

Ecological Enhancement Plan

Survey site: The Old Piggery, Fryern Road, Storrington, West Sussex, RH20 4BJ

Client: Mrs Jessica Mead

Date: 01/06/2026

Project:

This report is prepared to discharge a planning condition with Horsham District Council. The proposal is described as: The change of use of an agricultural building with the erection of a single storey rear extension to 1no dwellinghouse

Planning Application Number:

DC/26/0357

The survey results and recommendation contained within this report are valid for 18 months. An updated site visit may be required if the report is to be used any longer than 18 months after completion.

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Guidelines

This assessment has been designed to meet:

- British Standard 42020 (2013) 'Biodiversity – Code of Practice for Planning and Development'.

Proportionality

The work involved in preparing and implementing all ecological surveys, impact assessments and measures for avoidance, mitigation, compensation and enhancement should be proportionate to the predicted degree of risk to biodiversity and to the nature and scale of the proposed development. Consequently, the decision-maker should only request supporting information and conservation measures that are relevant, necessary and material to the application in question. Similarly, the decision-maker and their consultees should ensure that any comments and advice made over an application are also proportionate.

This approach is enshrined in Government planning guidance, for example, paragraph 174 of the National Planning Policy Framework for England.

The desk studies and field surveys undertaken to provide a preliminary ecological appraisal (PEA) might in some cases be all that is necessary.

(BS 42020, 2013)

In consequence of the scale and intensity of the proposed development, this plan-led report is considered adequate and proportionate. It communicates all relevant information necessary to determine a planning application or support the recommendations for further surveys.

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1.0 Introduction and Context

1.1 Background

Arbtech Consulting Limited were commissioned by Jessica Mead to produce an Ecological Enhancement Management Plan (EEP) for the proposed development at The Old Piggery, Fryern Road, Storrington, West Sussex, RH20 4BJ (hereafter referred to as the site).

The site has previously been subject to the following ecological and arboricultural surveys and reports:

- Preliminary Ecological Appraisal and Roost Assessment (Arbtech Consulting Ltd, July 2025)

1.2 Project Description

The proposed development comprises the conversion, extension and alteration of an existing agricultural barn to form a single self-build dwelling with associated external works. The approved development plans are provided in **Appendix 1**.

1.3 Site Location

The survey site is centred on National Grid Reference TQ 08939 15606 and extends to approximately 0.059ha. The site comprises a disused agricultural barn, areas of hardstanding, sparsely vegetated land and a small section of native hedgerow. Agricultural fields occur to the north and west, an access track lies to the east and a residential property lies to the south.

The surrounding landscape is predominantly rural in character and comprises agricultural land, hedgerows, woodland and scattered residential development. Priority habitat ancient and deciduous woodland occurs immediately adjacent to the eastern boundary, approximately 8m from the development area. A site location plan is provided in **Appendix 2**.

1.4 Scope of This Report

Following the submission of planning application DC/26/0357 planning permission was conditionally granted. The decision notice details pre-commencement planning conditions that relate to ecology. Specifically, Planning Condition 4 which states:

'Pre-Commencement (Slab Level) Condition: A Biodiversity Enhancement Layout for biodiversity enhancements listed in the Preliminary Ecological Appraisal and Roost Assessment (Arbtech Consulting Ltd., April 2026) 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 LPA to discharge its duties under paragraph 187d of the NPPF 2024 and s40 of the NERC Act 2006 (as amended).'

2.0 Ecological Baseline Conditions Relevant to This Report

The baseline ecological conditions of relevance to this report were determined as a result of the previous ecological assessments undertaken at the site including the Preliminary Ecological Appraisal and Roost Assessment (Arbtech Consulting Ltd, 2025).

2.1 Value to Protected and/ or Notable Species and Anticipated Impacts

The site is characterised by a disused agricultural barn, areas of hardstanding, sparsely vegetated land, a small area of neutral grassland and a section of native hedgerow. The site is situated within a predominantly rural landscape comprising agricultural land, hedgerows, woodland and scattered residential development. Ancient and deciduous woodland is located immediately adjacent to the eastern boundary of the site.

Given the type and extent of habitats recorded and the assessed connectivity between the site and the wider landscape, the site was assessed to provide opportunities for the following protected and/ or notable species and habitats:

- Reptiles and common amphibians;
- Bats;
- Common species of nesting birds;
- Hedgehogs

The site is not considered suitable to support any other protected and/ notable species.

Reptiles and Common Amphibians

Areas of sparsely vegetated land, ruderal vegetation and boundary habitats provide limited opportunities for transient reptiles and common amphibians. Whilst the site is unlikely to support significant populations, individuals may occasionally utilise the site for sheltering, dispersal and foraging.

Bats

The site provides opportunities for commuting and foraging bats associated with the retained hedgerow, adjacent woodland and wider rural landscape. The barn was assessed during the Preliminary Roost Assessment; however, no evidence of roosting bats was identified and no further survey effort was recommended. Whilst significant impacts to bats are not anticipated, inappropriate external lighting could adversely affect bat commuting and foraging activity.

Common Species of Nesting birds

The hedgerow and ruderal vegetation present opportunities for nesting common bird species. Vegetation clearance undertaken during the bird nesting season could result in disturbance to active nests if appropriate precautions are not implemented.

Hedgehogs

The site offers limited opportunities for commuting and foraging hedgehogs, particularly along boundary habitats and vegetated areas. The presence of transient individuals within the site cannot be discounted.

2.2 Scope for Enhancement

The proposed development provides an opportunity to deliver biodiversity enhancements through the incorporation of native planting, enhancement of ecological connectivity, provision of bat roosting features, provision of nesting opportunities for birds and implementation of a sensitive lighting strategy.

The recommendations below are derived from the findings of the Preliminary Ecological Appraisal and Roost Assessment and are proportionate to the scale of the proposed development.

2.3 Persons Responsible and Lines of Communication

In order to ensure that the ecological enhancement measures set out within this Ecological Enhancement Plan are implemented effectively, appropriate lines of responsibility and communication will be established for the proposed development.

A Development Biodiversity Champion will be appointed for the construction phase, typically the site or project manager or another suitably experienced individual with authority on site. The Biodiversity Champion would be responsible for overseeing the implementation of the ecological enhancement measures set out within the approved Ecological Enhancement Plan, including ensuring that contractors are made aware of relevant ecological requirements prior to works commencing.

Where ecological queries arise, advice would be sought from a suitably qualified ecologist, and communication would be maintained as necessary to ensure that enhancement measures are delivered correctly and any potential ecological issues are addressed appropriately. Contact details for the project ecologist are provided on the title page of this report.

Site Owner / Responsible Person:

Jessica Mead - jessicameed@gmail.com

3.0 Habitat Creation and Biodiversity Enhancement Measures

Table 1 details the habitat creation and biodiversity enhancement measures for the site. These are also illustrated in **Appendix 1**.

Table 1: Habitat enhancements

Works	Specification
Native tree planting	Overview The approved landscape proposals include new native tree planting along the northern boundary of the site. This planting accords with the recommendations of the Preliminary Ecological Appraisal and Roost Assessment and will provide additional nesting, foraging and commuting opportunities for wildlife Planting will comprise a range of locally characteristic native species, including English oak (<i>Quercus robur</i>), crab apple (<i>Malus sylvestris</i>), hazel (<i>Corylus avellana</i>), holly (<i>Ilex aquifolium</i>), hawthorn (<i>Crataegus monogyna</i>) and beech (<i>Fagus sylvatica</i>). These species will contribute to the ecological value of the site and strengthen connectivity with the adjacent hedgerow, nearby woodland and wider landscape. Objectives • To plant a range of trees that will provide foraging, commuting, and refuge opportunities for protected and/ or notable species groups including bats, birds and hedgehogs. • Ensure that good horticultural practice is employed to encourage the long-term health and vitality of all trees. • Ensure well-balanced crowns and/ or natural shape by preventing over-competition. Creation Method • Ground preparation and planting Each tree will be planted within a hole three times as wide of the supplied pot and of a similar depth. Root balls will be soaked thoroughly in water before planting and root balls will be loosened to expose restricted roots before planting. The planted trees will then be backfilled ensuring there are no air pockets around roots or any roosts protruding out of the ground.

	• Timing It is best to prepare the land during the summer ready for planting between November and March. Planting trees before the new year helps ensure better rooting and subsequent establishment including faster growth during the first growing season.
Hedgerow enhancement planting	Overview: The approved landscape proposals include the creation and enhancement of native hedgerow planting along the northern, western and southern site boundaries. These features will strengthen habitat connectivity between the site, adjacent woodland and the wider countryside. Planting should comprise a diverse mix of locally characteristic native shrub species and will provide additional nesting, foraging and shelter opportunities for birds, bats and other wildlife, whilst reinforcing the existing green infrastructure present on site. Objectives: ▪ To enhance the existing native hedgerow and increase its value for birds, bats, hedgehogs and other wildlife. ▪ To strengthen habitat connectivity between the site, adjacent woodland and the wider landscape. ▪ To improve the structure, species diversity and long-term ecological value of existing boundary habitats. Enhancement Method: ▪ Existing native hedgerow habitats within the site will be retained and enhanced through supplementary planting where gaps or areas of lower structural diversity are present. ▪ Enhancement planting will comprise a diverse mix of locally characteristic native shrub species selected from: ▪ hawthorn (<i>Crataegus monogyna</i>), ▪ blackthorn (<i>Prunus spinosa</i>), ▪ hazel (<i>Corylus avellana</i>), ▪ holly (<i>Ilex aquifolium</i>), ▪ field maple (<i>Acer campestre</i>), ▪ dog rose (<i>Rosa canina</i>), and

	▪ guelder rose (<i>Viburnum opulus</i>). ▪ Where practicable, enhancement planting will be undertaken adjacent to existing hedgerow sections to increase habitat complexity, improve connectivity and provide additional nesting, sheltering and foraging opportunities for wildlife. <i>Establishment and Aftercare:</i> Any enhancement planting will be undertaken during the first available planting season following construction. Newly planted sections will be mulched as required to aid establishment, and any failures identified within the first five years will be replaced during the next appropriate planting season to ensure successful establishment and long-term success of the enhancement measures.
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4.0 Wildlife Enhancement Plan

Table 2: Species-specific enhancements

Ecological Enhancement	Specification
Provision of bat boxes	2no. bat boxes will be integrated into the façade of the new dwelling during construction. The proposed locations are shown on the plans provided in Appendix 3. Details of the bat box recommended for the sites are as follows: • The recommended integrated bat boxes will be constructed of woodcrete/ woodstone. Boxes of this construction are known to require minimal maintenance and have a lifespan of 25 years plus. • 2 No. Integrated Vivara Pro Woodstone Build In Bat Tube (or similar) (see Figure 1) will be installed into the façade of new building. • This bat box type is suitable for integration into a range of building types including brick walls, timber cladding, and stone and are suitable to support a range of species including common pipistrelles <i>Pipistrellus pipistrellus</i> and soprano pipistrelles <i>Pipistrellus pygmaeus</i> which are likely to be present in the local area. • The bat boxes will be positioned high up at eaves level on the western elevation (as shown in Appendix 4) with a clear flight path to and from the entrance, away from artificial light and facing vegetated habitats and not above any windows.



Figure 1. Integrated Vivara Pro Woodstone Build In Bat Tube suitable for a range of crevice dwelling bat species. Source: <https://www.nhbs.com/ib-vl-05-vivara-pro-build-in-woodstone-batbox>.

Recommended management:

The proposed bat box is designed to require no management or maintenance. Furthermore, preventing physical disturbance to the bat boxes will increase the chances of occupation by roosting bats. The bat box must be replaced if it is damaged, removed, or have fallen from its recommended location.

Provision of bird boxes

2no. boxes will be installed within the external walls of the new dwelling. The approximate bird box installation locations are shown on the plan in **Appendix 3**. Details of the bird boxes to be installed are as follows:

Integrated bird boxes to be integrated into the façade of new dwelling

- The recommended bird boxes will be constructed of woodcrete/ woodstone. Boxes of this construction are known to have minimal maintenance and have a lifespan of 25 years plus.

	• 2No. Vivara Pro WoodStone House Sparrow Nest Boxes (or similar) (see Figure 2) will be installed into the façade of new building. This bird box type is designed to provide enhanced nesting opportunities for house sparrow <i>Passer domesticus</i>. House sparrows are priority species listed on Section 41 of the NERC Act. However alternative species like tits will also utilise these boxes if sparrows are not present. • The bird box will be installed at least 3m above ground level under the eaves on the eastern elevation (as shown in Appendix 4) where they will be sheltered from prevailing wind, rain and strong sunlight. A rectangular concrete bird nest box with a light grey, textured finish. The front face features two identical arched openings, each with a dark, oval-shaped entrance hole. The box is shown from a three-quarter perspective against a plain white background. Figure 2. Vivara Pro WoodStone House Sparrow Nest Box Nest Box (image credit arkwildlife.co.uk). Recommended Management: The proposed bird boxes are designed to require no management or maintenance. Furthermore, preventing physical disturbance of bird boxes will increase the chances of occupation by nesting birds.
Provision of Hedgehog House	The Preliminary Ecological Appraisal and Roost Assessment (Arbtech Consulting Ltd, 2025) identified the site as providing opportunities for commuting and foraging hedgehogs and recommended the incorporation of biodiversity enhancements to increase habitat suitability for the species.

	Therefore, a single hedgehog house will be installed within the site prior to the completion of the proposed development. The proposed location for the hedgehog house is shown on the plan in Appendix 3. The approved landscape proposals include post and rail fencing along the eastern site boundary. Unlike close-board fencing, post and rail fencing remains permeable to hedgehogs and other small mammals and will therefore allow continued movement between habitats within the site and the surrounding landscape.  <i>Figure 3. The hedgehog house proposed for the site (image credit https://www.nhbs.com/hedgehog-house).</i> Management: The proposed hedgehog house is designed to require no management or maintenance. Furthermore, preventing physical disturbance of the hedgehog house will increase the chances of occupation by hedgehogs. However, it is recommended that the hedgehog house is inspected and cleaned annually for the first five years following installation. Should the hedgehog house be significantly damaged, it will be replaced with a like-for-like model or similar suitable alternative brand. If the hedgehog house is occupied at the time of maintenance and cleaning, it
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	is advised to leave them in situ and re-check for signs of occupation every 2-4 weeks until the house appears unoccupied and appropriate cleaning and repairs can take place without disturbing any nesting animals.
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5.0 Lighting Strategy

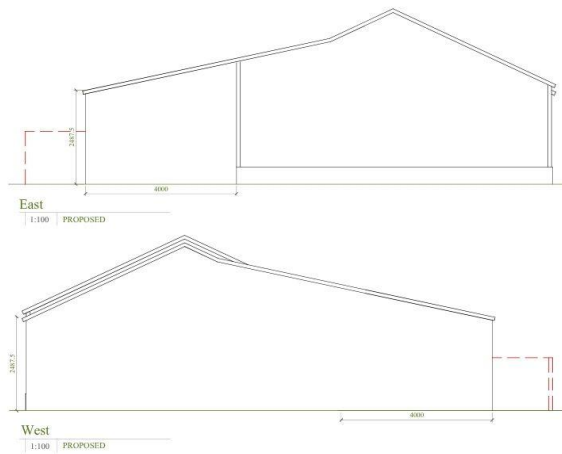
Table: Sensitive lighting measures

Lighting Strategy
The Preliminary Ecological Appraisal and Roost Assessment (Arbtech Consulting Ltd, 2025) identified the site as providing opportunities for commuting and foraging bats associated with the adjacent native hedgerow, nearby ancient and deciduous woodland, and the wider rural landscape. Whilst no evidence of roosting bats was identified during the survey, inappropriate external lighting has the potential to affect bat activity and other nocturnal wildlife. A low-impact lighting strategy will therefore be adopted throughout the lifetime of the development. External lighting will be kept to the minimum necessary for access and safety purposes only and will be designed to minimise light spill beyond the developed footprint. Specifically: ▪ External lighting will be positioned to avoid illumination of the adjacent woodland, native hedgerow and retained boundary habitats. ▪ Lighting will not illuminate ecological enhancement features, including bat boxes, bird boxes or areas of native planting. ▪ Warm-white lighting will be used, with a correlated colour temperature not exceeding 2700K. ▪ Luminaires will be directional and downward-facing, with shielding incorporated where necessary to prevent light spill. ▪ No upward light spill will be permitted. ▪ Motion sensors and timers will be used where practicable to minimise unnecessary night-time illumination. ▪ The eastern boundary of the site, adjacent to the ancient and deciduous woodland, will be maintained as a dark corridor for commuting and foraging wildlife. These measures will ensure that the proposed development does not result in significant adverse effects on bats or other nocturnal wildlife and will maintain ecological connectivity between the site and the surrounding landscape.

6.0 Bibliography

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- Preliminary Ecological Appraisal and Roost Assessment. The Old Piggery, Fryern Road, Storrington, West Sussex, RH20 4BJ. Arbtech Consulting Limited (2025)

Appendix 1: Proposed Development and Landscape Plans



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Drawing No. 2406OL_R3_200
Scale @ A3: 1:100
Job No. 2406OL_R3
Drawn By MD
Checked By BK
Drawn On 17.03.2025
Issued On 17.03.2025
Status Proposed
Drawing Ground Floor Plan
Submission Planning
Revision 000


Indicative: 0.0°

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50
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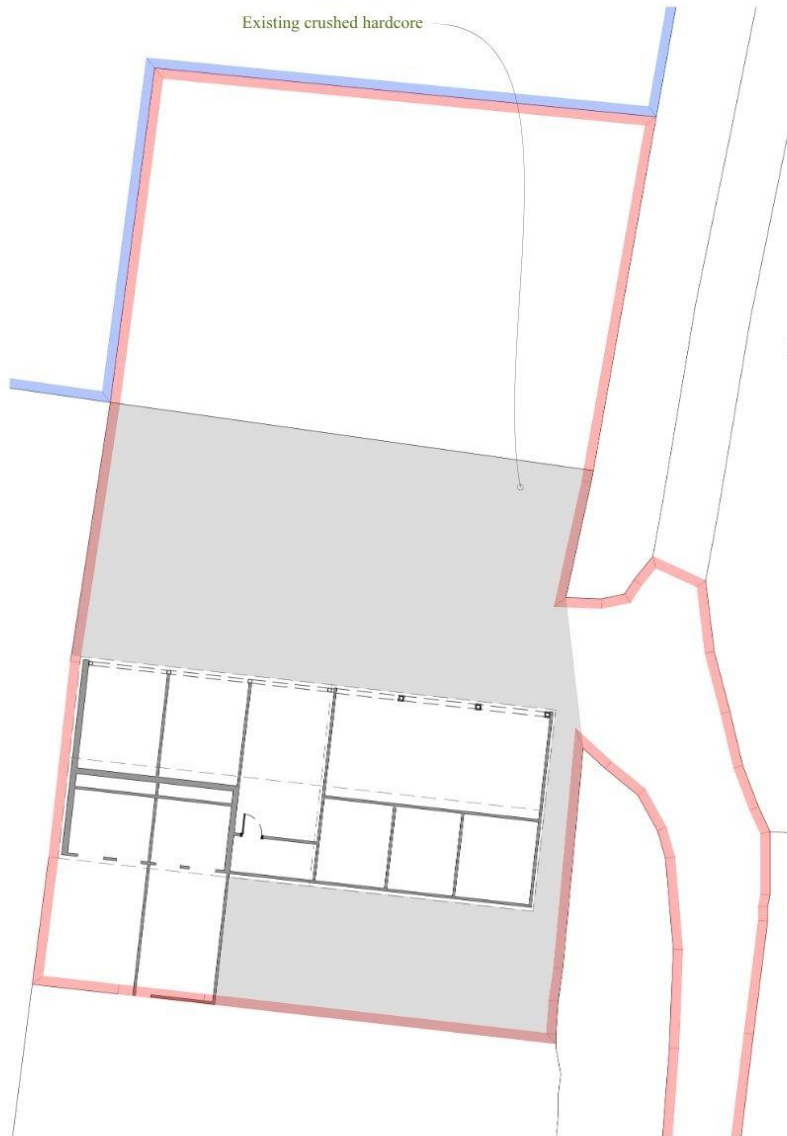
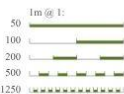
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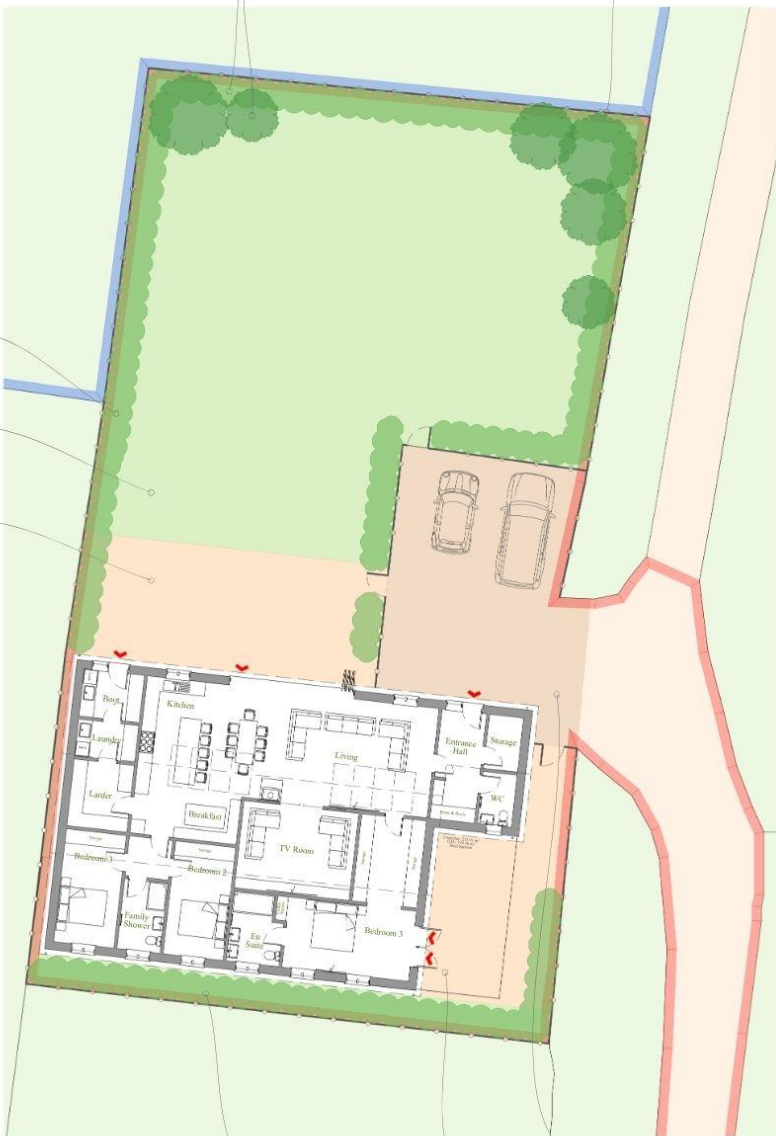
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Checked ByBK
Drawn On 23.02.2026
Issued On 23.02.2026
Status Existing + Existing
Drawing Block Plan
Submission Planning



Indicative: 0.0°



Block Plan
1:200 EXISTING



Block Plan
1:200 PROPOSED

Appendix 2: Site Location Plan



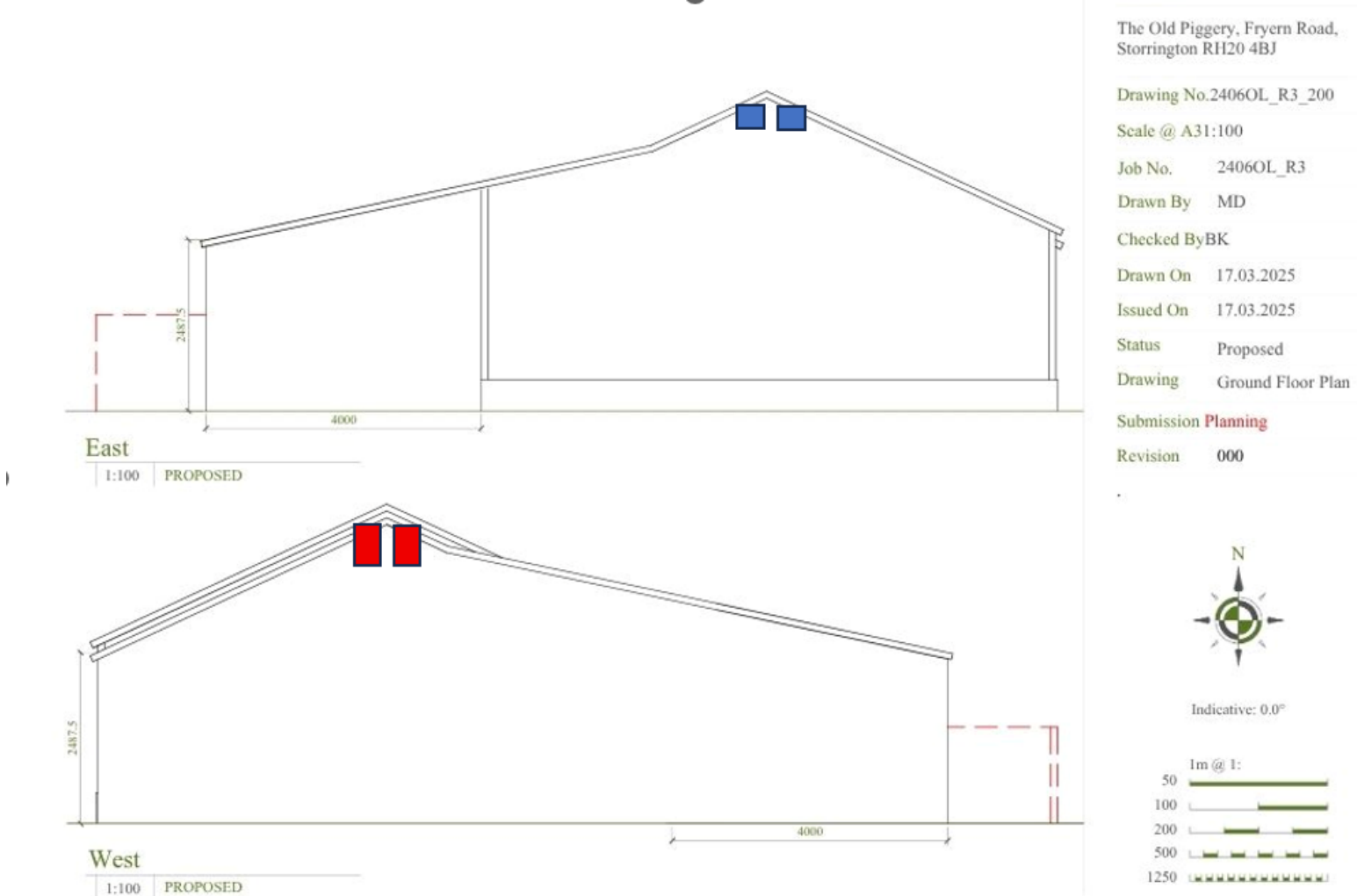
Appendix 3: Proposed Enhancement Plan

Enhancement locations shown within Appendix 3 have been informed by the approved development and landscape proposals and may be subject to minor refinement during detailed design and construction. All enhancement measures shall be installed in accordance with the specifications contained within this Ecological Enhancement Plan.



Appendix 4: Proposed Enhancement Features on Building Elevations

Proposed bird box locations are shown in blue, whilst proposed bat box locations are shown in red.



Appendix 5: Legislation and Planning Policy

LEGAL PROTECTION

National and European Legislation Afforded to Habitats

International Statutory Designations

Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) are sites of European importance and are designated under the EC Habitats Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora (the Habitats Directive) and the EC Birds Directive 2009/147/EC on the conservation of wild birds respectively. Both form part of the wider Natura 2000 network across Europe.

Under the Habitats Directive the, Article 3 requires the establishment of a network of important conservation sites (SACs) across Europe in order to conserve the 189 habitats and 788 species (non- bird) identified in Annexes I and II of the Directive (as amended).

SPAs are classified under Article 2 of the EC Birds Directive both for rare bird species (as listed on Annex I) and for important migratory species.

SACs and SPAs up to 12 nautical miles (nm) from the coast are afforded protection in the UK under the Conservation of Habitats and Species Regulations 2010 which consolidate all amendments made to the Conservation (Natural Habitats, &c.) Regulations 1994. In Scotland, the requirements of Habitats Directive are implemented through a combination of the 1994 and the 2010 (reserved matters) Regulations. The Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (as amended) provide a means for designating and protecting SACs in UK offshore waters (from 12-200 nm).

Ramsar sites are designated under the Convention on Wetlands of International Importance, agreed in Ramsar, Iran, in 1971. The Convention covers all aspects of wetland conservation and recognises the importance of wetland ecosystems in relation to global biodiversity conservation. The Convention refers to wetlands as “areas of marsh, fen, peatland or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed six metres” however they may also include riparian and coastal zones. Ramsar sites are statutorily protected under the Wildlife & Countryside Act 1981 (as amended) with further protection provided by the Countryside and Rights of Way (CROW) Act 2000. Policy statements have been issued by the Government in England and Wales highlighting the special status of Ramsar sites. The Government in England and Wales has issued policy statements which ensure that Ramsar sites are afforded the same protection as areas designated under the EC Birds and Habitats Directives as part of the Natura 2000 network (e.g. SACs & SPAs).

National Statutory Designations

Sites of Special Scientific Interest (SSSI) are designated by nature conservation agencies in order to conserve key flora, fauna, geological or physio-geographical features within the UK. The original designations were under the National Parks and Access to the Countryside Act 1949 but SSSIs were then re-designated under the Wildlife & Countryside Act 1981 (as amended). As well as reinforcing other national designations (including National Nature Reserves), the system also provides statutory protection for terrestrial and coastal sites which are important within the European Natura 2000 network and globally. Further provisions for the protection and management of SSSIs have been introduced by the Countryside and Rights of Way Act 2000 (in England and Wales) and the Nature Conservation (Scotland) Act 2004.

Local Statutory Designations

Local authorities in consultation with the relevant nature conservation agency can declare Local Nature Reserves (LNRs) under the National Parks and Access to the Countryside Act 1949. LNRs are designated for flora, fauna or geological interest and are managed locally to retain these features and provide research, education and recreational opportunities.

Non- Statutory Designations

All non-statutorily designated sites are referred to as Local Wildlife Sites (LWS) and can be designated by the local authority for supporting local conservation interest. Combined with statutory designation, these sites are considered within Local Development Frameworks under the Town and Country Planning system and are a material consideration during the determination of planning applications. The protection afforded to these sites varies depending on the local authority involved. Regionally Important Geological Sites (RIGs) are the most important geological and geomorphological areas outside of statutory designations. These sites are also a material consideration during the determination of planning applications.

The Hedgerow Regulations 1997

The Hedgerow Regulations 1997 are designed to protect 'important' countryside hedgerows. Importance is defined by whether the hedgerow (a) has existed for 30 years or more; or (b) satisfies at least one of the criteria listed in Part II of Schedule 1 of the Regulations.

Under the Regulations, it is against the law to remove or destroy hedgerows on or adjacent to common land, village greens, SSSIs (including all terrestrial SACs, NNRs and SPAs), LNRs, land used for agriculture or forestry and land used for the keeping or breeding of horses, ponies or donkeys without the permission of the local authority. Hedgerows 'within or marking the boundary of the curtilage of a dwelling-house' are excluded.

National and European Legislation Afforded to Species**The Habitats Directive**

The EC Habitats Directive aims to promote the maintenance of biodiversity by requiring Member States to take measures to maintain or restore wild species listed on the Annexes to the Directive at a favourable conservation status, introducing robust protection for those species of European importance. The Directive is transposed into UK law by The Conservation of Habitats and Species Regulations 2010 (the Conservation Regulations) and the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (as amended). The following notes are relevant for all species protected under the EC Habitats Directive:

In the Directive, the term 'deliberate' is interpreted as being somewhat wider than intentional and may be thought of as including an element of recklessness.

The Habitats Regulations do not define the act of 'migration' and, therefore, as a precaution, it is recommended that short distance movement of animals for e.g. foraging, breeding or dispersal purposes are also considered.

In order to obtain a European Protected Species Mitigation (EPSM) licence, the application must demonstrate that it meets all of the following three 'tests': the action(s) are necessary for the purpose of preserving public health or safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequence of primary importance for the environment;

- There is no satisfactory alternative; and
- The action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range.
-

The Wildlife and Countryside Act (WCA) 1981 (as amended)

The Wildlife and Countryside Act (WCA) 1981 (as amended) implements the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and implements the species protection requirements of EC Birds Directive 2009/147/EC on the conservation of wild birds in Great Britain (the birds Directive). The WCA 1981 has been subject to a number of amendments, the most important of which are through the Countryside and Rights of Way (CROW) Act (2000) and Nature Conservation (Scotland) Act 2004.

Other legislative Acts affording protection to wildlife and their habitats include:

- Deer Act 1991
- Natural Environment & Rural Communities (NERC) Act 2006
- Protection of Badgers Act 1992
- Wild Mammals (Protection) Act 1996

Birds

With certain exceptions, all birds, their nests and eggs are protected under Sections 1-8 of the WCA. Among other things, this makes it an offence to:

- Intentionally (or recklessly in Scotland) kill, injure or take any wild bird
- Intentionally (or recklessly in Scotland) take, damage or destroy (or, in Scotland, otherwise interfere with) the nest of any wild bird while it is in use or being built
- Intentionally take or destroy an egg of any wild bird
- Sell, offer or expose for sale, have in his possession or transport for the purpose of sale any wild bird (dead or alive) or bird egg or part thereof.
- Intentionally or recklessly obstruct or prevent any wild bird from using its nest (Scotland only)

Certain species of bird, for example the barn owl, bittern and kingfisher receive additional protection under Schedule 1 of the WCA and Annex 1 of the European Community Directive on the Conservation of Wild Birds (2009/147/EC) and are commonly referred to as “Schedule 1” birds.

This affords them protection against:

- Intentional or reckless disturbance while it is building a nest or is in, on or near a nest containing eggs or young
- Intentional or reckless disturbance of dependent young of such a bird
- In Scotland only, intentional or reckless disturbance whilst lekking
- In Scotland only, intentional or reckless harassment

Effects on development works:

Works should be planned to avoid the possibility of killing or injuring any wild bird, or damaging or destroying their nests. The most effective way to reduce the likelihood of nest destruction in particular is to undertake work outside the main bird nesting season which typically runs from March to August. Where this is not feasible, it will be necessary to have any areas of suitable habitat thoroughly checked for nests prior to vegetation clearance.

Schedule 1 birds are additionally protected against disturbance during the nesting season. Thus, it will be necessary to ensure that no potentially disturbing works are undertaken in the vicinity of the nest. The most effective way to avoid disturbance is to postpone works until the young have fledged. If this is not feasible, it may be possible to maintain an appropriate buffer zone or standoff around the nest.

Herpetofauna (Amphibians and reptiles)

The sand lizard *Lacerta agilis*, smooth snake *Coronella austriaca*, natterjack toad *Epidalea calamita*, pool frog *Pelophylax lessonae* and great crested newt *Triturus cristatus* receive full protection under Habitats Regulations through their inclusion on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species
- Deliberate disturbance of species in such a way as:
- To impair their ability to survive, breed, or reproduce, or to rear or nurture young;
- To impair their ability to hibernate or migrate
- To affect significantly the local distribution or abundance of the species
- Damage or destruction of a breeding site or resting place

With the exception of the pool frog, these species are also listed on Schedule 5 of the WCA and they are additionally protected from:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection
- Selling, offering or exposing for sale, possession or transporting for purpose of sale.

Other native species of herpetofauna are protected solely under Schedule 5, Section 9(1) & (5) of the WCA, i.e. the adder *Vipera berus*, grass snake *Natrix natrix*, common lizard *Zootoca vivipara* and slow-worm *Anguis fragilis*. It is prohibited to:

- Intentionally or recklessly kill or injure these species.

Effects on development works:

A European Protected Species Mitigation (EPSM) Licence issued by the relevant countryside agency (e.g. Natural England) will be required for works liable to affect the breeding sites or resting places amphibian and reptile species protected under Habitats Regulations. A licence will also be required for operations liable to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, rear young and hibernate). The licences are to allow derogation from the relevant legislation, but also to enable appropriate mitigation measures to be put in place and their efficacy to be monitored.

Although not licensable, appropriate mitigation measures may also be required to prevent the intentional killing or injury of adder, grass snake, common lizard and slow worm, thus avoiding contravention of the WCA.

Bats

All species are fully protected by Habitats Regulations 2010 as they are listed on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species (e.g. All bats)
- Deliberate disturbance of bat species in such a way as:
 - To impair their ability to survive, breed, or reproduce, or to rear or nurture young;
 - To impair their ability to hibernate or migrate
 - To affect significantly the local distribution or abundance of the species
- Damage or destruction of a breeding site or resting place

Bats are afforded the following additional protection through the WCA as they are included on Schedule 5:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection

Effects on development works:

Works which are liable to affect a bat roost or an operation which are likely to result in an illegal level of disturbance to the species will require an EPSM licence. The licence is to allow derogation from the legislation through the application of appropriate mitigation measures and monitoring.

Wild Mammals (Protection Act) 1996

All wild mammals are protected against intentional acts of cruelty under the above legislation. This makes it an offence to mutilate, kick, beat, nail or otherwise impale, stab, burn, stone, crush, drown, drag or asphyxiate any wild mammal with intent to inflict unnecessary suffering.

To avoid possible contravention, due care and attention should be taken when carrying out works (for example operations near burrows or nests) with the potential to affect any wild mammal in this way, regardless of whether they are legally protected through other conservation legislation or not.

Legislation afforded to Plants

With certain exceptions, all wild plants are protected under the WCA. This makes it an offence for an 'unauthorised' person to intentionally (or recklessly in Scotland) uproot wild plants. An authorised person can be the owner of the land on which the action is taken, or anybody authorised by them.

Certain rare species of plant, for example some species of orchid, are also fully protected under Schedule 8 of the Wildlife and Countryside Act 1981 (as amended). This prohibits any person from:

- Intentionally (or recklessly in Scotland) picking, uprooting or destruction of any wild Schedule 8 species (or seed or spore attached to any such wild plant in Scotland only)
- Selling, offering or exposing for sale, or possessing or transporting for the purpose of sale, any wild live or dead Schedule 8 plant species or part thereof
- In addition to the UK legislation outlined above, several plant species are fully protected under Schedule 5 of The Conservation of Habitats and Species Regulations 2010. These are species of European importance. Regulation 45 makes it an offence to:
 - Deliberately pick, collect, cut, uproot or destroy a wild Schedule 5 species
 - Be in possession of, or control, transport, sell or exchange, or offer for sale or exchange any wild live or dead Schedule 5 species or anything derived from such a plant.

Effects on development works:

An EPSM licence will be required from the relevant countryside agency for works which are liable to affect species of plants listed on Schedule 5 of the Conservation of Habitats and Species Regulations 2010. The licence is to allow derogation from the legislation through the application of appropriate mitigation measures and monitoring.

Invasive Species

Part II of Schedule 9 of the WCA lists non-native invasive plant species for which it is a criminal offence in England and Wales to plant or cause to grow in the wild due to their impact on native wildlife. Species included (but not limited to):

- Japanese knotweed *Fallopia japonica*
- Giant hogweed *Heracleum mantegazzianum*
- Himalayan balsam *Impatiens glandulifera*

Effects on development works:

It is not an offence for plants listed in Part II of Schedule 9 of the WCA 1981 to be present on the development site however it is an offence to cause them to spread. Therefore, if any of the species are present on site and construction activities may result in further spread (e.g. earthworks, vehicle movements) then it will be necessary to design and implement appropriate mitigation prior to construction commencing.

Injurious weeds

Under the Weeds Act 1959 any land owner or occupier may be required prevent the spread of certain ‘injurious weeds’ including (but not limited to):

- Spear thistle *Cirsium vulgare*
- Creeping thistle *Cirsium arvense*
- Curled dock *Rumex crispus*
- Broad-leaved dock *Rumex obtusifolius*
- Common ragwort *Senecio jacobaea*

It is a criminal offence to fail to comply with a notice requiring such action to be taken. The Ragwort Control Act 2003 establishes a ragwort control code of practice as common ragwort is poisonous to horses and other livestock. This code provides best practice guidelines and is not legally binding.

NATIONAL PLANNING POLICY (ENGLAND)**National Planning Policy Framework**

The National Planning Policy Framework promotes sustainable development. The Framework specifies the need for protection of designated sites and priority habitats and species. An emphasis is also made on the need for ecological infrastructure through protection, restoration and re-creation. The protection and recovery of priority species (considered likely to be those listed as UK Biodiversity Action Plan priority species) is also listed as a requirement of planning policy.

In determining a planning application, planning authorities should aim to conserve and enhance biodiversity by ensuring that: designated sites are protected from harm; there is appropriate mitigation or compensation where significant harm cannot be avoided; opportunities to incorporate biodiversity in and around developments are encouraged; and planning permission is refused for development resulting in the loss or deterioration of irreplaceable habitats including aged or veteran trees and also ancient woodland.

The Natural Environment and Rural Communities Act 2006 and the Biodiversity Duty

Section 40 of the Natural Environment and Rural Communities (NERC) Act, 2006, requires all public bodies to have regard to biodiversity conservation when carrying out their functions. This is commonly referred to as the ‘biodiversity duty’.

Section 41 of the Act (Section 42 in Wales) requires the Secretary of State to publish a list of habitats and species which are of ‘principal importance for the conservation of biodiversity.’ This list is intended to assist decision makers such as public bodies in implementing their duty under Section 40 of the Act. Under the Act these habitats and species are regarded as a material consideration in determining planning applications. A developer must show that their protection has been adequately addressed within a development proposal.

Local Planning Policy

Horsham District Planning Framework

The Horsham District Planning Framework (HDPF) provides the strategic planning policies for Horsham District and includes policies relating to biodiversity, ecological networks and green infrastructure that are relevant to this Biodiversity Enhancement Layout.

Policy 31: Green Infrastructure and Biodiversity seeks to maintain and enhance biodiversity throughout the district and requires development proposals to contribute towards the conservation, restoration and enhancement of habitats and ecological networks. The policy supports the incorporation of biodiversity enhancements within development proposals and seeks opportunities to achieve measurable benefits for wildlife.

The biodiversity enhancement measures detailed within this Biodiversity Enhancement Layout, including native tree planting, native hedgerow enhancement planting, provision of bat and bird boxes, and the retention of a dark corridor adjacent to woodland habitat, have been designed to accord with the objectives of Policy 31 by enhancing habitat connectivity and providing additional opportunities for wildlife within the site.

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Draft	0.1	Summer Dawson BSc (Hons), Graduate Ecologist	05/06/2026
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