattered areas of disturbed bare ground covering more than 10% of the entire habitat parcel and recent wood saw dust spread above the grass, further reducing the quality of the grassland. A stack of red bricks and pile of scrap materials were observed along the southern development boundary. <u>Species recorded:</u> Grasses: False brome (D), Bermuda grass (R), various-leaved fescue (R), annual meadow grass (R). Forbs: cleavers (F), lords and ladies (R), ivy (R), nipplewort (R), wood avens (R), yarrow (R), daffodil (R), small geranium (R), spring vetch (R). Ferns: Bracken (R).
Urban			
3	Primary: Sparsely vegetated urban land Code: u1f	170 m ²	An area of sparsely vegetated urban land was recorded within the western section of the development boundary. This parcel had a vegetation cover of approximately 40 % and its surface was covered in witch's butter (<i>Nostoc commune</i>) a dark green cyanobacteria, which was likely to have overgrown following consecutive days of rain. Furthermore, within the southwestern corner of this habitat parcel a brick well was recorded. <u>Species recorded:</u> Grasses: pendulous sedge (R) Forbs and other plants: thistle (R), bramble (R), cleavers (R), small geranium (R), common nipplewort (R). Mosses and lichens: mosses belonging to the Sphagnum genus. Bacteria: witch's butter (F).



4	Primary: Developed land, sealed surface Code: u1b	19 m ²	There is an area of developed land, sealed surface, comprised of hardstanding adjacent to the site access. No vegetation is associated with this habitat parcel.
Hedgerow			
H1	Primary: Native hedgerow Secondary: hedgerow with trees, garden, active management Code: h2a – 11, 82, 516	10 m	A native hedgerow was recorded along the southwestern development boundary (see Figure 2). The hedgerow measured approximately 1.5 m in width and 1.5 m in height, with no gaps observed along its full length and appeared to have been recently evenly flailed. <u>Species recorded:</u> ash (O), hazel (R), bramble (R), ivy (R).



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 7. The bat PRA results are also summarised below.

Table 7 – Site habitat assessment for protected species and species of conservation concern.

Species/Group	Site Assessment and Rationale
GCN and Other Amphibians	- Thirteen ponds were recorded within 0.5 km of the development boundary, of which three, were located within 250 m. No GCN records were returned from the desk study search within 1 km of the development boundary. - No suitable breeding habitat for GCN was recorded within the development boundary. The lowland mixed deciduous woodland and native hedgerow within the development boundary provide suitable foraging and resting places for GCN. The modified grassland within the development boundary at the time of the UK Hab Survey provided unsuitable structure to be used as a permanent resting place for GCN with a sward height of 50-100 mm. Furthermore, the habitat within the main footprint of the development was comprised mainly of developed land sealed surface, sparsely vegetated urban land and short modified grassland with wide scattered area of disturbed ground which provide unsuitable habitat for GCN. However, the development area is well connected ecologically to the nearest pond 161 m northeast of the development boundary via lowland mixed deciduous woodland habitat and line of trees. - Given the distance of the development boundary to the nearest pond (0.16 km), and that the main footprint of the development is surrounded by suitable GCN habitat, individual GCN may be encountered within the main footprint of the development during the construction phase.
Bats	- Records of bats (including SPI) were returned from the desk study search within 1 km of the development boundary. - No buildings or other structures with suitability for roosting bats were recorded within the development boundary. - A small number of trees (estimated n = 4), within the main footprint of the development which may have had suitable bat PRFs had already been removed prior to the survey visit, as evidenced by the presence of recently cut tree stumps, log piles and wood sawdust on



	the central modified grassland parcel. All other trees within the development boundary, were assessed as having no or negligible potential for roosting bats. The habitat within the development boundary was assessed as having suitability for bats, with the lowland mixed deciduous woodland and native hedgerow within the development boundary providing suitable foraging and commuting habitat (flightlines) for bats. This habitat connects well to the wider rural landscape, including local parcels of deciduous and ancient woodland. As such, commuting and foraging bats could be encountered within the development boundary.
Birds	- Records of common bird species, as well as species of conservation concern, were returned from the desk study within 1 km of the development boundary. - The habitat within the development boundary includes lowland mixed deciduous woodland and a native hedgerow that provide suitable habitat for nesting and foraging birds. Furthermore, nests were found on some of the trees along the northern section of the development. A small number of estimated trees (n = 4), within the main footprint of the development with likely suitability for nesting birds had already been removed prior to the survey visit, given the presence of recent tree stumps, log piles and wood sawdust on the central modified grassland parcel. - No buildings or other structures were recorded within the development boundary with suitability for nesting birds. - The modified grassland habitat within the development boundary had a short sward height at the time of the UKHab survey and is reasonably unlikely to provide suitable habitat for ground nesting birds. - 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.
Terrestrial mammals (non-bats)	[REDACTED] Hazel dormice: Records of hazel dormice were returned from the desk study search within 1 km of the development boundary. The development boundary includes lowland mixed deciduous woodland and native hedgerow, both of which are broadly recognised as potential dormouse habitats with the lowland mixed deciduous woodland being ecologically well connected to other suitable dormouse habitat within the wider landscape scale. However, the lowland mixed deciduous woodland habitat comprises an understorey which is



	poorly developed, lacking hazel and the diverse, well-structured shrub layer typically required by the species, whereas the native hedgerow is facing the main road south of the development boundary and it has limited connectivity to more suitable habitat. • Hedgehogs: Records of hedgehog were returned from the desk study search within 1 km of the development boundary. The lowland mixed deciduous woodland and native hedgerow habitats within the development boundary are reasonably likely to provide foraging and resting places for hedgehogs. The modified grassland within the development boundary also provides suitable foraging habitat for hedgehogs. As such, it is reasonably likely that hedgehog could be encountered within the development boundary and the immediate footprint of the development. • Otters and water voles: No records of otter or water vole were returned from the desk study search within 1 km of the development boundary. The nearest lotic water body was located 0.28 km west from the development boundary and is separated by a countryside road. Based on the habitats recorded within the development boundary and the connectivity and distance of these habitats to the nearest waterbody, it is reasonably unlikely otter, or water vole will be encountered within the development boundary or that the habitat will be associated with any population of these species. • Other mammals: Small mammal burrows, likely associated with species such as field mice were recorded along the northern development boundary at the time of the UKHab Survey. Habitats recorded within the development boundary such as lowland mixed deciduous woodland and native hedgerow could conceal additional burrows. As such, it is possible that small mammals could be found in or near to the main footprint of the development prior to its commencement.
Reptiles	• No records of common and rare reptiles were returned from the desk study search within 1 km of the development boundary. • The lowland mixed deciduous woodland and native hedgerow within the development boundary both provide suitable foraging habitat which could be used as resting places by reptiles. Additionally, on the day of the UKHab survey, heaps of recently cut vegetation, wood sawdust and construction materials, were observed within the development boundary which are also potentially suitable for reptiles as resting places. The modified grassland in the central section that falls within the main footprint of the development, however, is primarily characterised by a short sward height and scattered large areas of disturbed bare ground that provide insufficient cover to support a permanent reptile population, with only small marginal areas with suitable structure for reptiles being present along the interface between the modified grassland and the lowland mixed deciduous woodland habitat. • Based on the above points it is reasonably unlikely that a permanent population of reptiles will be present within the main footprint of the development, however, there is the potential for reptiles to be present in close proximity to the main footprint of the development.



Invertebrates	• 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 included lowland mixed deciduous woodland and native hedgerow which are habitats, that, broadly, can be of value to invertebrates and can be associated with species of conservation concern. • The modified grassland in the central section of the development boundary provided limited value for invertebrates due to the small scale and lack of overall botanical diversity in this parcel. • Based on the quantity and condition of the habitats onsite, it is reasonably unlikely that any important assemblages or populations of conservation concern will be encountered within the immediate footprint of the development.
Plants, Lichens and Fungi	• All habitats recorded within the development boundary including the lowland mixed deciduous woodland, modified grassland and native hedgerow were typically species poor. The habitat within the main footprint of the development consisted of development land sealed surface, sparsely vegetated urban land and modified grassland of limited botanical value. No European or nationally protected plants or SPI were recorded within the development boundary at the time of the UKHab Survey. Based upon the habitats present, it is reasonably unlikely any such species or any fungi or lichens species of conservation concern will be present within the development boundary.
Non-native and Invasive Species	• No invasive non-native species listed under Schedule 9 of the Wildlife & Countryside Act, 1981 or the Invasive Alien Species Order, 2019 were recorded within the development boundary at the time of the 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 8. Further details of the UK legislation and planning policy relevant to the qualifying features in this section are detailed in Appendix I.

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

Ecological Feature	Relevant Legislation & Planning Policy	Impact Assessment and Legal Compliance	Rationale and Comments
Designated Statutory and non-Statutory sites			
The Mens SAC/SSSI	- Conservation of Habitat & Species Regulations, 2017; - National Planning Policy Framework, 2024; and - HDC Adopted Local Plan, 2015 – Policy 31: Green Infrastructure and Biodiversity.	Mitigation required	- The development boundary falls within the 12 km Wider Conservation Zone for The Mens SAC. The development, however: - Will not result in the loss of any area of habitat within the SAC as it is located outside of the SAC boundary; and - Despite the removal of a few trees along the northern development boundary within the lowland mixed deciduous woodland habitat, the latter habitat will be retained in almost its entirety and will still function as a suitable bat flightline for a qualifying feature of the SAC (Barbastelle bat). - While it is reasonably unlikely alone to adversely impact the qualifying features of the designation, the artificial lighting of important bat flightlines within the outer conservation zone of the SAC, such as the lowland mixed deciduous woodland within the development boundary could have an accumulative adverse impact locally on the available flightlines for barbastelle bat. - The recommendations outlined in section 6 should be followed to ensure the development proceeds lawfully.



Ebernoe Common SAC/SSSI/NNR	- Conservation of Habitat & Species Regulations, 2017; - National Planning Policy Framework, 2024; and - HDC Adopted Local Plan, 2015 – Policy 31: Green Infrastructure and Biodiversity.	Mitigation required	- The development boundary falls within the 12 km Wider Conservation Zone for Ebernoe Common SAC. - The qualifying features of Ebernoe Common SAC include Barbastelle bat, (<i>Barbastella barbastellus</i>) and Bechstein's bat (<i>Myotis bechsteinii</i>). - For the reasons outlined above for The Mens SAC, the development is reasonably unlikely alone to adversely impact the qualifying features of the designation, however artificial lighting of important flightlines such as the lowland mixed deciduous woodland within the development boundary could have an accumulative adverse impact locally on the available flightlines within the Wider Conservation Area for the SAC. - The recommendations outlined in section 6 should be followed to ensure the development proceeds lawfully.
Bishop's Wood LWS	HDC Adopted Local Plan, 2015 – Policy 31: Green Infrastructure and Biodiversity.	Compliant/ adverse impacts reasonably unlikely	- The development will not result in any adverse impacts to the qualifying features of the Bishop's Wood LWS due to: - The development being retained within the development boundary and not resulting in any direct loss of area within the designation; and - The development being small in scale, extent and magnitude as well as there being sufficient distance between the Bishop's Wood LWS and the development boundary, to avoid any adverse impacts that may arise from degradation as a result of increased recreational pressure or pollution.
Habitats			
Irreplaceable habitat	National Planning Policy Framework, 2024; and	Compliant/ adverse impacts reasonably unlikely	No ancient woodland parcels or any other type of irreplaceable habitats are located within the development boundary or will be directly lost as part of the development.



	HDC Adopted Local Plan, 2015 – Policy 31: Green Infrastructure and Biodiversity.		Due to the small scale, extent and magnitude of the development and its distance to ancient woodland parcels, it is reasonably unlikely that there will be any adverse impacts resulting from degradation through increased recreational pressure or pollution to ancient woodland outside of the development boundary.
Habitats of Principle Importance	- Natural Environment & Rural Communities Act, 2006 – Section 41; and - National Planning Policy Framework, 2024.	Mitigation and compensation required	- The native hedgerow H1 does not qualify as a HPI as its full length is <20m. - However, the lowland mixed deciduous woodland, despite not currently being mapped on the Priority Habitats National Inventory, is likely to meet the criteria for priority woodland based primarily on its structure, ecological function and floral species composition. - Due to the proximity of this woodland parcel to the main footprint of the development, mitigation will be required during both the design and construction phase of the development to ensure the long-term safeguarding of the deciduous woodland parcel and promote its conservation. - Furthermore, compensatory planting will be required for the loss of n = 4 estimated trees along the northern edge of the lowland mixed deciduous woodland, whose stumps appeared to fall within the main footprint of the development. - The recommendations outlined in section 6 should be followed to ensure the development proceeds lawfully.



Pollution Prevention	- Environmental Protection Act, 1990; - National Planning Policy Framework, 2024; and - HDC Adopted Local Plan, 2015 – Policy 24: Environmental Protection.	Mitigation required	- Pollution prevention measures should be incorporated into the construction phase of the development to avoid onsite and offsite pollution to habitats and the nearby waterbodies. - Mitigation measures will be required within the design of the development to ensure that there are no significant increases in the levels of light pollution as a result of the installation of artificial lighting as part of the development. - The recommendations outlined in section 6 should be followed to ensure the development proceeds lawfully.
Biodiversity Net Gain and Ecological Enhancements			
Biodiversity Net Gain	- The Environment Act, 2021; and - National Planning Policy Framework, 2024.	Exempt development	- The development will be exempt from the mandatory biodiversity net gain (BNG) requirements as defined under The Environment Act, 2021, as the proposed works are part of a self-build planning application. - No further assessment or recommendations are outlined in this report with respect to BNG.
Ecological Enhancement	National Planning Policy Framework, 2024.	Further action required.	- The development will be required to implement ecological enhancements into the design of the development to ensure it is compliant with national and local planning policy. - The recommendations outlined in section 6 of this report should be followed to ensure the development is compliant with national and local planning policy.
Protected Species and Species of Conservation Concern			
[REDACTED]	[REDACTED]	Mitigation required	[REDACTED]



			The recommendations outlined in section 6 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; and - HDC Local Plan – Policy 25 and 31.	Mitigation required	- No buildings, trees or other structures with suitability for roosting bats within the development boundary will be adversely impacted by the development based on the current development layout. - All potential bat flightlines along the edge of the lowland mixed deciduous woodland and native hedgerow, will be retained as part of the development. - For the reasons outlined above for The Mens SAC, Ebernoe Common SAC and pollution prevention section, the development will be required to mitigate the level of new light pollution from the installation of artificial lighting to ensure it does not adversely impact potential bat flightlines within the development boundary. - The recommendations outlined in section 6 should be followed to ensure the development proceeds lawfully.
Birds	- Wildlife & Countryside Act, 1981 – Section 1 and Schedule 1; and - Natural Environment & Rural Communities Act, 2006 – Section 40/41.	Mitigation required	- Suitable habitat for nesting birds, namely native hedgerow and lowland mixed deciduous woodland habitats, is present in close proximity to the main development footprint. - Mitigation will be required during the construction phase to avoid adverse impacts to nesting birds. - The recommendations outlined in section 6 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	Further assessment required	- It is reasonably likely that GCN could be encountered within the development boundary due to: - Suitable terrestrial habitat and refugia potentially acting as resting places for GCN being present within the development boundary, which falls within or in very close proximity to the main development footprint;



	Natural Environment & Rural Communities Act, 2006 – Section 40/41.		- The habitat within the development boundary having continuous connectivity to other suitable GCN terrestrial habitat (as viewed from aerial imagery) within 500 m of the development boundary; - Thirteen potentially breeding ponds being located within 500 m of the development boundary of which three are situated within 250 m; and - The entire development boundary falling within the Nature Space Partnership Red Risk Impact Zone for GCN within HDC. - Based on the above points, further assessment will be required to determine the presence or probable absence of GCN and ascertain if the development will adversely impact GCN in order to proceed lawfully. - It is not anticipated the development will result in the removal of any potential GCN breeding habitat as there are no ponds within the development boundary. - The development has also already resulted in the removal of a small amount of potential GCN terrestrial habitat (lowland mixed deciduous woodland). Despite this, the scale of habitat removal was reasonably unlikely to have adversely impacted GCN at a population level. - The recommendations outlined in section 6 of this report should be followed to ensure the development proceeds lawfully.
Hazel dormice	- Conservation of Habitat & Species Regulations, 2017; - Wildlife & Countryside Act, 1981 – schedule 5; and - Natural Environment & Rural Communities Act, 2006 – Section 40/41.	Compliant/ adverse impacts reasonably unlikely	- The lowland mixed deciduous woodland present within the development boundary is broadly representative of habitat suitable for hazel dormice. However, the woodland is considered suboptimal for the species due to the poorly developed understorey and absence of a diverse shrub layer - Furthermore, all woodland within the development boundary will be retained as part of the proposals, and mitigation measures have been outlined in Section 6 to safeguard retained habitats during the construction phase.



			Therefore the development is reasonably unlikely to result in harm to individual hazel dormice or adversely impact any habitat associated with any hazel dormouse populations.
Hedgehogs	- Natural Environment & Rural Communities Act, 2006 - Section 40/41; 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 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.	Mitigation required	- The risk of harm to individual reptiles as a result of the development is low, due to only sub-optimal habitat being present within the main footprint of the proposed development, with all habitats of greater suitability within the wider development boundary being retained. As such, it is reasonably unlikely that a significant population of reptiles will be adversely impacted by the development. - Suitable reptile habitat will be retained within close proximity to the development boundary. As such, appropriate mitigation measures will be required during the construction phase to ensure the risk of encountering or harming reptiles remains acceptably low. - In our professional opinion, the likely impacts on reptiles can be reasonably predicted and can be appropriately managed through mitigation. Therefore, further survey effort is considered disproportionate to the level of risk posed by the development. The recommendations outlined in section 6 should be followed to ensure the development proceeds lawfully.



Other Mammal Burrows	Wild Mammals Protection Act, 1996.	Mitigation required	- 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 should be followed.
Otters	- Conservation of Habitat & Species Regulation, 2017; - Wildlife & Countryside Act, 1981 – schedule 5; and - Natural Environment & Rural Communities Act, 2006 – Section 40/41.	Adverse impacts/ offence reasonably unlikely	The development is reasonably unlikely to result in harm to individual otters or adversely impact their habitat (including resting and breeding places), and therefore, will not adversely impact the favourable conservation status of this species.
Water Voles	- 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 vole 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 majority of habitats of value for invertebrates within the development boundary, including lowland mixed deciduous woodland and native hedgerow will be retained in their entirety as part of the development. A small area of modified grassland which provides limited value to invertebrates will be removed as part of the development. - Based on the above point and the small scale of the development, 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 non-native species	- Wildlife & Countryside Act, 1981 – Schedule 9; and - Invasive Alien Species Order, 2019.	Adverse impacts/offence reasonably unlikely	The development is reasonably unlikely to result in an act that would constitute an offence for a species listed under Schedule 9 of the Wildlife & Countryside Act, 1981 or Invasive Alien Species Order, 2019 (i.e. intentional release or spreading).
Protected Plants, Fungi and Lichens	- Conservation of Habitat & Species Regulations, 2017 – Schedule 5; - Wildlife & Countryside Act, 1981 - Schedule 8; and - Natural Environment & Rural Communities Act, 2006 – Section 40/41.	Adverse impacts/offence reasonably unlikely	The development is reasonably unlikely to result in intentional picking, uprooting, destruction, or intentional clearance of any wild plant, fungi or lichen, including, European protected species, nationally protected species, SPI or those of national or local conservation concern.



6. Requirements and Recommendations

6.1 Background

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

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

6.2 Designated sites

The Mens SAC and Ebernoe Common SAC

6.2.1 To ensure the development avoids adverse impacts on bat foraging and commuting habitats that are located within the development boundary, immediately adjacent to the site and that fall within The Mens and Ebernoe Common SAC's 12 km wider conservation areas, 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 08/23: Bats and Artificial lighting in the UK (BCT & ILP 2023).

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

- Avoid illumination of the native hedgerow with trees and of the lowland mixed deciduous woodland habitat within the development boundary; and
- Minimise the overall levels of light pollution within the site as a result of the development by:
 - Selecting appropriate lighting sources such as LED lighting that lack UV components, have peak wavelengths higher than 550 nm and that have a warm white light (2,700 kelvin or lower);
 - Appropriate fitting of lighting to include horizontal mounting with no light output above 90° and/or no upward tilt, or as a last resort the use of baffles, hoods or louvres to reduce light spill and direct lighting to only where it is needed;



- Using light only when necessary, within the site, by using timers and motion sensors; and
- Providing natural screens in landscaping plans to break up artificial light where light spill cannot be avoided.

6.3 Ecological Enhancements

Ecological Enhancements

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

- Installation of artificial habitat provisions to include:
 - One integrated bee brick to be installed as part of the new proposed dwelling, on its southern aspect;
 - One integrated house sparrow nest box to be installed as part of the new proposed dwelling, on the northern or eastern aspect;
 - The incorporation of two 13 cm x 13 cm gaps into any close board fencing to allow the movement of small animals including hedgehogs;
 - One hedgehog box to be located within the lowland mixed deciduous woodland in the eastern section of the development boundary; and
 - The planting of native trees and shrubs as part of the developments landscaping plans.

6.4 Habitat Mitigation

Habitats of Principle Importance

Lowland Mixed Deciduous Woodland

- 6.4.1 Mitigation will be required to compensate for the recent loss of approximately n = 4 estimated trees along the edge of the Lowland Mixed Deciduous Woodland, which is likely to qualify as a Habitat of Principal Importance.
- 6.4.2 Compensatory woodland tree planting should be provided to offset this loss and to maintain the extent and function of priority woodland habitat within the local area.
- 6.4.3 The compensatory planting should comprise native broadleaved species characteristic of lowland mixed deciduous woodland, appropriate to local soil and

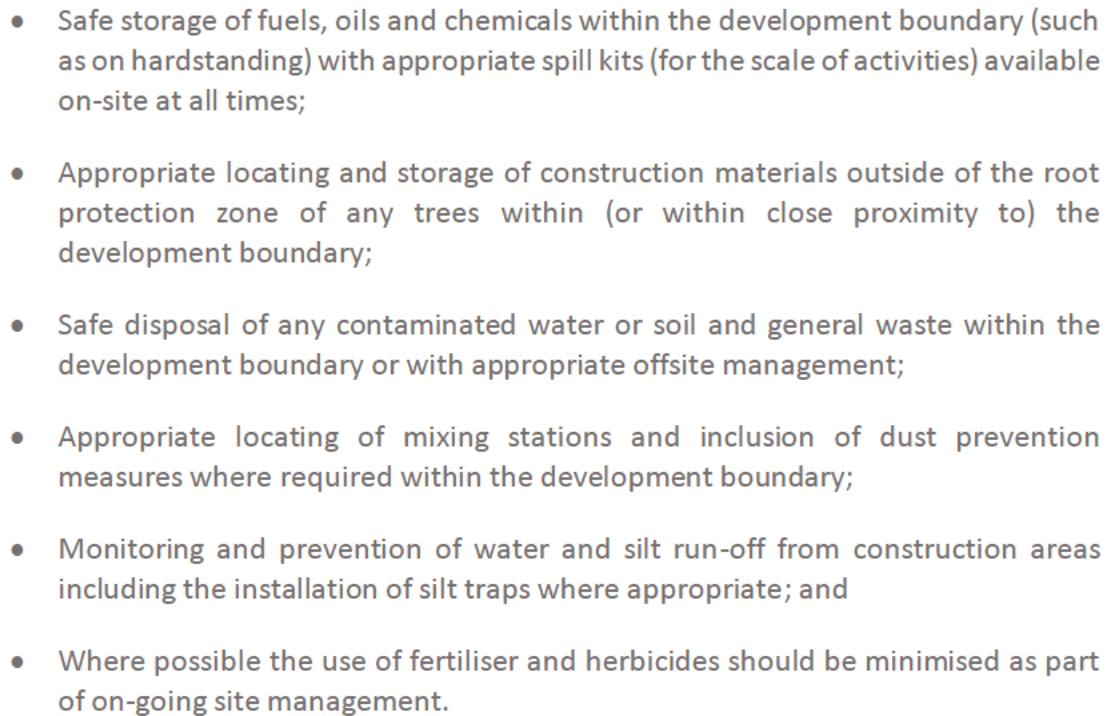


site conditions, and should include a diverse mix of canopy, understorey and shrub species. Planting should be designed to reflect natural woodland structure and allow for future maturation, with appropriate spacing and protection measures to ensure establishment.

- 6.4.4 The compensatory woodland planting will be located ideally within the eastern section of the development boundary or in alternative on any other nearby land owned by the clients and designed to maintain ecological connectivity with the retained woodland parcels. The woodland should be planted at a minimum ratio of 1.5:1 which equates to a minimum of n = 6 woodland trees planted.
- 6.4.5 The planted woodland should be subject to a long-term habitat management and monitoring plan to ensure successful establishment and progression towards favourable condition.
- 6.4.6 The provision of artificial habitat boxes and natural refugia for wildlife are recommended to provide retrospective mitigation for any potential habitat loss associated with the removal of four trees within the development boundary:
- Four bat boxes to be installed on suitable mature trees within the development boundary; and
 - Four bird boxes to be installed on suitable mature trees within the development boundary;
 - Retention of the existing logs from the recently cut trees to create one small refugia/hibernacula log piles within the lowland mixed deciduous woodland habitat situated in the northern section of the development boundary for the benefit of amphibians, reptiles and invertebrates.
- 6.4.7 To safeguard the lowland mixed deciduous woodland within the development boundary from damage or degradation during the construction phase of the development, specialist arboricultural advice should be sought. This, broadly, is likely to include as a minimum:
- The installation of temporary tree protection barriers and matting where appropriate.

Pollution Prevention Measures

- 6.4.8 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:



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- 6.5.2 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 safeguarded with a clearly marked buffer zone. Burrows 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

- 6.5.3 To ensure the development avoids adverse impacts on potential flightlines for bats, the recommendations outlined for The Mens SAC and Ebernoe Common SAC in section 6.2 should be followed.

Birds

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

Hedgehogs

- 6.5.6 Any brush piles, compost and debris piles within the immediate footprint of the development which could provide shelter areas and hibernation potential for hedgehogs must be removed, by means of soft demolition, outside of the hibernation period (mid-October to mid-March inclusive).
- 6.5.7 Where reasonably practical, measures should be taken to avoid the unnecessary killing or injury of hedgehog during construction activities. Stakeholders and contractors should remain vigilant for the presence of hedgehogs around any vegetation, debris piles or stored materials. If a hedgehog is encountered, it should be carefully moved to a safe location within suitable retained habitat either on-site or immediately adjacent to the site. During the construction phase of the development, any excavations on site should be covered nightly or fitted with a suitable escape ramp to prevent nocturnal mammals (including hedgehog) from becoming trapped. In addition, any exposed pipes should be capped or sealed at the end of each day to prevent any wildlife becoming trapped.



Reptiles

6.5.8 To ensure there are no adverse impacts on reptiles during the construction phase of the development the mitigation measures outlined below should be followed:

- The lowland mixed deciduous woodland and native hedgerow habitats should be separated from surrounding construction areas using barrier fencing.
- Habitats both within and immediately adjacent to the footprint of the development should be kept short to prevent reptiles colonising this area;
- A tidy construction area should be targeted, with appropriate storage of building materials (off ground where reasonably practical) to prevent the unintended creation of refugia and hibernacula for reptiles; and
- Where reasonably practical, any holes or excavation within the development boundary should be kept covered when not in use to prevent reptiles becoming trapped, checked regularly when not covered, and have an escape ramp installed to allow reptiles to escape; and
- In the unlikely event an individual reptile is encountered within the development boundary, the reptile should be encouraged to move to safety, or alternatively, advice from an ecologist should be sought, prior to moving the reptile.

6.6 Further Surveys

Great Crested Newts

- 6.6.1 In line with Natural England's standing advice, further surveys to establish the presence/ probable absence (and class population size, where appropriate) of GCN at ponds within the development boundary and up to 500 m from the development boundary should be undertaken to inform any mitigation and licensing requirements for GCN (if applicable). The further surveys for GCN, should be undertaken at an appropriate time of year and follow industry best practice guidelines.
- 6.6.2 Natural England's standing advice states 'surveys up to 250 metres are usually sufficient' for GCN from the development boundary. As such, the professional judgment of an ecologist should be used to determine the required level of survey effort for GCN.
- 6.6.3 Alternatively, the applicant may opt-in to join the HDC GCN DLL scheme. Registration under the GCN DLL can be undertaken at any time and would not require any further surveys to determine the planning application.



7. Conclusion

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



8. Bibliography

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



- 8.1.22 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 Adopted Local Plan (2015). Available online <https://www.horsham.gov.uk/planning/local-plan/read-the-current-local-plan>.
- 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 – Legislation & Planning Policy

8.2 Background

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

8.3 RAMSAR Convention

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

8.4 Conservation of Habitat and Species Regulations, 2017

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

Protected Species

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



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

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

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

Protected Sites

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

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

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

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



8.5 Wildlife and Countryside Act, 1981 (as amended)

- 8.5.1 The Wildlife and Countryside Act, 1981 (as amended) primarily transposes the UK 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

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

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

Protection of Animals

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

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



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

Protection of Plants

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

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

Invasive Species

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

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



Sites of Special Scientific Interest

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

Other Protected Areas

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

8.6 Countryside Rights of Way Act, 2000

- 8.6.1 The Countryside Rights of Way Act, 2000 (CRoW Act, 2000) makes provisions for public access, amends the law for public rights of way and amends existing law on



nature conservation and the protection of wildlife as well as makes further provisions for National Landscapes (formerly Areas of Outstanding Natural Beauty, AONBs).

Wildlife Legislation

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

8.7 National Parks and Access to the Countryside Act, 1949

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

8.8 Natural Environment & Rural Communities Act, 2006

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

Section 40

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



Section 41

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

8.8.5 The secretary of state is required to:

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

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

8.9 Protection of Badgers Act, 1992

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

8.10 Wild Mammals (Protection) Act, 1996.

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

8.11 The Environment Act, 2021

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

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



Nature and Biodiversity

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



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

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

8.11.11 The arrangements may in particular include arrangements relating to:

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

8.12 National Planning Policy Framework (2024)

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

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

Conserving and Enhancing the Natural Environment

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

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



species such as swifts, bats and hedgehogs;

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



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

Habitats and Biodiversity

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

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

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

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



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

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

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

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

Ground Conditions and Pollution

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

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

8.13 Biodiversity and Geological Conservation Circular 06/2005

8.13.1 Biodiversity and geological conservation circular 06/2005 provides administrative guidance on the application of the law relating to planning and nature conservation as it applies in England. It complements the national planning policy in the NPPF, 2024 and the Planning Practice Guidance. Broadly the guidance covers designated



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

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

Protected Species and Planning

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

8.14 Horsham District Council Adopted Local Plan (2015)

Policy 25

- 8.14.1 Policy 25 states ‘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’:
1. Protects, conserves, and enhances the landscape and townscape character, taking into account areas identified as being of landscape importance, the individual settlement characteristics, and maintains settlement separation;
 2. Maintain and enhances the Green Infrastructure Network and addresses any identified deficiencies in the district;



3. Maintains and enhances the existing network of geological sites and biodiversity, including safeguarding existing designated sites and species, and ensures no net loss of wider biodiversity and provides net gains in biodiversity where possible; and

4. Conserve and where possible enhance the setting of the South Downs National Park.

Policy 31

- 8.14.2 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.
- 8.14.3 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.
- 8.14.4 3) Where felling of protected trees is necessary, replacement planting with a suitable species will be required.
- 8.14.5 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.
- 8.14.6 4) 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.



- 8.14.7 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.

8.15 Birds of Conservation Concern

- 8.15.1 Birds of Conservation Concern is a report compiled by a coalition of the UK's leading bird conservation and monitoring organisations and reviews the conservation status of all regularly occurring birds in the UK, Channel Islands and Isle of Man. The report was first released in 1996 and is currently in its 5th edition, released in 2021.
- 8.15.2 The bird species that breed and overwinter in the UK are assessed against a set of objective criteria and placed on the Green, Amber or Red lists that indicate the levels of conservation concern. The quantitative criteria collected is assessed against the historical decline, recent trends in population and range, population size, localisation, and the level of international importance of each species, as well as its global and European threat status.

8.16 IUCN Red List

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

8.17 Bibliography – Appendix II

- 8.17.1 A., Eaton., Aebischer, N., Balmer, D., Brown, A., Douse, A., Lindley, P., McCulloch, N., Noble, D., and Win I. (2021) The Status of our bird populations: the 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>.
- 8.17.2 Countryside Rights of Way Act, 2000 (C37) (Online) London, The Statutory Office. Available at <http://www.legislation.gov.uk>.
- 8.17.3 DEFRA (2011) Biodiversity 2020: A strategy for England's Wildlife and Ecosystem services. (Online). Available at <https://assets.publishing.service.gov.uk>.
- 8.17.4 HM Government (2018) A Green Future: Our 25 Year Plan to Improve the Environment. Available online at: www.gov.uk/government/publications.
- 8.17.5 Horsham District Council Adopted Local Plan (2015). Available online <https://www.horsham.gov.uk/planning/local-plan/read-the-current-local-plan>.



- 8.17.6 JNCC (2019) RAMSAR Convention, (Online) Joint Nature Conservation Committee. Available at <http://www.JNCC.gov.uk/our-work/Ramsar-convention>.
- 8.17.7 JNCC (2020) Red Lists in Great Britain, Joint Nature Conservation Committee. (Online). Available at <http://jncc.gov.uk/our-work/red-list-in-great-britain>.
- 8.17.8 JNCC (2022) Conservation Designations for UK Taxa 2022. (Online), Joint Nature Conservation Committee. Available at <http://hub.jncc.gov.uk/assets/478f7160-967b-4366-acdf-8941fd33850b>.
- 8.17.9 Ministry of Housing, Communities & Local Government (2024) National Planning Policy Framework. (Online) Ministry of housing and Local Government, Fry Building, 2 Marsham Street, London, SW1P 4DF.
- 8.17.10 National Park and Access to the Countryside Act, 1949. (Online). Available at <http://legislation.gov.uk>.
- 8.17.11 Natural Environment & Rural Communities Act, 2006. (Online). Available at <http://legislation.gov.uk>.
- 8.17.12 ODPM Circular 06/2005. Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and their impact within the Planning System (2005). Norwich: HMSO. Available at <http://www.go.uk/goverment/publications/biodiversity-and-geological-conservation-circular-06-2005>.
- 8.17.13 Protection of Badgers Act (1992) (C1-3) (Online). London, The Statutory Office. Available at <http://legislation.gov.uk>.
- 8.17.14 The Conservation of Habitat & Species Regulation (2017) (Online). London: The Statutory Office. Available from <http://legislation.gov.uk>.
- 8.17.15 The Environment Act, 2021. (Online). Available at <http://legislation.gov.uk>.
- 8.17.16 Wildlife and Countryside Act, 1981 (As amended). (Online). Available at <http://www.legislation.go.uk>.
- 8.17.17 Wild mammals (Protection) Act, 1996. C1. (Online). London. Statutory Office. Available at www.gov.uk/goverment/publications.