



Biodiversity Enhancement Strategy

Springlands, Frylands Lane, Wineham,
Henfield, West Sussex, BN5 9BP

August 2026



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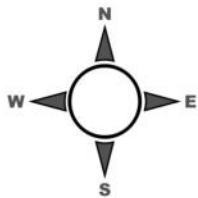
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Contents

1.	Introduction	6
1.1	Development Location	6
1.2	Development Proposals	6
1.3	Ecology Background	6
1.4	Brief and Objectives	6
2.	Ecological Enhancement Plan	8
2.1	Background	8
3.	Appendix I – Legislation & Planning Policy	12
Figure 1 – Proposed Ecological Enhancements		5

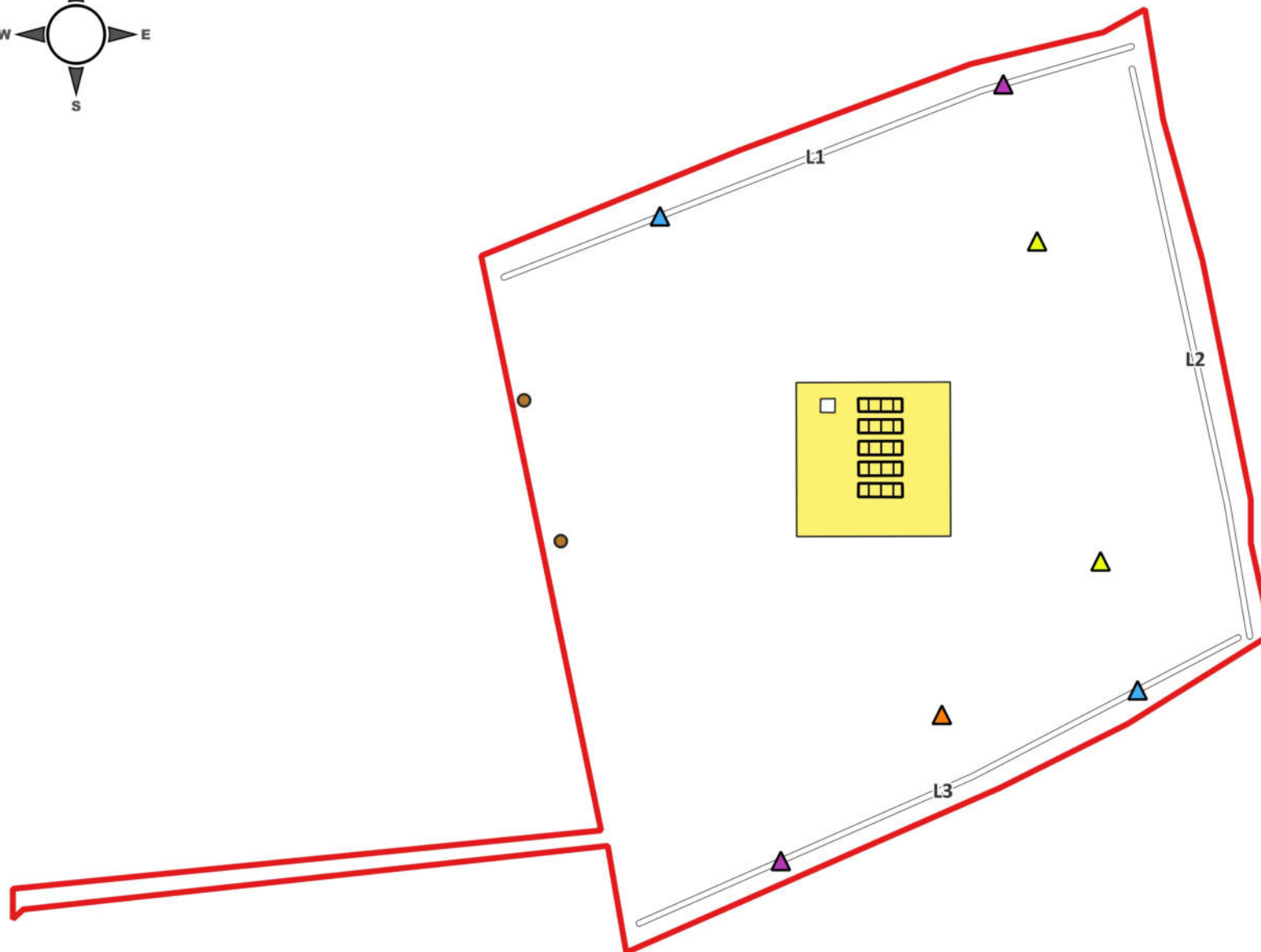


Legend

-  Development boundary
-  Solar panels
-  Retained Individual rural trees
-  Retained line of trees

Proposed Ecological Enhancements

-  Bat box
-  Bird box
-  Hibernaculum
-  Solitary bee box



0 10 20 m

Figure Title:

Proposed Ecological Enhancements

Client/ Project Reference:

Andrew Simon Arnold
D-ARN-001

Figure number:

1

Revision:

1

Scale at A4:

1:800

Cartographer:

AM

Date drawn:

21/08/2026

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HB



1. Introduction

1.1 Development Location

- 1.1.1 Andrew Simon Arnold is proposing a development (grid reference: TQ 23057 20012) on land at Springlands, Frylands Lane, Wineham, Henfield, West Sussex, BN5 9BP. The Springlands property is hereafter referred to as ‘the site’ and Andrew Simon Arnold as the ‘applicant’.

1.2 Development Proposals

- 1.2.1 The applicant seeks planning consent (as per plan document: Architectural Services Ltd, drawing number: 11/047-024, dated 04/02/26) for the following proposal:

- The installation of 25 solar panels to provide additional electricity to the main property building.

- 1.2.2 The proposal above is hereafter referred to collectively as ‘the development’ in this report. It is our understanding that the applicant submitted a planning application (Ref: DC/26/0294), for the above development to Horsham District Council (HDC) in May 2026.

1.3 Ecology Background

- 1.3.1 No previous PEA or other ecology reports for the development boundary were provided to Arun Ecology Ltd by the applicant prior to the writing of this report. A UKHab survey visit of the development area was conducted on the 14/04/2026 and a subsequent full BNG assessment was completed and issued by Arun Ecology for this scheme in May 2026 (Arun Ecology Ltd, 2026). It is our understanding that following HDC’s assessment of the above planning application, a Biodiversity Enhancement Strategy was requested.

1.4 Brief and Objectives

- 1.4.1 Arun Ecology Ltd was commissioned by the applicant to produce a Biodiversity Enhancement Strategy (BES), in order to discharge the pre-commencement **condition n. 2**, of the planning application, which outlines the following:

2. PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY

“Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected and Priority or threatened species, prepared by a suitably qualified ecologist, shall be submitted to and approved in writing by the local planning authority.

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



- a. *Purpose and conservation objectives for the proposed enhancement measures;*
- b. *detailed designs or product descriptions to achieve stated objectives;*
- c. *locations of proposed enhancement measures by appropriate maps and plans
(where relevant);*
- d. *persons responsible for implementing the enhancement measures; and*
- e. *details of initial aftercare and long-term maintenance (where relevant).*

The works shall be implemented in accordance with the approved details 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 NPPF 2024 and s40 of the NERC Act 2006 (as amended).*



2. Ecological Enhancement Plan

2.1 Background

- 2.1.1 This section outlines the ecological enhancement measures proposed as part of the development. Given the small scale and nature of the development, which comprises the installation of 25 solar panels to provide additional electricity to the main property building, no separate landscape plan has been prepared.

Light Pollution

- 2.1.2 To ensure the development avoids adverse impacts on bat foraging and commuting habitats that are located within the development boundary, any external lighting as part of the proposed development will be installed in line with current guidance issued by the Bat Conservation Trust and Institute of Lighting Professionals: Guidance Note 08/23: Bats and Artificial lighting in the UK (BCT & ILP 2023).
- 2.1.3 The lighting strategy for the site as a minimum should aim to:
- Avoid illumination of the line of trees along the northern, eastern and southern development boundaries and of the two individual rural trees along the northwestern development boundary; and
 - Minimise the overall levels of light pollution within the site as a result of the development by:
 - Selecting appropriate lighting sources such as LED lighting that lack UV components, have peak wavelengths higher than 550 nm and that have a warm white light (2,700 kelvin or lower);
 - Appropriate fitting of lighting to include horizontal mounting with no light output above 90° and/or no upward tilt, or as a last resort the use of baffles, hoods or louvres to reduce light spill and direct lighting to only where it is needed;
 - Using light only when necessary, within the site, by using timers and motion sensors; and
 - Providing natural screens in landscaping plans to break up artificial light where light spill cannot be avoided.



Proposed Enhancement Measures

- 2.1.4 Ecological enhancement measures will be implemented within the site to provide additional opportunities for wildlife and deliver biodiversity benefits in accordance with relevant national and local planning policy.
- 2.1.5 The following recommended ecological enhancements will be implemented:
- Two bird boxes to be mounted on two mature trees within the wider site;
 - Two bat boxes to be installed on two mature trees within the wider site;
 - Two solitary bee boxes to be installed within a sunny location within the wider site.
 - Creation of a deadwood hibernaculum along the southern development boundary for the benefit of amphibians, reptiles and invertebrates;
- 2.1.6 Detailed descriptions of each enhancement measure, including the responsible persons for implementation and the intended benefits for biodiversity are provided in Table 1 below. The locations for the enhancement measures within development boundary are illustrated in Figure 1.
- 2.1.7 All ecological enhancement measures will be installed and managed in accordance with the specifications set out within this BES. Where monitoring identifies that an enhancement feature has been lost, damaged, failed to establish or is otherwise no longer functioning as intended, appropriate remedial measures will be undertaken, including repair, replacement or supplementary planting as applicable.



Table 1 – Proposed ecological enhancement features within the site ownership boundary.

Proposed Habitat Type	Location	Height	Aspect	Brand	Model	Persons responsible for implementing and maintenance required	Targeted Benefits for Biodiversity and Notes
2 x Bat boxes	South-east to south-west aspect of two mature trees within the development boundary	At least 4 meters	East	Schwegler	1WI Schwegler Summer and Winter Bat Boxes <i>(or similar alternative)</i>	- Responsibility - Appointed contractor - The bat box specification proposed is self-cleaning, and as such, future cleaning will not be required. - The box should be checked from ground level at least annually to ensure it is still sufficiently mounted and is not damaged or blocked. - Internal inspections should only be undertaken by a suitably qualified ecologist.	- Increased roosting provisions for bats within the development boundary. - Suitable alternative models include: Schwegler 1WQ Schwegler bat box.
2 x Small hole bird boxes	Mature trees within the development boundary	3 meters above ground	North or east	Schwegler	1B Schwegler Nest Box (or similar alternative)	- Responsibility - Appointed contractor - Clean out the boxes once a year outside of the breeding bird season, ideally between October and January. - The boxes should be checked at least annually to ensure it is sufficiently mounted and is not damaged.	Increased nesting provisions for small hole nesting birds within the site.
2 x Solitary bee boxes	Mounted on a post or other suitable structure in a sunny, sheltered location adjacent to suitable flowering habitat within the development boundary	1 m	Southeast - southwest	Vivara Pro	WoodStone Insect Block (or similar alternative)	- Responsibility - Appointed contractor - The solitary bee boxes should be checked externally at least annually to ensure they remain securely mounted and are not damaged or excessively shaded. Vegetation should be prevented from obstructing the nesting holes. If a box remains unused or becomes unsuitable due to shading or deterioration, its location or replacement should be reviewed by a suitably experienced ecologist.	Increased nesting opportunities for solitary bees and other cavity-nesting insects within the site.



1 x Hibernaculum	Within the other neutral grassland, in a sunny location	Ground level	N/A	N/A	N/A	- Responsibility - Appointed contractor - The hibernaculum will be constructed using logs, branches, woody debris and, where appropriate, clean stone or rubble, loosely arranged to create gaps and cavities suitable for reptiles, amphibians and invertebrates. Some material should be partially buried to provide sheltered, frost-free overwintering refuges, with soil and/or vegetation used to provide additional insulation while retaining suitable access points. - Logs of varying sizes and stages of decay should be incorporated, including tree roots and loose bark where available, to provide a range of microhabitats and support invertebrates and fungi. The feature should be retained in situ, allowed to develop naturally with minimal intervention, and only disturbed where necessary for safety reasons. - The hibernaculum should be checked periodically to ensure it remains suitable for amphibians, reptiles and invertebrates. Add or replace woody material and turf where required, and loosen compacted soil where necessary to maintain suitable habitat conditions.	Increases resting places opportunities for reptiles and amphibians
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3. Appendix I – Legislation & Planning Policy

3.1 Background

3.1.1 This section provides a summary of the legislation and planning policy that could be relevant to the development. Where possible we have limited this section to the areas relevant to this report. This means the legislation and planning policy outlined below is not included in its entirety.

3.1.2 This section does not constitute legal advice, and only represents the interpretation and professional judgement of the ecologists named in this report, on the legislation and planning policy considered relevant to the development.

3.2 Conservation of Habitat and Species Regulations, 2017

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

Protected Species

3.2.2 The regulations include provisions that prohibit certain actions from the protection of species listed under Annex II of the Habitat Directive. It is a criminal offence for a person to 'intentionally or recklessly' take the following action:

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



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

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

3.3 The Wildlife and Countryside Act, 1981 (as amended)

3.3.1 The Wildlife and Countryside Act, 1981 (as amended) primarily transposes the UK Governments obligations under the Bird Directive and Bern Convention into law. The act outlines provisions for the protection of nationally important sites for nature conservation and provides protection at different levels for certain animals and plants, including certain prohibitions.

Protection of Animals

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

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



3.4 Countryside Right of Ways Act, 2000 (CRoW, 2000)

- 3.4.1 The Countryside Right of Ways Act, 2000 (CRoW Act, 2000) makes provisions for public access, amends the law for public rights of ways and amends existing law on nature conservation and the protection of wildlife as well as makes further provisions for Areas of Outstanding Natural Beauty.

Wildlife Legislation

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

3.5 Natural Environment & Rural Communities Act, 2006

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

Section 40

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

Section 41

- 3.5.4 Section 41 of the NERC Act, 2006 requires the secretary of state in consultation with Natural England to outline Species of Principle Importance (SPI) and Habitats of



Principle Importance (HPI) that in their opinion are important for the conservation of biodiversity.

3.5.5 The secretary of state is required to:

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

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

3.6 National Planning Policy Framework (2026)

3.6.1 The National Planning Policy Framework (NPPF, Ministry of Housing Communities and Local Government, 2026) sets out the Governments planning policies for England and how these should be applied. The NPPF contains policies for plan-making and national decision-making policies which are material considerations in the determination of planning applications.

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

Conserving and Enhancing the Natural Environment

3.6.3 Chapter 19 of the NPPF concerns conserving and enhancing the natural environment. Its objective is to influence the design and location of development to support nature's recovery and wider environmental outcomes, safeguard important habitats, species and landscapes, and recognise the role of natural capital in delivering sustainable growth.

Identifying Environmental Opportunities and Safeguards

3.6.4 **Policy N1:** Identifying environmental opportunities and safeguards is a plan-making policy which states that development plans should safeguard and enhance the natural environment and reflect the wider benefits provided by natural capital and ecosystem services. In doing so, plans should make use of Local Nature Recovery Strategies, Protected Landscape Management Plans, River Basin Management Plans, National Forest Strategies, Community Forest Plans and other relevant evidence.

3.6.5 Policy N1 requires development plans to identify the hierarchy of international, national and locally designated sites and areas of landscape, biodiversity and



geodiversity importance, together with other environmentally important features such as chalk streams. Plans should also identify opportunities for the conservation, enhancement and recovery of landscapes, sensitive waterbodies, habitats and priority or threatened species, including through habitat restoration, nature-based solutions and the creation and strengthening of ecological networks.

- 3.6.6 Development should be directed towards land of least environmental value where this is consistent with other policies in the NPPF. This includes avoiding and minimising harm to designated sites of importance for nature and taking account of areas identified within Local Nature Recovery Strategies as potential opportunities for environmental restoration.
- 3.6.7 Policy N1 also states that development plans should establish standards for green infrastructure provision, drawing upon Natural England's Green Infrastructure Standards for England where appropriate.
- 3.6.8 Development plans should only set local biodiversity net gain requirements exceeding the statutory biodiversity net gain requirement where these relate to specific site allocations and are fully justified and deliverable. Such local requirements should not extend to categories of development which are exempt from statutory biodiversity net gain.

Improving the Natural Environment

- 3.6.9 **Policy N2:** Improving the natural environment is a national decision-making policy. It states that, in order to contribute positively to the natural environment and support nature's recovery, development proposals should consider the environmental qualities of the land, including its habitats, landscape character and the natural beauty of the countryside, and identify opportunities to conserve or enhance these qualities, including through biodiversity net gain where applicable.
- 3.6.10 Development proposals should take suitable opportunities to connect to and strengthen ecological networks extending beyond the development site, drawing upon measures identified within Local Nature Recovery Strategies, National Forest Strategies, Community Forest Plans and other relevant assessments where present.
- 3.6.11 Existing natural features of visual, historic or nature conservation value, including established trees and hedgerows, should be conserved and enhanced where possible, with appropriate landscaping used to integrate development into its surroundings.
- 3.6.12 Green infrastructure and nature-based solutions should be used to secure multiple benefits, including for biodiversity, surface-water and pollution management, climate-change mitigation and adaptation, and recreation.



- 3.6.13 Development proposals should minimise adverse impacts on biodiversity and include features which support priority or threatened species, such as swifts, bats and hedgehogs. Development proposals should incorporate integrated nest boxes, commonly known as swift bricks, unless there are compelling technical reasons which prevent their use or would make them ineffective.
- 3.6.14 Green infrastructure and other features supporting nature should be appropriately located and designed to minimise the risk of future failure, with suitable measures in place for any necessary long-term management.
- 3.6.15 Policy N2 retains the mitigation hierarchy. Where significant harm to biodiversity resulting from development cannot be avoided, adequately mitigated or, as a last resort, compensated for, the development should be refused.
- 3.6.16 Development proposals may provide biodiversity enhancements exceeding the statutory biodiversity net gain objective. However, such additional gains should only be required where this is established through an up-to-date development plan policy relating to a specific site allocation. Decision-makers should not give weight to other development plan policies requiring biodiversity gains beyond the statutory framework, including policies seeking such gains from development which is exempt from statutory biodiversity net gain.

Trees in New Development

- 3.6.17 **Policy N3:** Trees in new development recognises the benefits that trees provide for biodiversity, climate-change mitigation and adaptation, and the character and quality of the built environment.
- 3.6.18 Development proposals should provide tree-lined streets unless there are strong reasons why this would be inappropriate and should incorporate trees in other suitable locations.
- 3.6.19 The selection and location of trees should take account of highways and infrastructure requirements, the needs of users of public spaces, climate-change adaptation and other environmental benefits. Appropriate arboricultural advice should be sought where necessary to ensure that suitable trees are planted in suitable locations.
- 3.6.20 Provision should also be made for the long-term maintenance of both existing and newly planted trees forming part of the development.

Protected Landscapes

- 3.6.21 **Policy N4:** Protected Landscapes states that development within Protected Landscapes should be limited in scale and extent and sensitively located and



designed to avoid harm to their statutory purposes and special qualities. Substantial weight should be given to conserving and enhancing the natural beauty of these areas and to conserving and enhancing wildlife and cultural heritage within National Parks and the Broads.

- 3.6.22 Major development within Protected Landscapes should be refused other than in exceptional circumstances and where it can be demonstrated to be in the public interest. Consideration should include the need for the development; the scope for locating the development outside the Protected Landscape or meeting the need in another way; and any detrimental effects upon the environment, landscape and recreational opportunities and the extent to which these could be moderated.
- 3.6.23 Where major development is exceptionally approved within a Protected Landscape, measures should be taken to mitigate potential adverse impacts on its special qualities and statutory purposes, including features such as tranquillity and dark skies. Development within the setting of a Protected Landscape should also be sensitively located and designed to avoid or minimise adverse impacts.

Maintaining the Character of the Coast

- 3.6.24 **Policy N5:** Maintaining the character of the coast states that development proposals should maintain the character of undeveloped areas of coast, including land designated for its landscape, habitat or heritage value, while improving public access where appropriate. Development should not hinder completion or maintenance of the King Charles III England Coast Path National Trail.
- 3.6.25 Development within areas defined as Heritage Coast which do not already fall within a Protected Landscape should be consistent with the special character of the area and the importance of its conservation. Major development within Heritage Coast areas should not be supported unless it is compatible with the area's special character.
- 3.6.26 Where development is located within a Coastal Change Management Area, Policy F9 should also be taken into consideration.

Areas of Particular Importance for Biodiversity and Geodiversity

- 3.6.27 **Policy N6:** Areas of particular importance for biodiversity and geodiversity provides specific decision-making principles for sites of international, national and local nature conservation importance and for irreplaceable habitats.
- 3.6.28 Development proposals affecting a site of international importance, which for the purpose of Policy N6 is a habitats site, should be refused unless an appropriate assessment concludes that the proposal would not adversely affect the integrity of the site, the relevant Habitats Regulations derogation tests can be satisfied and/or



the impacts on the relevant protected features are being addressed through an applicable Environmental Delivery Plan and the developer has committed to paying the nature restoration levy.

- 3.6.29 Development proposals affecting a Site of Special Scientific Interest (SSSI) should only be supported where there would be no adverse effect, either individually or in combination with other developments, upon the features of special scientific interest; where the benefits of development in the proposed location clearly outweigh both the likely impacts upon the SSSI and any broader effects upon the national network of SSSIs; or where the relevant impacts are being addressed through an applicable Environmental Delivery Plan and nature restoration levy.
- 3.6.30 Development proposals affecting a site of local importance, including a Local Nature Reserve, Local Wildlife Site, Local Geological Site or equivalent designation identified in the development plan, should only be supported where there would not be a significant adverse effect upon the integrity of the site, or where the benefits of the development in the proposed location clearly outweigh the likely impacts upon the features which make the site valuable for nature conservation.
- 3.6.31 Irrespective of a site's nature conservation designation or status, development proposals 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 is provided.
- 3.6.32 Policy N6 applies to development both within and outside a designated area where the development could affect the identified biodiversity or geodiversity value of that area.

Priority or Threatened Species

- 3.6.33 The NPPF defines 'priority or threatened species' as species which are particularly vulnerable to the impacts of development. This includes, but is not limited to, species of principal importance in England identified under Section 41 of the Natural Environment and Rural Communities Act 2006, species listed in Schedules 2 and 5 of the Conservation of Habitats and Species Regulations 2017, and species protected under the Wildlife and Countryside Act 1981.

Ground Conditions and Pollution

- 3.6.34 **Policy P3:** Living conditions and pollution states that development proposals should be appropriate for their location, taking account of the likely effects, including cumulative effects, of pollution upon health, living conditions and the natural environment, whether these effects occur on or off-site. Consideration should be given to the sensitivity of the site and the surrounding environment.



- 3.6.35 Development proposals should avoid giving rise to, or contributing to, unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site. Adverse effects should be avoided where possible or otherwise mitigated to an acceptable degree, and opportunities should be taken to reduce existing pollution where possible.
- 3.6.36 Development proposals should limit adverse impacts from artificial light upon local amenity, intrinsically dark landscapes and nature.
- 3.6.37 Development proposals should also assess and mitigate impacts where development could have an unacceptable adverse effect upon water quality, particularly in relation to sensitive waterbodies such as chalk streams.

3.7 Biodiversity and Geological Conservation Circular 06/2005

- 3.7.1 Biodiversity and geological conservation circular 06/2005 provides administrative guidance on the application of the law relating to planning and nature conservation as it applies in England. It complements the national planning policy in the NPPF, 2026 and the Planning Practice Guidance. Broadly the guidance covers designated sites, the conservation of habitats and species, including outside of designated sites, protected species by law and the duties and powers used by planning authorities.
- 3.7.2 Paragraph 82 of the guidance states that ‘in determining the application for development that is covered by up-to-date standing advice, a planning authority must take into account this standing advice’.

Protected Species and Planning

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



is a reasonable likelihood of the species being present and affected by the development.’

3.8 Horsham District Council Adopted Local Plan (2015)

- 3.8.1 This section includes the deliberate inclusion of revisions made to Policy 31 outlined below under the draft HDC Local Plan (2020). This has been undertaken in view of recent legislative changes in the UK and additional local requirements that are reasonably likely to be considered at determination for this planning application.

Policy 25

- 3.8.2 Policy 25 sets out Horsham District Councils (HDCs) commitment to protecting the Natural Environment and Landscape Character. Policy 25 states:
- 3.8.3 The Natural Environment and landscape character of the District, including the landscape, landform and development pattern, together with protected landscapes and habitats will be protected against inappropriate development. The Council will support development proposals which:
- 3.8.4 Protects, conserves and enhances the landscape and townscape character, taking into account areas identified as being of landscape importance, the individual settlement characteristics, and maintains settlement separation.
- 3.8.5 Maintain and enhances the Green Infrastructure Network and addresses any identified deficiencies in the District.
- 3.8.6 Maintains and enhances the existing network of geological sites and biodiversity, including safeguarding existing designated sites and species, and ensures no net loss of wider biodiversity and provides net gains in biodiversity where possible.
- 3.8.7 Conserve and where possible enhance the setting of the South Downs National Park.

Policy 31

- 3.8.8 Development will be supported where it can demonstrate that it maintains and enhances the existing network of green infrastructure, the Nature Recovery Network, natural capital and biodiversity. Proposals that would result in the loss of existing green infrastructure or part of the Nature Recovery Network will be resisted unless it can be demonstrated that new opportunities will be provided that mitigates or compensates for this loss and ensures that the ecosystem services of the area are retained.



- 3.8.9 Proposals will be expected to retain and enhance existing freshwater features, hedgerows, trees and deciduous woodland and the provision of additional hedgerow and tree planting will be sought subject to appropriate consideration of local and wider context, habitats and species.
- 3.8.10 Where the felling of a tree is necessary, for example due to disease, replacement planting with a suitable species and location to retain the link with the wider network of habitats and Green Infrastructure, will be required.
- 3.8.11 Development proposals will be expected to remove invasive species and will be required to contribute to the enhancement of existing biodiversity and deliver, as a minimum, a 10% net gain through the delivery of appropriate on-site biodiversity net gain or, where this is not practicable, to off-set the delivery to the Nature Recovery Network.
- 3.8.12 Proposals should create and manage appropriate new habitats, taking into account pollination, where practicable. The Council will support new development which retains and /or enhances significant features of nature conservation on development sites. The Council will also support development which makes a positive contribution to biodiversity, and where appropriate the Nature Recovery Network, through the creation of green spaces, and linkages between habitats to create local and regional ecological networks and allow the movement of wildlife through development sites.
- 3.8.13 Particular consideration will be given to the hierarchy of sites and habitats in the District as follows:
- Special Protection Area (SPA) and Special Areas of Conservation (SAC);
 - Sites of Special Scientific Interest (SSSI) and National Nature Reserves (NNRs);
 - Local Wildlife Sites (LWS), Local Nature Reserves (LNRs) and any areas of Ancient Woodland, traditional orchards, local geodiversity or other irreplaceable habitats not already identified in a & b above.
- 3.8.14 Where development is anticipated to have a direct or indirect adverse impact on sites or features of importance to nature conservation, development will be refused unless it can be demonstrated that:
- The objectives of a site's designation, where applicable, and integrity of the area will not be undermined;
 - The reason for the development clearly outweighs the need to protect the value of the site; and,
 - That appropriate mitigation and compensation measures are provided.



- 3.8.15 Any development with the potential to impact Arun Valley SPA or the Mens SAC will be subject to a Habitats Regulation Assessment to determine the need for an Appropriate Assessment. In addition, development will be required to be in accordance with the necessary mitigation measures for development set out in the HRA of this plan.



3.9 Bibliography – Appendix II

- 3.9.1 Countryside Rights of Way Act, 2000 (C37) (Online) London, The Statutory Office. Accessed January 2024. Available at <http://www.legislation.go.uk>.
- 3.9.2 Horsham District Council Adopted Local Plan (2015). Available online at: <https://www.horsham.gov.uk/planning/local-plan>.
- 3.9.3 National Planning Policy Framework (2026). Available online at: <https://www.gov.uk/guidance/national-planning-policy-framework>.
- 3.9.4 Natural Environment & Rural Communities Act, 2006. (Online). Available online at <http://legislation.gov.uk>.
- 3.9.5 ODPM Circular 06/2005. Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and their impact within the Planning System (2005). Norwich: HMSO. Accessed January 2024. Available a <http://www.go.uk/goverment/publications/biodiversity-and-geological-conservation-circular-06-2005>.
- 3.9.6 The Conservation of Habitat & Species Regulation (2017) (Online). London: The Statutory Office. Available from <http://legislation.gov.uk>.
- 3.9.7 Wildlife and Countryside Act, 1981 (As amended). (Online). Available at <http://www.legislation.go.uk>.