



URBAN EDGE
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NATURAL PROGRESSION

Little Fairseat, Georges Lane, Storrington, West Sussex

Biodiversity Mitigation and Enhancement Plan

April 2026

Little Fairseat, Georges Lane, Storrington, West Sussex

Biodiversity Mitigation and Enhancement Plan

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Abbreviations

BMEP	Biodiversity Mitigation and Enhancement Plan
CEZ	Construction Exclusion Zone
CHS	Conservation of Habitats and Species Regulations 2017
ECoW	Ecological Clerk of Works
EDS	Ecological design strategy
GCN	Great crested newt
NERC	Natural Environment and Rural Communities Act 2006
PEA	Preliminary Ecological Appraisal
RPA	Root Protection Area
UEEC	Urban Edge Environmental Consulting
UKHab	UK Habitat Classification
WCA	Wildlife & Countryside Act 1981 (as amended)

0 Executive Summary

0.1 Introduction

- 0.1.1 This Biodiversity Mitigation and Enhancement Plan has been prepared for the site of a consented residential re-development at Little Fairseat, Georges Lane, Storrington, West Sussex.
- 0.1.2 The purpose of the Biodiversity Mitigation and Enhancement Plan is to set out methods for wildlife protection and habitat creation during, and as part of, the construction of the development, and to enable the discharge of planning conditions.
- 0.1.3 The Application Site lies to the east of the town of Storrington in the Horsham district of West Sussex. It comprises c.0.23ha of previously developed land, currently dominated by buildings and hardstanding, modified grassland, and introduced shrub, with other mixed woodland, other Scot's pine woodland, mixed scrub, individual trees, bare ground, and hedgerows.
- 0.1.4 The wider landscape is characterised by residential property, large blocks of woodland, pasture land with a network of drainage ditches and hedgerows, and the settlement of Storrington and Heath Common. A former pond lies within the survey area, one pond is within 250m of the survey area, and three further ponds lie within 500m of the survey area.

0.2 Construction Activities

- 0.2.1 Planning consent is being sought for the demolition of four buildings and removal of associated hardstanding and the erection of a residential building, garage and studio, and associated hardstanding and landscaping works.

0.3 Working Methods to Achieve Objectives: Avoidance and Mitigation

- 0.3.1 Measures in relation to the following features, set out in section 2, will be implemented in order to protect wildlife and habitats on site/adjacent to site:
- ▶ Ecological Clerk of Works
 - ▶ Woodland;
 - ▶ Hedgerow;
 - ▶ Invasive species;
 - ▶ Great Crested Newt, Common Amphibians and Reptiles;
 - ▶ Nesting birds;
 - ▶ Roosting bats;
 - ▶ Foraging and commuting bats;

- ▶ Hazel Dormouse
- ▶ Hedgehogs, small mammals and other fauna.
- ▶ Stag beetle and dead wood habitats

0.4 Measures to Achieve Objectives: Enhancement and Compensation

0.4.1 Section 40 of the Natural Environment and Rural Communities Act 2006 places a duty on public bodies to have regard to biodiversity conservation when carrying out their functions. Section 102 of the Environment Act 2021 expands this duty to include biodiversity enhancement as well conservation. In addition, the National Planning Policy Framework and Policy 10 – Henfield Neighbourhood Plan ecological enhancements to be integrated into development projects in order contribute to the delivery of biodiversity improvements.

0.4.2 Section 3 of the BMEP includes the following habitat creation:

- ▶ Woodland;
- ▶ Introduced shrub;
- ▶ Mixed scrub;
- ▶ Modified grassland;
- ▶ Bird boxes;
- ▶ Bat boxes; and
- ▶ Log pyramid and log piles.

0.5 Implementation of Site Enhancement Works

0.5.1 Section 4 sets out an implementation timetable of measures and timings to avoid, mitigate and / or compensate for predicted impacts, together with enhancement measures.

1 Introduction

1.1 Purpose of this Report

- 1.1.1 Urban Edge Environmental Consulting (UEEC) was commissioned by Life Size Architecture to produce a Biodiversity Mitigation and Enhancement Plan (BMEP) for the site of a residential re-development at Little Fairseat, Georges Lane, Storrington, West Sussex. (Grid Reference: TQ 11288 14481 (hereafter referred to as 'the Site')).
- 1.1.2 The BMEP has been prepared to assist in discharging the following anticipated planning conditions, which were attached to a previous application for similar works at the same site (application ref: DC/24/1870):

"4. Pre-commencement Condition: No development shall take place until an ecological design strategy (EDS) addressing the compensation for the loss of seven trees and five hedgerows has been submitted to and approved in writing by the local planning authority.

The EDS shall include the following:

- (a) Purpose and conservation objectives for the proposed works.*
- (b) Review of site potential and constraints.*
- (c) Detailed design(s) and/or working method(s) to achieve stated objectives.*
- (d) Extent and location/area of proposed works on appropriate scale maps and plans.*
- (e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.*
- (f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.*
- (g) Persons responsible for implementing the works.*
- (h) Details of initial aftercare and long-term maintenance.*
- (i) Details for monitoring and remedial measures.*
- (j) Details for disposal of any wastes arising from works.*

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended)."

"6. Pre-commencement (Slab Level) Condition: A Biodiversity Enhancement Layout for biodiversity enhancements listed in the Preliminary Ecological Appraisal Report (Urban Edge Environmental Consulting Ltd., October 2024) shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Layout shall include the following:

- a) detailed designs or product descriptions for biodiversity enhancements; and*
- b) locations, orientations and heights for biodiversity enhancements on appropriate drawings.*

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species & habitats and allow the Local Planning Authority to discharge its duties under paragraph 187d of the NPPF 2024 and s40 of the NERC Act 2006 (as amended)."

- 1.1.3 The hedgerows which will be lost through the development are comprised mostly of non-native invasive species and have low ecological value. Biodiversity enhancement measures detailed in this document provide adequate enhancements for any loss to low-value habitats.

1.2 Site Description and Context

- 1.2.1 The Application Site lies to the east of the town of Storrington in the Horsham district of West Sussex. It comprises c.0.23ha of previously developed land, currently dominated by buildings and hardstanding, modified grassland, and introduced shrub, with other mixed woodland, other Scot's pine woodland, mixed scrub, individual trees, bare ground, and hedgerows.
- 1.2.2 The Application Site is bounded to the north, east and west by residential property with gardens and to the south by woodland. The extent of the Site is outlined in red on Figure 1.1.
- 1.2.3 The wider landscape is characterised by residential property, and large blocks of woodland with pasture land with a network of drainage ditches and hedgerows, and the settlement of Storrington and Heath Common. One former pond lies within the survey area, one is within 250m of the survey area, and three further ponds lie within 500m of the survey area.

1.3 Construction Activities

- 1.3.1 Planning consent is being sought for the demolition of four buildings and removal of associated hardstanding and the erection of a residential building, garage and studio, and associated hardstanding and landscaping works. The development will extend the hardstanding and building footprint to the north-west of the site and to the east of building B1. In the north-east of the site and some areas to the west of building B1, hardstanding is expected to reduce. The Proposed Site Plan is shown on Figure 1.2.

Georges Lane, Storrington, West Sussex

 Survey area

Figure 1.1: Site location plan



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Ordnance Survey 0100031673

Scale (at A4): 1:4,000 Created by: EM

Date: Jul 2024 Reviewed by: NP

Drawing number:

UE0690ECO-GeorgesLaneStorrington:Site location



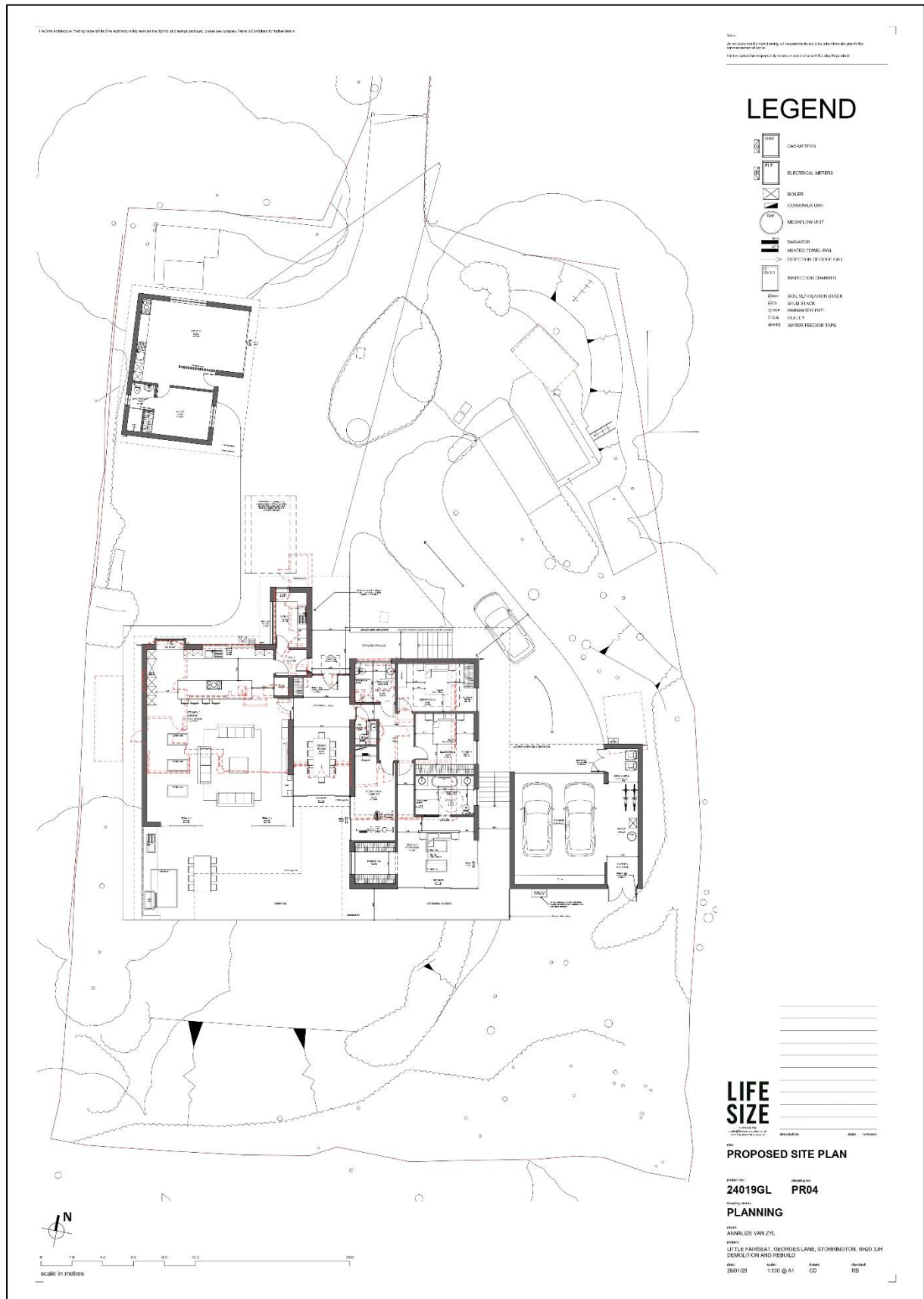


Figure 1.2: Proposed Site Plan

1.4 Existing Site Conditions

1.4.1 The following documents have been reviewed during the preparation of this BMEP:

- ▶ UEEC (2026): *Little Fairseat, Georges Lane, Storrington, West Sussex: Preliminary Ecological Appraisal Report*
- ▶ UEEC (2024): *Little Fairseat, Georges Lane, Storrington, West Sussex: Bat Survey Report*
- ▶ David Archer Associates (2025): *Little Fairseat, Georges Lane, Storrington, RH20 3JH: Arboricultural Method Statement*

1.4.2 The main ecological features of interest associated with the site are as follows:

- ▶ **Trees:** Seven native and non-native trees will be lost to facilitate the development. Several further mature trees are situated within the east of the Application Site.
- ▶ **Hedgerow:** Five hedgerows (arboricultural classification) will be lost. They comprise mostly of non-native and invasive shrub species, which are of low ecological value however, provide some suitability for nesting native bird species.
- ▶ **Great Crested Newt, Common Amphibians and Reptiles:** One former pond was identified within the survey area during an updated site visit on 24 February 2026. The pond was artificially made, and was dug into the unsealed stone patio and surrounded by artificial stone paving. It was positioned at building B1's southern aspect, approximately 3m² and heavily overgrown. The pond has since been removed and filled in with gravel, and therefore no longer exists. One pond was recorded within a 250m buffer of the site and tested positive for great crested newt (GCN) *Triturus cristatus* DNA. On-site modified grassland is of low suitability for great crested newt, common amphibians and reptiles. Woodland habitat, brash piles and compost heaps provide opportunities for hibernation, foraging and egg-laying.
- ▶ **Nesting birds:** The woodland habitat, hedgerows, scrub and trees provide suitable nesting opportunities for a variety of common and widespread species. Buildings such as the garage have limited suitability for breeding birds.
- ▶ **Roosting bats:** The main building was of moderate suitability for roosting bats and OB2 was of low suitability for roosting bats. Survey results from 2024 presence/absence surveys provided a good level of confidence that roosting bats were absent from the buildings at the time. Updating surveys are planned for May 2026, but the presence of roosting bats cannot currently be ruled out. Three trees were classed as having suitability for roosting bats.
- ▶ **Foraging and commuting bats:** The intensively mown modified grassland habitat which dominates the Application Site provides a low suitability foraging habitat for bats. The boundary hedgerows and woodland are of moderate suitability and may serve as a navigation route or foraging feature for bats.

- ▶ **Hazel Dormouse:** Desk study results, showed eight records for dormouse *Muscardinus avellanarius* with the closest record being located c.570m north. The site contains small areas of woodland habitat, suitable for hazel dormouse.
- ▶ **Hedgehog:** The site contains habitats suitable for hedgehog *Erinaceus europaeus*, including grassland, hedgerow and scrub.
- ▶ **Stag beetle and dead wood habitats:** 38 records of stag beetle *Lucanus cervus* were identified within the wider environment during the desk study. Deadwood habitat such as a tree stump, compost heaps and brash piles all provide potential habitat for saproxylic species such as stag beetle.
- ▶ **Invasive non-native species and injurious weeds:** An area of rhododendron *Rhododendron ponticum*, a Schedule 9 invasive species (as listed on the Wildlife and Countryside Act 1981 (as amended) (WCA)) and cherry laurel *Prunus laurocerasus*, a Sussex invasive non-native species were noted at the south of the Application Site.

1.5 Objectives

1.5.1 The BMEP has been produced in order to:

- ▶ Avoid and mitigate impacts of the development on existing biodiversity, particularly in regard to protected species; and
- ▶ Enhance the site for biodiversity following development.

2 Working Methods to Achieve Objectives: Avoidance and Mitigation

2.1 Introduction

- 2.1.1 Details of measures and working methods to avoid and mitigate the effects of the Proposed Development on habitats and species are set out below.

2.2 Ecological Clerk of Works

- 2.2.1 An Ecological Clerk of Works (ECoW) will be appointed to oversee the implementation of the BMEP.

2.3 Woodland

- 2.3.1 British Standard BS 5837:2012 will be followed at all times during construction when working in close proximity to trees or shrubs which are to be retained. According to BS 5837:2012 the root protection area is 12x diameter of the trunk (diameter is measured around the trunk at a height of 1.5m above ground level), which will constitute the construction exclusion zone (CEZ). The distance is measured from the centre of the trunk to the nearest part of any excavation or other work.
- 2.3.2 Construction works will be carried out in accordance with the tree protection measures detailed in the Arboricultural Method Statement (David Archer Associates, 2025) and as shown on the Tree Protection Plan (Appendix II) and shall be implemented and fully adhered to for the duration of the construction works.
- 2.3.3 During construction, seven trees will be lost to facilitate the development, comprising a mixture of native and non-native specimens. Accordingly, the existing area of other mixed woodland will be extended to compensate for this loss, and provide a feature of greater ecological value. A detailed plan of where species will be planted is in Appendix III. A table of suitable native species is shown in Table 3.1.
- 2.3.4 Stumps from cut or dying trees are an important habitat for invertebrates and fungi, both above and below ground. Stumps should be retained *in situ* if not needed to be removed as part of construction. A stump which is present in the north of the site will be removed to allow access for works but will be retained on site and replanted within on-site woodland.

2.4 Hedgerow

- 2.4.1 During construction five hedgerows (arboricultural classification) will be lost. These features were largely mapped as non-native introduced shrub within the PEA, including areas of invasive rhododendron. To compensate against the loss of these features, native scrub and shrub species will be planted. A detailed plan of where habitat creation will occur is at Appendix III, with suitable species provided at Table 3.2 and Table 3.3.

2.5 Invasive species

- 2.5.1 Rhododendron and cherry laurel were recorded within the southern end of the survey area within areas of mixed woodland and introduced scrub (see Appendix I and Appendix II). Rhododendron is an invasive non-native species listed on Schedule 9 WCA. Cherry laurel is listed as an invasive non-native species within Sussex. A specialist contractor will be appointed contractor will be appointed to carry out its removal and a method statement will be prepared to ensure adequate control measures are adopted during construction to ensure eradication and prevent spread from the site.

2.6 Great Crested Newt, Common Amphibians and Reptiles

- 2.6.1 Pond P1 was subject to eDNA testing for great crested newt in 2024, which returned a positive result (UEECa, 2024). There is a high level of fragmentation with limited suitable habitat between the pond and the site.
- 2.6.2 A Precautionary Working Method for GCN, amphibians and reptiles is required, as follows:
- ▶ An ECoW licenced for GCN will be appointed to oversee the phased removal of vegetation suitable for GCN, amphibians and reptiles. Vegetation will be cut and removed using hand tools to avoid harm to reptile/GCN from soil compaction caused by heavy vehicles. Any animals found during the works will be moved outside of the works area to retained suitable habitats on site.
 - ▶ During the first phase of vegetation removal, vegetation will be searched and then cut to a height of 15-20cm above ground level using hand tools to minimise injury to amphibians and reptiles and left over night. The following day, a fingertip search will then be undertaken on the remaining vegetation before being cut to ground level.
 - ▶ Arisings produced during works will be searched and removed from the area of works prior to the end of the same working day, or stored in containers raised on pallets.
 - ▶ Timings of the works will be carried out during GCN and reptile active season (March to October). Once vegetation removal is complete, the survey area will be maintained in unsuitable condition to prevent recolonisation.
 - ▶ If areas of woodland, brash piles (TN4) and compost heaps (TN5) and are to be removed to facilitate the works, this should be carried out avoiding the reptile hibernation season as well as the egg laying season for grass snakes *Natrix helvetica* (therefore should be

undertaken broadly in March-May inclusive). Grass snakes may lay eggs between June/July and will have hatched by September. Reptiles hibernate between October and March in general in the UK. Removed brash piles and compost heaps should be relocated within the Application Site boundary.

2.7 Nesting Birds

- 2.7.1 Any construction undertaken within breeding bird season affecting suitable breeding bird habitat will require a site check for nesting birds. This will take place no more than 48 hours prior to works commencing. This is to ensure that no disturbance to active bird nests occurs. If a nest is found it must be cordoned off and works adjacent to the nest must be delayed until such time that the chicks have fledged from the nest. This will be undertaken and supervised by a suitably qualified ecologist.

2.8 Roosting Bats

- 2.8.1 The main building (B1) was assessed to be of moderate suitability and the garage (OB2) of low suitability for roosting bats. One Scot's pine *Pinus sylvestris* and one pedunculate oak *Quercus robur* were assessed as having suitability PRF-I and one silver birch *Betula pendula* was of PRF-M.
- 2.8.2 Bat surveys undertaken in 2024 recorded no bats emerging or returning in either building. As these surveys are now out of date, their possible use by roosting bats cannot be ruled out. Repeated surveys are needed to ensure the absence of bats prior to demolition of B1 and OB2. The updating survey is planned for May 2026.
- 2.8.3 All of the trees which were assessed as having suitability for roosting bats will be retained and protected in line with measures to protect retained trees (2.3). Additionally, measures to avoid lighting impacts to foraging and commuting bats (2.7) will protect any potential roost features identified.

2.9 Foraging and Commuting Bats

- 2.9.1 Measures relating to sensitive lighting will minimise the impact of the Proposed Development of suitable retained and newly created habitat for foraging and commuting bats.
- ▶ Lighting will not be directed towards retained roosts or mitigation / enhancement features for roosting bats. Illumination of habitats of particular value to foraging and commuting bats, including woodland and scrub will also be avoided;
 - ▶ All luminaires should lack UV elements when manufactured. Metal halide, fluorescent sources should not be used;
 - ▶ LED luminaires should be used where possible due to their sharp cut-off, lower intensity, good colour rendition and dimming capability;

- ▶ A warm white spectrum (ideally <2700Kelvin) should be adopted to reduce blue light component;
- ▶ Luminaires should feature peak wavelengths higher than 550nm to avoid the component of light most disturbing to bats (Stone, 2012);
- ▶ Internal luminaires can be recessed where installed in proximity to windows to reduce glare and light spill;
- ▶ The use of specialist bollard or low-level downward directional luminaires to retain darkness above should be considered. However, this often comes at a cost of unacceptable glare, poor illumination efficiency, a high upward light component and poor facial recognition, and their use should only be as directed by the lighting professional;
- ▶ Column heights should be carefully considered to minimise light spill;
- ▶ Only luminaires with an upward light ratio of 0% and with good optical control should be used (refer to ILP guidance for the reduction of obtrusive light);
- ▶ Luminaires should always be mounted on the horizontal, i.e. no upward tilt;
- ▶ Any external security lighting should be set on motion-sensors and short (1min) timers; and,
- ▶ As a last resort, accessories such as baffles, hoods or louvres can be used to reduce light spill and direct it only to where it is needed.

2.10 Hazel Dormouse

2.10.1 In order to avoid harm to dormice, and drawing on advice provided in the Dormouse Conservation Handbook (Wells et al., 2025), suitable habitat which is scheduled for removal as part of construction, comprising of small areas of woodland and hedgerows and H2 (Appendix II), will be removed in accordance with the following Non-licenced Method Statement. Areas of Introduced shrub are not classed as suitable for dormouse (Appendix I). These reasonable avoidance measures are required to ensure there are no offences in relation to the protection of hazel dormouse under the WCA and Conservation of Habitats and Species Regulations 2017 (as amended) (CHS).

- ▶ Appointment of Ecological Clerk of Works: An ECoW will be appointed to oversee operations which could negatively affect dormice and other ecological features of value.
- ▶ Toolbox talks: Prior to commencement of site clearance works, all site operatives will receive a briefing from the ECoW to explain the legal protection for hazel dormouse, the precautionary methods to be followed, tips on identifying hazel dormouse, and the procedure to be followed should a dormouse be found at any stage during the works.
- ▶ Procedure if dormice are encountered: If a dormouse is found within the construction zone during site clearance works, site operatives will be advised to cease activity in its vicinity while advice from the ECoW is sought. The ECoW will review the situation with an appropriately licenced ecologist to advise of the most appropriate course of action, which may include consideration of the need for a mitigation licence.

- ▶ Timing of the work: Clearance of dormouse habitat can be approached in two ways – two-stage clearance or single-stage clearance. The most appropriate method depends on the type of habitat to be cleared, the habitat size and shape, the position of the habitat relative to retained habitats and the construction programme.
- ▶ During two-stage clearance the method statement will include but not be limited to the following key points:
 - Any vegetation removal on site will be carried out in two stages. The first stage will involve hand checking areas of scrub and vegetation before cutting vegetation and felling trees using hand tools (chainsaws, brush cutters etc) to a height of 15-30 cm between November and March inclusive when hazel dormice are in hibernation. This would be carried out under the supervision of a suitably experienced ecologist.
 - The second stage of vegetation clearance will involve excavating tree and shrub roots including the root balls from May onwards. This does not usually require ecologist input.
- ▶ During single-stage clearance the method statement will include but not be limited to the following key points:
 - Vegetation clearance could be undertaken as a single stage cut if it is carried out and completed during May (sometimes April with appropriate justification) or mid-September to end of October (inclusive). The single stage clearance works will be preceded by a hand check of suitable dormouse habitat by a suitably experienced ecologist.
 - Single-stage clearance is sometimes appropriate during the winter, but only in habitat which is unsuitable for hibernating dormice (e.g. compacted or waterlogged ground, or when the area has been stripped of vegetation/ leaf litter prior to the hibernation period).
 - Cutting vegetation and felling trees will be carried out using hand tools (chainsaws, brush cutters etc).
 - Vegetation must be removed in a directional manner, so that in the unlikely event of a dormouse being found, it does not end up being within isolated habitat.
- ▶ Commencement of construction works: Once the construction zone is clear of potentially suitable dormouse habitat it is unlikely that any dormice will attempt to recolonise and the construction programme can commence.

2.11 Hedgehogs, Small Mammals and other Fauna

- 2.11.1 To enable dispersal of hedgehogs (which require large territory sizes) and other small mammals across the site and within the local area following development, small access gaps to measure c.13x13cm will be provided at the base of all new fence boundaries. These will allow easy passage for small mammals to continue foraging in the area while still being small enough to contain pets.

- 2.11.2 All excavations left overnight will either be covered over, or provided with a ramp to enable easy escape of badgers *Meles meles*, hedgehogs, small mammals, amphibians and other fauna, and inspected each morning prior to recommencement. Open pipework greater than 150mm outside diameter should be blanked off at the end of each working day.

2.12 Stag Beetle and Dead Wood Habitats

- 2.12.1 The following mitigation and enhancement strategy will be implemented to ensure stag beetle and other deadwood invertebrates are protected.
- ▶ Where possible standing and lying dead wood will be left in place.
 - ▶ Any deadwood present within the development footprint will be carefully relocated to suitable retained habitat, such as the surrounding woodland or new public open space.
 - Lying dead wood can be moved by hand or using machinery.
 - Standing dead wood, such as decaying tree stumps, will be carefully excavated along with the surrounding earth.
 - ▶ Relocated dead wood should be left in large sections and remain in contact with soil so that the wood remains moist and is able to decay.
 - ▶ Prior to development three new log piles will be created within the retained woodland (see section Appendix III for approximate locations) to provide additional suitable habitat for stag beetle.
 - ▶ Dead wood that is repositioned within open grassland areas will be left with an unmown area of at least 30cm during May and June to protect emerging adult stag beetles.

3 Measures to Achieve Objectives: Enhancement and Compensation

3.1 Introduction

- 3.1.1 Section 40 of the Natural Environment and Rural Communities Act 2006 (NERC) places a duty on public bodies to have regard to biodiversity conservation when carrying out their functions. Section 102 of the Environment Act 2021 expands this duty to include biodiversity enhancement as well as conservation. In addition, the National Planning Policy Framework and Policy 10 – Henfield Neighbourhood Plan (Horsham District Council, 2021) states that ecological enhancements need to be integrated into development projects.
- 3.1.2 The locations of the measures detailed below for the Proposed Development are shown on the UKHab Created Habitats and Biodiversity Features Plan (Appendix III).

3.2 Created Habitats

Woodland

- 3.2.1 The area of mixed woodland on site will be enhanced and extended by c.160m² to compensate for the loss of seven trees on site. The created mixed woodland will provide greater intrinsic ecological value than the individual trees lost, and provides conditions suitable for a range of protected species, including nesting birds, badger, foraging, commuting and roosting bats, and hazel dormouse. Trees identified as providing suitability for roosting bats will be retained and protected (see 2.8). Additionally, dead wood within these habitats will be left in situ to provide valuable habitat for fungi and saproxylic invertebrates and refuge/hibernation habitats for widespread amphibians and reptile species.
- 3.2.2 Planting notes for the landscape plan should state that all plant stock will originate from the UK. It is best practice to use British native stock for tree planting and follow guidance given in the *Forestry Commission Practice Note 8a*¹ where possible, which provides a geographical guide for appropriate species. In the interest of biosecurity and to limit the introduction of new potential tree pests and diseases, only nurseries accredited by the Plant Healthy Certification Scheme may be used to procure tree stock.
- 3.2.3 Table 3.1 comprises the list of proposed native deciduous and coniferous canopy and understorey species to choose from.

¹ Herbert et al (1999). Using Local Stock for Planting Native Trees and Shrubs. Forestry Commission, Edinburgh. [On-line]. Available from: <https://cdn.forestryresearch.gov.uk/2022/02/fcpn8-1.pdf>

Table 3.1: Suitable tree species

Taxon	Common name
Canopy	
<i>Acer campestre</i>	Field maple
<i>Pinus sylvestris</i>	Scot's pine
<i>Prunus avium</i>	Wild cherry
<i>Quercus robur</i>	Pedunculate oak
<i>Tilia cordata</i>	Small-leaved lime
Understorey	
<i>Corylus avellana</i>	Hazel
<i>Crataegus monogyna</i>	Hawthorn
<i>Prunus spinosa</i>	Blackthorn
<i>Viburnum opulus</i>	Guelder rose

Introduced shrub

- 3.2.4 Areas of introduced shrub (including arboricultural hedgerows) and non-native hedgerows lost to facilitate the Proposed Development will be compensated for by replacing and extending old hedgerows. Shrub habitat dominated by invasive species is of limited ecological value. Invasive species will be removed and replaced with c.325m² of shrub habitat of higher ecological value. Approximately 95m² of introduced shrub will be created within areas of previously developed land removed as part of the proposals. A finalised species mix has not yet been provided and it is recommended that planters include a variety of herbaceous plants, which flower throughout the year. The use of nectar-rich and berry-producing plants will attract a wider range of insects, birds and mammals. Invasive species listed on Schedule 9 of the WCA² will not be included, as will cherry laurel which is listed as an invasive species in Sussex.
- 3.2.5 Table 3.2 comprises a list of suitable species for the planting beds. A full list of suitable species from the Royal Horticultural Society's "Perfect for Pollinators Plant List"³.

Table 3.2: Suitable species for shrub planting

Taxon	Common name
<i>Armeria maritima</i>	Thrift
<i>Calendula officinalis</i>	Pot marigold
<i>Centranthus rubra</i>	Red valerian
<i>Cerinth major</i>	Honeywort
<i>Cosmos bipinnatus</i>	Cosmia
<i>Echinops spp.</i>	Globe thistle

² <https://www.legislation.gov.uk/ukpga/1981/69/schedule/9>

³ RHS (2019). RHS Plants for Pollinators, Garden plants [Online]. Available: <https://www.rhs.org.uk/science/pdf/conservation-and-biodiversity/wildlife/plants-for-pollinators-garden-plants.pdf>.

Taxon	Common name
<i>Eryngium</i> spp.	Sea holly
<i>Eschscholzia californica</i>	Californian poppy
<i>Helianthus</i> spp	Sunflower
<i>Heliotropium arborescens</i>	Common heliotrope
<i>Lavandula angustifolia</i>	Lavender
<i>Limnanthes douglasii</i>	Poached egg flower
<i>Nigella damascene</i>	Love-in-a-mist
<i>Orlaya grandiflora</i>	White lace flower
<i>Ruscus aculeatus</i>	Butchers broom
<i>Tithonia rotundifolia</i>	Mexican sunflower
<i>Tropaeolum majus</i>	Garden nasturtium
<i>Ulex europaeus</i>	Gorse
<i>Verbascum</i> spp.	Mullein
<i>Verbena</i> spp.	Verbena

Mixed scrub

- 3.2.6 Approximately 30m² of mixed scrub will be created, expanding the pre-existing areas of this habitat located in the north-east following the removal of developed land during construction. Planting will comprise a range of fruit, seed, nut and nectar-bearing species, providing a food source for a wide range of wildlife species throughout most of the year. The scrub will also create refuge for mammals, reptiles and amphibians. Plant stock will be sourced from a local supplier and ensure it is of local provenance. Table 3.3 comprises a list of suitable scrub species recommended for this area.

Table 3.3: Suitable scrub species

Taxon	Common name
<i>Corylus avellana</i>	Hazel
<i>Crataegus monogyna</i>	Hawthorn
<i>Prunus avium</i>	Wild cherry
<i>Prunus spinosa</i>	Blackthorn
<i>Rosa canina</i>	Dogrose

Modified grassland

- 3.2.7 Small areas of modified grassland will be created in the north-east and west of the site. These areas will be managed for amenity and will likely resemble a short mown lawn with limited biodiversity value.

3.3 Created Biodiversity Features

Bird boxes

- 3.3.1 The value of the site for birds will be enhanced by installing one artificial nest boxes. Nest boxes will be installed on trees within the Application Site. The exact locations have not been confirmed. Appendix III provides one proposed location for the implementation of these features.
- 3.3.2 The following nest boxes would be suitable for installation on retrained trees in the west of the site within the area of mixed woodland and Scot's pine woodland:
- ▶ Schwegler 1B Nest Box; and,
 - ▶ Schwegler 3S Starling Box (or other manufacturer's equivalent).

Bat Boxes

- 3.3.3 The value of the site for bats will be enhanced through the installation of one artificial roost box. It will be installed on a retained mature tree within the Scot's Pine or mixed woodland, as shown in Appendix III. Appendix IV gives examples of boxes that may be used.
- 3.3.4 Boxes on trees, bat boxes should ideally be located on three aspects of each tree (facing north, south-east and south-west) and at $\geq 5\text{m}$ from ground level. They should be installed facing vegetation features such as mature hedgerows or trees, but with a clear line of flight for bats exiting the roost, and away from sources of artificial light. Installation of bat boxes will also offset any removal of PRF-I trees.

Log pyramid and log piles

- 3.3.5 The value of the site for invertebrates, hedgehogs, reptiles and amphibians will be enhanced by installing one log pyramid and one log piles which artificially create nesting, hibernating and egg-laying habitat. In order to ensure the effectiveness of such features, pesticides should not be used on wood.
- 3.3.6 A log pyramid will be built within the woodland in the south-east of the site. Log pyramids are formed of upright logs which are dug approximately 50cm deep into the soil with space between each log for soil and old vegetation (fallen leaves, moss and twigs). Logs should be made with broadleaved wood (not conifers) and should be of a variety of heights and widths but must be as thick as an adult's arm. Logs should be sourced from felled trees with the exception of the felled invasive rhododendron and the native but coniferous yew *Taxus baccata* and Scot's pine.
- 3.3.7 The log piles will be made of stacked logs of varying sizes and over lain with smaller branches. This work can be done using materials found on site, using hard wood logs as they last longer and do not contain resins that may reduce the likelihood of use.
- 3.3.8 For more information on best practices and design ideas about log pyramids and log piles refer to best practices guide by the People's Trust for Endangered Species⁴.

⁴ People's Trust for Endangered Species (undated). How to Build a Log Pile [Online]. Available: <https://stagbeetles.ptes.org/how-to-build-a-log-pile/>.

4 Implementation Timetable and Checklist

4.1 Implementation Timetable

4.1.1 Table 4.1 summarises the measures to avoid and mitigate impacts on wildlife, the biodiversity enhancements, as well as their timings and the parties responsible for implementing them. Refer to sections 2 and 3 for full details, and to the UKHab Created Habitats and Biodiversity Features Plan (Appendix IV) for their locations.

Table 4.1: Timetable for biodiversity avoidance/mitigation and enhancement measures

Feature	Potential impact	Avoidance / mitigation	Enhancement	Timing	Implemented by
Woodland	Reduction of woodland habitat through the felling of seven trees. Harm to retained woodland during works by diggers.	Construction will be carried out in accordance with the Arboricultural Method Statement. (2.3.1) A root protection fencing will be implemented to create a CEZ. (2.3.1) Seven native trees will be planted to replace lost trees and associated woodland cover. (2.3.3) Stumps should be retained within the Application Site. (2.3.4)	Tree planting will be concentrated within the south-east of the Application Site, expanding existing woodland habitat. Native species will be chosen (3.2.3) and tree planting will follow best practice (3.2.1). Mixed woodland will be selectively thinned and dead wood will be left in situ (3.2.1).	Potential retention of habitat should occur during construction. The plantation of new habitat will occur after construction.	The client and principal contractor
Hedgerow	Loss of five hedgerows (arboricultural classification). These features were largely mapped as non-	Five hedgerows using native scrub species will be planted to replace lost hedgerows. (2.4) A site check for nesting birds will be performed no more than 48 hours prior to hedgerow removal to ensure no disturbance to breeding birds. If a active nest is found, it must be	Five hedgerows using native shrub species will be planted to replace lost hedgerows. (3.2.4) The hedgerow to be removed contains several strands of Rhododendron, a schedule 9 invasive plant. (2.5.1) Replanting will include the expansion of introduced scrub (3.2.4) and mixed scrub (3.2.6). Species chosen will include	Vegetation clearance will occur outside GCN/reptile hibernation season prior to construction.	Principal contractor

Feature	Potential impact	Avoidance / mitigation	Enhancement	Timing	Implemented by
	native introduced shrub within the PEA, including areas of invasive rhododendron	cordoned off and works delayed until chicks have fledged. (2.7)	a range of fruit, seed, nut and nectar-bearing species. Compensation will not include Schedule 9 invasive species or species designated as invasive in Sussex. (3.2.4)	Plantation of introduced scrub and mixed scrub will occur after construction.	
Invasive species	Further spread of invasive plants	Works shall be performed by an experienced professional to ensure eradication and spread (2.5.1).	Shrub dominated by rhododendron will be replaced by introduced shrub compiled of non-invasive species which provide food sources for native fauna (3.2.4)	Prior to construction	Contractor experienced in invasive species eradication
Great crested newts, common amphibians and reptiles	Harm of GCN or reptiles during vegetation clearance	A Precautionary Working Method for GCN, amphibians and reptiles will be applied to works. Suitable habitats will be checked and removed in two phases. Brash piles and compost heaps should remain in situ. (2.6.2)	Creation of new mixed scrub and introduced scrub habitat (3.2.4) (3.2.6). Retention of dead wood and tree stumps within the site (2.12.1) and creation of log piles (3.3.7) and log pyramids (3.3.6) using felled trees within woodland habitats to provide additional foraging and hibernating habitat.	Vegetation removal undertaken during the amphibian/reptile active season, before construction.	Principal contractor with an ecologist with a Great Crested Newt license
Nesting birds	Disturbance to nesting birds and / or damage or destruction of their active nests	Nesting bird habitats will be reduced to c.20cm to make unsuitable for nesting birds outside the bird nesting season (1 March to 31 August), i.e. it will be carried out between September and February. (2.7)	Creation of new woodland (3.2.1), shrub (3.2.4), and scrub (3.2.6) to provide additional breeding, foraging and supporting habitat. Bird boxes will be installed on trees (3.3.3).	Precautionary measures during site clearance Creation of new habitats and installation of nest boxes during construction	Principal contractor

Feature	Potential impact	Avoidance / mitigation	Enhancement	Timing	Implemented by
Roosting bats	Killing / injury to bats or damage / disturbance of a bat roost	A bat survey was undertaken on the buildings to be removed during development, determining that neither supported roosting bats (2.8.2). An updating survey is required prior to demolition. Trees assessed as either PRF-I or PRF-M are to be retained and protected in lines with tree protection measures (2.3).	A bat box will be installed on retained trees within woodland habitat (3.3.3).	Installation of bat box after construction	Principal contractor
Foraging and commuting bats (and other nocturnal species)	Includes disturbance to commuting and foraging bats using retained and created habitats	Minimise use of external lighting. Low-level, directional lighting with minimal spill and glare. Narrow-spectrum bulbs and light sources that emit minimal UV light and use of glass lantern covers instead of plastic to filter UV light (2.9.1).	Creation of new areas of mixed scrub and trees along boundaries providing additional foraging opportunities (3.2.6).	During construction and operation	Principal contractor
Hazel Dormouse	Killing / injury to hazel dormouse	Removal of suitable habitat will be undertaken in accordance with a Non-licenced Method Statement under the supervision of a qualified ECoW. (2.10.1)	Creation of new areas of mixed scrub (3.2.6) and introduced shrub (3.2.4) along boundaries providing additional foraging opportunities.	Two-stage: First stage between November and March. Second stage in May onwards. Single-stage clearance: May or mid-September to end of October prior to construction.	Principal contractor
Hedgehogs and small	Harm to hedgehogs small	Provide small access gaps at the base of new fences (2.11.1).	Creation of log piles (3.3.7) which provide sheltering habitat for small mammals.	During construction	Principal contractor

Feature	Potential impact	Avoidance / mitigation	Enhancement	Timing	Implemented by
mammals and other fauna	mammals and other fauna	At the end of each working day excavations will be covered over and open pipework capped to prevent entrapment of mammals, amphibians and other fauna (2.11.2).			
Invertebrates	Removal of invertebrate habitat for example deadwood habitat	Retain lying dead wood in situ, if possible. Retention of dead wood habitat on site. Relocation of dead wood should be done in large sections and moved with surrounding earth (2.12.1)	Mixed woodland habitat, suitable for saprophytic invertebrates, will be expanded through tree planting. (3.2.1) Log piles and log pyramids will be created within the mixed woodland. (3.3.6)	During construction	Principal contractor

5 Implementation, Maintenance & Monitoring

5.1 Implementation

- 5.1.1 Implementation of the BMEP will be the responsibility of Annalize Van Zyl and must comply with the provisions of the BMEP.

5.2 Initial Aftercare and Long-term Maintenance

Woodland

- 5.2.1 The following monitoring/maintenance actions will be undertaken in the first three years following planting;
- ▶ Annually check any stakes, ties and guards and loosen, tighten or replace as necessary; and,
 - ▶ Annually during November to February inclusive replace dead plants as required.
- 5.2.2 No ongoing specific prescriptions are recommended for this habitat type and it should be managed as a minimum intervention area, subject only to periodic rotational coppicing as appropriate and required. Prunings can be chipped or used to replenish hibernacula and log piles elsewhere on-site. If arboricultural work is required to any of the trees, for example in relation to health and safety, this will be kept to the minimum required and any wood arising from such work will be stacked within the woodland to provide additional deadwood habitat.

Introduced shrub

- 5.2.3 The following monitoring/maintenance actions will be undertaken in the first three years following planting;
- ▶ At least annually in spring and summer control weeds and other vegetation growth among and beside planted shrubs;
 - ▶ Annually check any stakes, ties and guards and loosen, tighten or replace as necessary; and,
 - ▶ Annually during November to February inclusive replace dead plants as required.
- 5.2.4 Following establishment the planting will be allowed to develop naturally with only periodic trimming, as required. Replacement of dead or damaged plants will be carried out as required.

Mixed scrub

- 5.2.5 The following monitoring/maintenance actions will be undertaken in the first three years following planting;

- ▶ At least annually in spring and summer control weeds and other vegetation growth among and beside planted shrubs to a distance of 0.3m from the base of plants;
- ▶ Annually check any stakes, ties and guards and loosen, tighten or replace as necessary; and
- ▶ Annually during November to February inclusive replace dead plants as required.

5.2.6 Areas of mixed scrub following establishment will be allowed to develop naturally with only periodic coppicing. Shrubs cut to c.50-100mm above ground level in winter, to maintain density and / or to provide a diversity of structures across the site. Arisings will be reused on site, for example to replenish log piles. Any dead plants will be replaced.

Bird and Bat Boxes

- 5.2.7 The following monitoring/maintenance should be undertaken annually:
- ▶ Visit the site in January to check the bird boxes before nest building begins; clean out debris and repair as necessary;
 - ▶ Visit the site in September/October to check the bat boxes after breeding but before hibernation; check for damage and replace if necessary; and,
 - ▶ Bat box checks should be undertaken by a suitably qualified and licensed ecologist.

Log Piles/Pyramids

- 5.2.8 The following monitoring/maintenance should be undertaken annually:
- ▶ Allow the decomposition of wood in piles and pyramids,
 - ▶ Add to piles/pyramids when the habitat has halved.

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Appendix I: UKHab Pre-development Plan

Georges Lane, Storrington, West Sussex

-  Survey area
-  Modified grassland
-  Mixed scrub
-  Bare ground
-  Developed land, sealed surface
-  Developed land, sealed surface; building
-  Introduced shrub
-  Other Scot's Pine woodland
-  Other woodland; mixed; mainly broadleaved
-  Hedgerow - Non-native
-  Fence
-  Individual tree
-  Target note

TN1 - Green house
 TN2 - Tree stump
 TN3 - Rhododendron
 TN4 - Brash pile
 TN5 - Five compost heaps
 TN6 - Former pond

0 10 20
 Metres



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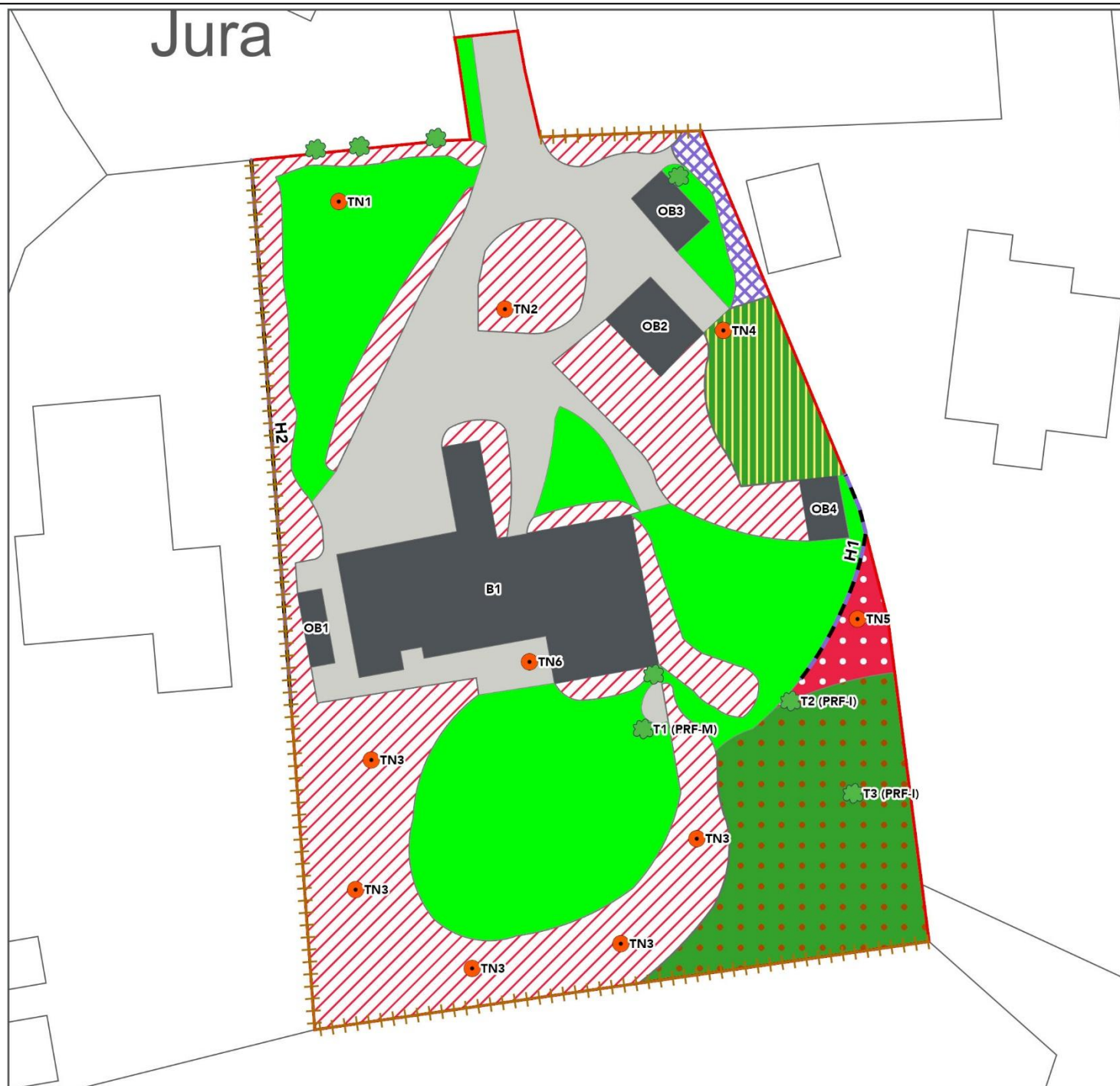
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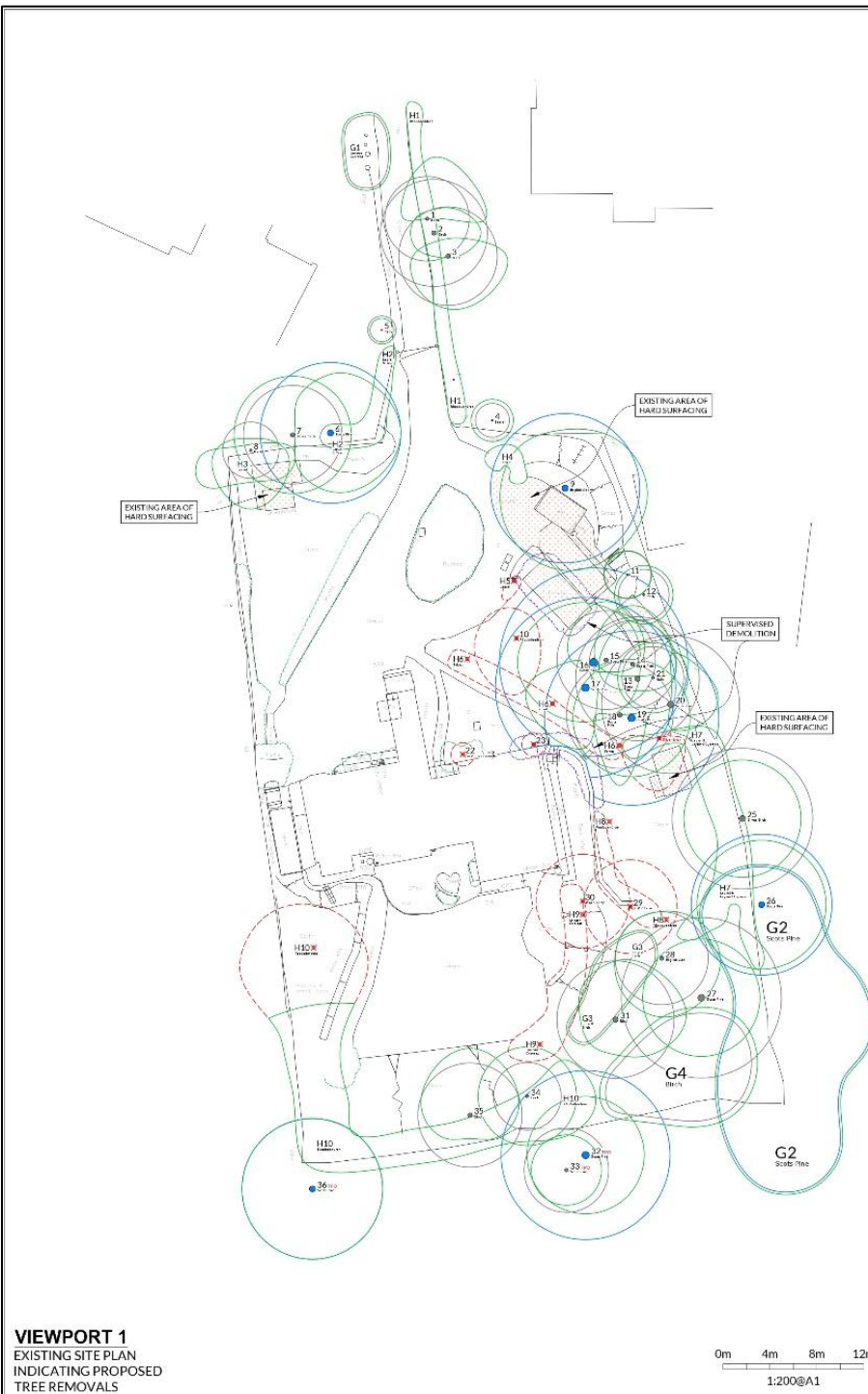
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Appendix II: Tree Constraints Plan

Source:

David Archer Associates (2025): Little Fairseat, Georges Lane, Storrington, RH20 3JH: Arboricultural Method Statement



**SUPERVISED DEMOLITION
& SURFACE REMOVAL**

When installed on the peak, denotation of the existing structure is minimal. Existing live loading criteria 85% of combined loads shall be maintained under direct access and structural lateral suspension.

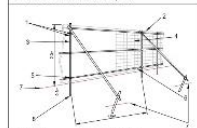
Where possible, existing live surfaces within existing beams 80% shall be left in place and during the denotation, to provide continuing protection to underlying roads and soil.

Machinery used for the denotation of structures shall be supported and operated entirely outside the structure or resting themselves on hard surfaces, reinforced or masonry and additional temporary ground protection to support the working loads without denotation or compaction of underlying soil.

[illegible]

PROTECTIVE FENCING

It is essential prior to the commencement of all work on site and continued in place throughout construction. To complete either 2.0m wooden she boarding or a 2.0m high working framework comprising of vertical and horizontal framework will require to meet the following, with options to be agreed as a minimum of 30m intervals and often into the ground by a minimum of 300mm. In this, standard steel-tie walling is required to be adequately fixed or braced and, if used, must be capable of resisting the full design load. The use of heavy duty cable ties, standard with first walling mesh panels on timber or concrete face are not adequate to impact on, should be used. All weather notices should be erected at regular intervals on the wall mesh panels with words such as "Construction work in progress - keep back".



GROUND PROTECTION

Proprietary interlinked ground protection boards placed atop of a compression resistant layer (e.g. 150mm depth of woodchip), laid onto a geotextile membrane.

SUPERVISED EXCAVATION

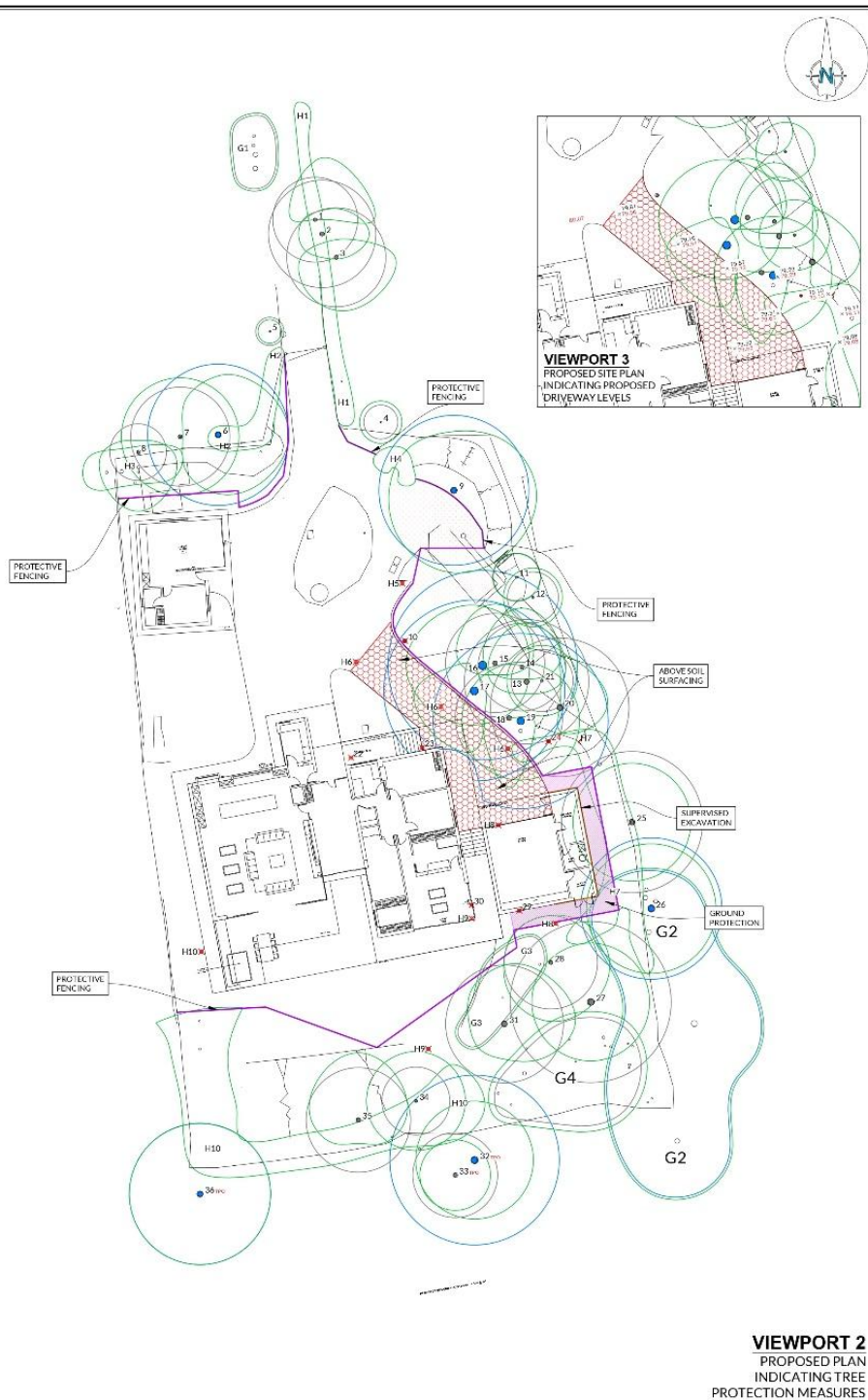
When indicated on the plan, excavations for foundations, shall be undertaken under direct on-site arboicultural supervision. For tree 750mm depth of the excavation for the required depth if it is less than 750mm shall be excavated using hand tools only.

All trees exposed during the excavation shall be identified, secured by the supervisor or below tree, using a secure system of guy wires, the trunks of the excavated trees, in the excavated area shall be covered with hessian and kept damp at all times.

Where excavation is less than 750mm depth is required, this may be undertaken by machine, provided that it is vertical and shall remain on-site arboicultural supervision, and the machine is automated and operated either outside the RPA of ground level, or on existing hard surfacing, or on suitable ground protection, and there is adequate clearance from the crown of the selected trees.

ABOVE SOIL SURFACING

There shall be no lowering of existing soil levels or severance of any tree roots.



Appendix III: Post-development Plan and Biodiversity Features Plan

Georges Lane, Storrington, West Sussex

-  Survey area
-  Modified grassland
-  Mixed scrub
-  Developed land, sealed surface
-  Developed land, sealed surface; building
-  Introduced shrub
-  Other Scot's Pine woodland
-  Other woodland; mixed; mainly broadleaved
-  Log pyramid
-  Log pile
-  Bat box
-  Bird box

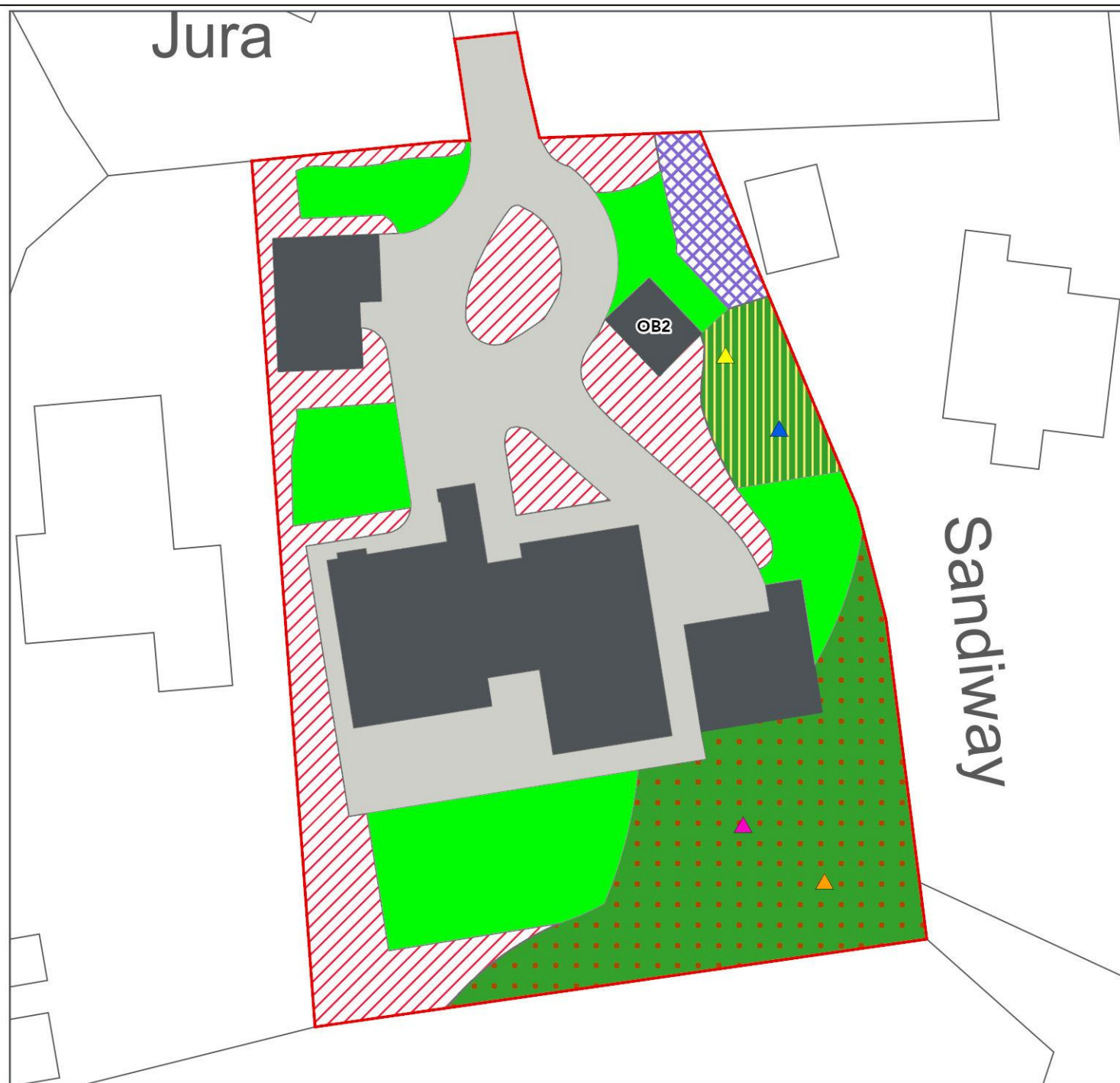
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CONSULTING Web: www.ueec.co.uk



Appendix IV: Habitat Features & Specifications

A cylindrical nest box with a light-colored central panel and dark brown side panels. It has a circular entrance hole in the center of the front panel and is suspended by a wire hanger.	A cylindrical nest box with a dark brown central panel and reddish-brown side panels. It has a circular entrance hole in the center of the front panel and is suspended by a wire hanger.
Schwegler 1B Nest Box (32mm): A box suited to many different garden birds (and bats). Siting and Positioning: Trees on northern aspect Installation height: 2 metres or more above ground level Cleaning and Inspection: Easy cleaning and inspection due to removable front panel. Maintain outside of breeding season to avoid disturbance to active nests. Occupants: Great, blue, marsh, coal and crested tit, redstart, nuthatch, collared and pied flycatcher, wryneck, tree and house sparrow (and bats) Material: Air-permeable and long lasting SCHWEGLER wood-concrete Kit includes: Nest box, steel hanger, aluminium nail Colour: Brown Entrance hole: Dia. 32 cm Dimensions: Internal: Dia. 14 cm; External: W 19 x H 28 x D 20 cm	Schwegler 3S Starling Box: The 3S nest box attracts starlings, it also provides overnight shelter for great spotted, middle spotted and lesser spotted woodpeckers Siting and Positioning: Trees on northern aspect Installation height: 2 metres or more above ground level Cleaning and Inspection: Easy cleaning and inspection due to removable front panel. Maintain outside of breeding season to avoid disturbance to active nests Occupants: Starlings, Nuthatches (with reduced entrance hole to 32 mm), Spotted Woodpeckers, Pied Flycatchers, etc Material: Air-permeable and long lasting SCHWEGLER wood-concrete Kit includes: Nest box, steel hanger, aluminium nail Colour: Brown Entrance hole: Dia. 45 cm Dimensions: Internal: Dia. 14 cm; External: W 19 x H 28 x D 20 cm

	Weight: 4.4kg approx.
	
Schwegler 1FF Flat Bat Box: Open at bottom so cleaning not required. Varied internal roost surfaces. Suitable for crevice roosters such as pipistrelles, and large enough for use as maternity roost Siting & positioning: On the tree-stem or on buildings Cleaning and inspection: Open at bottom, cleaning not required. Easy to inspect due to removable front panel. If occupied by bats, inspection and cleaning must be carried out by a licensed professional Entrance hole: Width 12-24 mm x Length 21cm Occupants: Bats Material: Air-permeable and long lasting SCHWEGLER wood-concrete Kit includes: Roost box with swing-away front panel Galvanized steel hanger - forestry approved Aluminium Nail - forestry approved	

Colour:

Black

Dimensions:

Depth: 140mm

Width: 270mm

Height: 430mm

Weight:

10kg approx.

Appendix V: Legislation and Planning Context

Legislation

General

The main legislative instruments for ecological protection in England and Wales are: the Wildlife and Countryside Act 1981 (WCA; as amended); Countryside and Rights of Way Act 2000 (CRoW; as amended); Natural Environment and Rural Communities Act 2006 (NERC; as amended); the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations; as amended); and the Environment Act 2021.

WCA 1981 consolidated and amended pre-existing national wildlife legislation in order to implement the Bern Convention and the European Union Wild Birds Directive (Council Directive 2009/147/EC). It complements the Habitats Regulations, offering protection to a wider range of species than the latter. The Act also provided for the designation and protection of nationally important conservation sites of value for their floral, faunal or geological features, termed Sites of Special Scientific Interest (SSSI). Schedules of the act list protected species of flora and fauna, as well as invasive species, and detail the possible offences that apply to these species.

The CROW Act 2000 amended and strengthened existing wildlife legislation detailed in the WCA. It placed a duty on government departments & the National Assembly for Wales to have regard for biodiversity, provided increased powers for the protection and maintenance of SSSI, and created a right of access to parts of the countryside. The Act contained lists of habitats and species (Section 74) for which conservation measures should be promoted, in accordance with the recommendations of the Convention on Biological Diversity (Rio Earth Summit) 1992.

The NERC Act 2006 consolidated and replaced aspects of earlier legislation. Section 40 of the Act places a duty upon all local authorities and public bodies in England and Wales to have regard to the purpose of conserving biodiversity in exercising all of their functions, including by restoring or enhancing habitats and species populations. Sections 41 (England) and 42 (Wales) list habitats and species of principal importance to the conservation of biodiversity (otherwise known as Priority Habitats/species as listed in the now superseded UK Biodiversity Action Plan). These lists supersede Section 74 of the CRoW Act 2000. These species and habitats are a material consideration in the planning process.

The Habitats Regulations 2017 are the principal means by the European Union Habitats Directive (Council Directive 92/43/EEC) was transposed into English and Welsh law, and place a duty upon the relevant authority of government to identify sites which are of importance to the habitats and species listed in Annexes I and II of the Habitats Directive. Those sites which meet the criteria in Europe are designated as Sites of Community Importance by the European Commission, and subsequently identified as Special Areas of Conservation (SAC) by the European Union member states. Since the UK's departure from the European Union the European Commission no longer has a role in designating SACs in the UK. The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 establish a single stage designation process, where the appropriate authority is the decision maker. The selection and designation of SACs is based on the criteria set out in Annex III of the Habitats Directive insofar as it applies to the UK, and having regard to the advice of the appropriate nature conservation body.

The 2019 Amendment Regulations have created a new national site network on land and at sea, including both the inshore and offshore marine areas in the UK. The national site network includes existing SACs, existing Special

Protection Areas (SPA) originally designated as a result of Council Directive 2009/147/EC on the Conservation of Wild Birds, and any new SACs and SPAs designated under the 2019 Regulations. SACs and SPAs in the UK therefore no longer form part of the EU's Natura 2000 ecological network.

The Habitats Regulations also provide for the protection of individual species of fauna and flora of European conservation concern listed in Schedules 2 and 5 respectively (European Protected Species (EPS)). Schedule 2 includes species such as otter and great crested newt for which the UK population represents a significant proportion of the total European population. It is an offence to deliberately kill, injure, disturb or trade in these species. Schedule 5 plant species are protected from unlawful destruction, uprooting or trade under the regulations. Under the Habitats Regulations disturbance includes any activity which is likely to: impair the ability of a EPS to survive, breed, reproduce, or rear/nurture its young; impair the ability of a EPS to migrate or hibernate; or significantly affect the local distribution or abundance of the species.

The Environment Act, among other things, established an Office for Environmental Protection; requires all new development requiring planning permission to achieve a net gain for biodiversity (at least 10%); amended the NERC Act duty to conserve biodiversity by explicitly adding a duty to enhance; and requires local authorities to produce local nature recovery strategies.

Great crested newt (Triturus cristatus; GCN) (and natterjack toad Bufo calamita)

GCN is fully protected by the WCA and the Habitats Regulations. The legislation makes it an offence, *inter alia*, to:

- ▶ Intentionally kill, injure or take a GCN (including its eggs).
- ▶ Possess or control a live or dead GCN, any part of, or anything derived from a GCN.
- ▶ Intentionally or recklessly damage, destroy or obstruct access to any structure or place that a GCN uses for shelter or protection.
- ▶ Intentionally or recklessly disturb a GCN while it is occupying a structure or place that it uses for shelter or protection.

Wild birds

Wild birds are protected by the Wildlife and Countryside Act, 1981 (as amended). This legislation makes it an offence to intentionally kill, injure or take away any wild bird. It is also an offence to take, damage or destroy the nest of any wild bird while it is in use or being built or to take or destroy the egg of any wild bird. In addition, certain species are listed on Schedule 1 of the WCA (such as kingfisher *Alcedo atthis*). This makes it an additional offence to intentionally or recklessly disturb the adults while they are in and around their nest or intentionally or recklessly disturb their dependent young. Such species are considered to be in greater need of legal protection or of high nature conservation priority.

Birds of Conservation Concern (BoCC5) are included on Red and Amber lists (Stanbury *et al.*, 2021). Birds on the Red list are those of highest conservation priority due significant and sustained population decreases and/or range contractions (e.g. house sparrow *Passer domesticus* and starling *Sturnus vulgaris*). Birds on the Amber list are the next most critical group and include species whose population/range have shown moderate declines, or which have recovered to some extent from historical decline, such as dunnoek *Prunella modularis*.

Bats (*Chiroptera*)

Bats and their roosts are fully protected by protected by the WCA and the Habitats Regulations, and seven species of bats are species of principal importance. The legislation makes it an offence, *inter alia*, to:

- ▶ Intentionally kill, injure or take a bat.
- ▶ Possess or control a live or dead bat, any part of a bat, or anything derived from a bat.
- ▶ Intentionally or recklessly damage, destroy or obstruct access to any structure or place that a bat uses for shelter or protection. This is taken to mean all bat roosts whether bats are present or not.
- ▶ Intentionally or recklessly disturb a bat while it is occupying a structure or place that it uses for shelter or protection.
- ▶ Make a false statement in order to obtain a licence for bat work.

Hazel dormouse (*Muscardinus avellanarius*)

Dormouse is fully protected by the WCA and the Habitats Regulations. The legislation makes it an offence, *inter alia*:

- ▶ Intentionally kill, injure or take a dormouse.
- ▶ Possess or control a live or dead dormouse, any part of, or anything derived from a dormouse.
- ▶ Intentionally or recklessly damage, destroy or obstruct access to any structure or place that a dormouse uses for shelter or protection.
- ▶ Intentionally or recklessly disturb a dormouse while it is occupying a structure or place that it uses for shelter or protection.

Reptiles

The four common species (slow-worm *Anguis fragilis*, common lizard *Zootoca vivipara*, adder *Vipera berus* and grass snake *Natrix helvetica*) are partially protected under the WCA. They are protected, *inter alia*, against intentional killing and injuring. The handling and translocation of these reptiles does not require a licence.

Smooth snake *Coronella austriaca* and sand lizard *Lacerta agilis* are fully protected by the WCA and the Habitats Regulations. The legislation makes it an offence, *inter alia*, to:

- ▶ Intentionally kill, injure or take a smooth snake or sand lizard.
- ▶ Possess or control a live or dead smooth snake or sand lizard, any part of, or anything derived from a smooth snake or sand lizard.
- ▶ Intentionally or recklessly damage, destroy or obstruct access to any structure or place that a smooth snake or sand lizard uses for shelter or protection.
- ▶ Intentionally or recklessly disturb a smooth snake or sand lizard while it is occupying a structure or place that it uses for shelter or protection.

Planning context

National Planning Policy Framework (Section 15: Conserving and enhancing the natural environment)

The National Planning Policy Framework (NPPF), published in December 2024, outlines the Government's commitment to the conservation of wildlife and natural features. It is concerned with:

- ▶ Protecting and enhancing valued landscapes, sites of biodiversity or geological conservation value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- ▶ 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;
- ▶ Maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- ▶ Minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current & future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;
- ▶ 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
- ▶ Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

The NPPF requires that local plans should “*distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value...; 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*”.

To protect and enhance biodiversity and geodiversity, the NPPF states that planning policies 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
- ▶ 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.

When determining planning applications, local planning authorities should aim to protect and enhance biodiversity by applying the following principles:

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

- ▶ 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.

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

- ▶ potential Special Protection Areas and possible Special Areas of Conservation;
- ▶ listed or proposed Ramsar sites; and
- ▶ 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.

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. The policies within the NPPF (and additional guidance contained within Circular 06/2005) are a material planning consideration.

UK/Local Biodiversity Action Plan Designations and Birds of Conservation Concern and Red Data Book Listings

Note that BAP designations and status as RSPB Birds of Conservation Concern or Red Data Book species does not offer any further legal protection, but planning authorities are required to prevent these species from being adversely affected by development in accordance with National Planning Policy and the CROW and NERC Acts. The United Kingdom Biodiversity Action Plan (UKBAP), first published in 1994 and updated in 2007, was a government initiative designed to implement the requirements of the Convention of Biological Diversity to conserve and enhance species and habitats. The UKBAP contained a list of priority habitats and species of conservation concern in the UK, and outlined biodiversity initiatives designed to enhance their conservation status.

However, as a result of devolution, and new country-level and international drivers and requirements, much of the work previously carried out by the UK BAP is now focussed at a country-level rather than a UK-level, and the UK BAP was succeeded by the 'UK Post-2010 Biodiversity Framework' in July 2012. The UK lists of priority habitats and species nonetheless remain an important reference source and were used to draw up statutory lists of priority habitats and species in England, Northern Ireland, Scotland and Wales. The priority habitats and species correlate with those listed on Section 41 and 42 of the NERC Act.

The UKBAP required that conservation of biodiversity be addressed at a County level through the production of Local BAPs. These are targeted towards species of conservation concern characteristic of each area. In addition, a number of local authorities and large organisations have produced their own BAPs. Where they exist, Local BAP targets with regard to species and habitats are a material consideration in the planning process.

Local Planning Policy

The following policies relating to wildlife and biodiversity are contained within the Henfield Neighbourhood Plan 2017-2031 (Horsham District Council, 2021):

Policy 10: Green Infrastructure & Biodiversity

P10.1 Development proposals that would directly affect historic commons, ancient woodlands ponds and copses or which would indirectly affect such features should ensure that they are protected, maintained and where practicable enhanced.

P10.2 Development proposals will be supported, provided their design seeks to maintain or increase biodiversity, in particular: a. retains existing Local Wildlife Sites, green corridors and other wildlife habitats; and takes any opportunity to provide a green corridor and achieve ecological connectivity between wildlife habitats and between open countryside and an existing wildlife habitat; b. includes design features which provide for the conservation of wildlife, particularly declining species such as swift, swallow, barn owl, nightingale and bats; c. retains where possible, existing hedgerows, scrub, trees and ponds to support and encourage wildlife. Where removal is essential they should be replaced appropriately and with indigenous species. d. retains trees in Categories A and B as defined in BS5837:2005 wherever possible. Where it is not possible to retain a Category A or B tree, a replacement is planted; including trees without Tree Preservation Orders and trees outside the Henfield Conservation Area.

P10.3 Development proposals will be supported, provided their layout and landscape schemes comply with the following principles as appropriate: a. the amenity value of the existing landscape including hedgerows, scrub, trees and ponds is maintained; and the proposals result in positive visual and landscape impact b. the amenity value of trees is maintained including those trees without Tree Preservation Orders and trees outside the Henfield Conservation Area; c. landscape schemes enhance the site and its surroundings, and positively contribute to the landscape character of the area, including providing for their ongoing maintenance and utilise native plants especially in public areas and on boundaries; and d. the views identified in paragraph 5.81 of this Plan into and out of the area of the Parish, with particular regard to Henfield and Small Dole villages in particular, are preserved.

This policy seeks to maintain and increase diversity within the green infrastructure of the Parish by encouraging the use of indigenous species and avoiding inappropriate replacement such as with coniferous hedging.

The countryside surrounding the Parish of Henfield is gently undulating except for the flat flood plain to the south west. This land is a mosaic of large and small fields arable and pasture land, woods, copse hedgerows and a scattering of ponds. There are three historic commons within the Parish, ancient open land and a significant network of footpaths and byways. Both Small Dole and the village of Henfield have a number of open spaces and playing fields that should be protected for future generations. Policies 10.2 and 10.3 provide a context within which developers should submit planning applications which may affect existing biodiversity in the Parish. Larger developments of more than 2 hectares or 50 dwellings (whichever is the smaller) should provide a Green Infrastructure plan as part of their proposals. Such plans should aim to deliver net biodiversity gain.

Appendix VI: Legal and Technical Limitations

- This report has been prepared by Urban Edge Environmental Consulting Ltd (UEEC Ltd) with all reasonable skill, care and diligence within the terms of the contract made with the Client to undertake this work, and taking into account the information made available by the Client. No other warranty, expressed or implied, is made as to the professional advice included in this report or any other services provided by us.
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- The advice provided in this report does not constitute legal advice. As such, the services of lawyers may also be considered to be warranted.
- Unless otherwise stated in this report, the assessments made assume that the sites and facilities that have been considered in this report will continue to be used for their current planned purpose without significant change.
- All work carried out in preparing this report has utilised and is based upon UEEC Ltd's current professional knowledge and understanding of current relevant UK standards and codes, technology and legislation. Changes in this legislation and guidance may occur at any time in the future and may cause any conclusions to become inappropriate or incorrect. UEEC Ltd does not accept responsibility for advising the Client or other interested parties of the facts or implications of any such changes;
- Where this report presents or relies upon the findings of ecological field surveys (including habitat, botanical or protected/notable species surveys), its conclusions should not be relied upon for longer than a maximum period of two years from the date of the original field surveys. Ecological change (e.g. colonisation of a site by a protected species) can occur rapidly and this limitation is not intended to imply that a likely absence of, for instance, a protected species will persist for any period of time;
- This report has been prepared using factual information contained in maps and documents prepared by others. No responsibility can be accepted by UEEC Ltd for the accuracy of such information;
- Every effort has been made to accurately represent the location of mapped features, however, the precise locations of features should not be relied upon;
- Populations of animals and plants are often transient in nature and a single survey visit can only provide a general indication of species present on site. Time of year when the survey was carried out, weather conditions and other variables will influence the results of an ecological survey (e.g. it is possible that some flowering plant species which flower at other times of the year were not observed). Every effort has been made to accurately note indicators of presence of protected, rare and notable species within and adjacent to the site but the possibility nonetheless exists for other species to be present which were not recorded or otherwise indicated by the survey;
- Any works undertaken as a consequence of the recommendations provided within this report should be subjected to the necessary health & safety checks and full risk assessments.

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