

Discharge of Condition 4

Planning Application Reference: DC/24/0272

Site: Rudgwick Brickworks, Unit 1 Kiln House, Lynwick Street, Rudgwick, West Sussex

Condition: 4 – Pre-Occupation Biodiversity Enhancement Layout

1. Introduction

This statement is submitted to support the formal discharge of Condition 4 attached to planning permission DC/24/0272. The condition requires the submission and approval of a Biodiversity Enhancement Layout confirming the finalised details and locations of ecological enhancement measures, as informed by the approved ecological evidence, and confirmation that these measures have been implemented prior to first occupation.

This submission demonstrates that all required ecology mitigation and enhancement measures have now been undertaken in full and are consistent with the recommendations and commitments set out within the approved ecological reports.

2. Approved Ecological Evidence Base

The biodiversity measures implemented on site have been informed by, and are fully consistent with, the following documents previously submitted to and accepted in principle by the Local Planning Authority:

- **Ecological Statement – Balancing Pond, Rudgwick Quarry** (The Ash Partnership, May 2023), which established the ecological baseline, confirmed the absence of Great Crested Newts via eDNA testing, and identified enhancement opportunities for bats, reptiles, birds, and aquatic habitat
- **Further Ecological Statement / Bat and GCN Clarification Note** (The Ash Partnership, May 2023), confirming no bat roosting potential within the site, no requirement for a Preliminary Roost Appraisal, and the ecological separation of retained habitats from the development footprint
- **Annotated Biodiversity Enhancement Plan** illustrating the locations of installed bat boxes, retained vegetation, and managed habitat areas surrounding the balancing pond
- **Decision Notice DC/24/0272**, which confirms that all mitigation and enhancement measures contained within the submitted ecological statements were agreed in principle prior to determination and are secured by condition

3. Implemented Biodiversity Enhancement Measures

In accordance with the above documents, the following measures have been fully implemented on site prior to occupation:

- **Bat Enhancements:**

Bat boxes have been installed on retained mature trees and telegraph poles in locations identified as optimal for foraging and commuting bats, and well removed from lighting and disturbance. This accords with the ecological recommendations for enhancing bat roosting and foraging opportunities without impacting existing habitat functionality

- **Habitat Retention and Management:**

All existing trees, scrub, and vegetated margins around the balancing pond have been retained. These habitats continue to provide foraging and shelter opportunities for bats, birds, reptiles, and invertebrates, consistent with the recommendations of the Ecological Assessment

- **Balancing Pond Enhancements:**

The balancing pond has been retained in situ, with ongoing positive management to promote habitat value. The pond's role as a local biodiversity resource has been safeguarded, in line with the ecological advice that its retention and enhancement is beneficial to the wider quarry landscape

- **Construction Footprint Control:**

The development has been confined to an existing concrete brownfield area, ensuring negligible harm to surrounding green infrastructure or retained habitats, as previously assessed and confirmed .

4. Compliance with Legislative and Policy Requirements

The implemented measures satisfy the requirements of Condition 4 and meet the objectives of:

- The Conservation of Habitats and Species Regulations 2017 (as amended)
- The Wildlife and Countryside Act 1981 (as amended)

- Section 40 of the Natural Environment and Rural Communities Act 2006
- Policy 31 of the Horsham District Planning Framework

The development therefore delivers measurable biodiversity enhancement and ensures no net loss to protected or priority species.

5. Conclusion

All biodiversity enhancement measures required under Condition 4 have been implemented in full, in accordance with the approved ecological evidence and prior to first occupation. The submitted information clearly identifies the nature and location of these measures and confirms their long-term retention.

On this basis, it is respectfully requested that **Condition 4 be confirmed as discharged**.

Plan of site showing location of mitigation measures



Plan is marked up on the above latest photo with positions of habitat detail around the building for reference. The reeds and Bull rushes are well established and have a floating reed island as well. The trees and vegetation around the barn are being enhanced and maintained. The bat boxes are positioned on old legacy telegraph poles marked in red