



Brighter strategies
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Client: Berkeley Homes (Southern) Ltd
Project: Highwood Phases 8 & 10-13
Report: Preliminary Ecological Appraisal

QUALITY ASSURANCE

Issue/Revision:	Draft	Final
Date:	July 2026	September 2026
Comments:		
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File Reference:	554408kzm08JulyPEA_Phases_8&10-13_DV01.docx	554408kzm08JulyPEA_Phases_8&10-13_FV05.docx

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1.0 EXECUTIVE SUMMARY

Greengage Environmental Limited (Greengage) was commissioned by Berkeley Homes (Southern) Ltd to undertake a Preliminary Ecological Appraisal (PEA) of an area of land known as Phases 8 and 10 - 13 of Highwood in Horsham, RH12 1HS, hereafter referred to as 'the site'.

It is understood that planning permission for the wider residential development was granted in 2014 and that Phases 1–7 have since been completed. Construction of Phase 8 is anticipated to commence in 2026 and will comprise additional residential development.

This PEA has been undertaken to inform a Section 96.a Non-Material Minor Amendment application for Phase 8 and Phases 10–13 of the wider residential development. Phase 9, which sits in a different Reserved Matters area, does not form part of this assessment and will be the subject of a separate ecological report. Phases 8 and 10-13 comprises the construction of 257 residential units.

This PEA aims to establish the presence of, or potential for, designated sites and legally protected/priority habitats and species at the site or within the zone of influence i.e. the ecological constraints, assess likely impacts based on design stage proposals and assumptions and subsequently to provide recommendations for additional targeted surveys and/or appropriate mitigation measures in accordance with the mitigation hierarchy, where applicable. Ecological enhancement recommendations have also been provided.

The site extends to 7.5 hectares (ha) and comprised modified grassland, mixed scrub, bramble scrub, willow scrub, tall ruderal vegetation and limited areas of developed land sealed surface.

Ecological Constraints and Additional Surveys/Mitigation Recommendations

The below designated sites, habitats and species have been confirmed to be present or have potential to be present due to suitable habitats on the site and/or habitat connectivity with the wider landscape. Sections 4.0 and 5.0 of the PEA report should be referred to for full details.

Table 1.1 Ecological Constraints and Recommendations

Ecological Constraint	Level of Suitability/Confirmed Presence	Additional Surveys/Mitigation Recommendations (Summary)
Non-statutory designated sites	Confirmed presence within 2km	Three Local Wildlife Sites (LWS) are located within 2km, the closest site being Sparrow Copse LWS located approximately 1.07km south of the site. The distance from the sites means indirect construction impacts such as air, dust or water pollution are considered to be negligible. No further assessment is therefore considered necessary.
Priority habitats	Confirmed presence within 2km	The closest priority habitat is deciduous woodland and ancient and semi-natural woodland located approximately 300m southwest of the site. Therefore, it is unlikely to be affected by the construction activities or proposed development on site.
Native amphibians	Low	The habitats on site are considered to be of low suitability to support native amphibians. Compensatory measures could

		include the provision and enhancement of suitable terrestrial and aquatic habitats, such as the creation of permanent waterbodies and incorporation of Sustainable Drainage Systems (SuDS) and/or swales within the proposed landscaping plan, providing suitable habitat for amphibians, including opportunities to support egg laying by newts.
Bats (foraging/ commuting)	Moderate	The site has moderate suitability to support foraging and commuting bats. However, the habitat with potential is to be retained and has not significantly changed from the Reserved Matters Approval, at which stage sensitive lighting was considered and will continue to be implemented as part of the delivery of that approval. No further survey work is recommended.
Bats (roosting - summer/ transitional - trees)	Moderate	The site has moderate suitability to support roosting bats. At the time of writing the trees identified as having potential are not due for removal under the proposals (T1 and T2 in Greengage report which are T9 and T18 in the arb reports). As such no further survey is required. However, if proposals change and any of these trees are required to be removed, best practice mitigation guidelines should be followed as described below in section 5.2.
Birds - nesting	Moderate	The site is considered to provide moderate suitability for supporting nesting common and farmland associated species (passerines), in relation to the grassland and scrub habitats. The proposals will result in some loss of suitable habitats. It is recommended that any vegetation clearance be undertaken outside of the nesting bird season. Details regarding this are outline in section 5.2 below.
Dormouse	Low	The site is considered to have low suitability to support dormice. Existing areas of scrub and suitable habitat should be retained where practicable and incorporated into the proposed landscaping plan. Where this cannot be avoided, prior to the removal of any areas of scrub or other potentially suitable habitat, a pre-works ecological check should be undertaken by an Ecological Clerk of Works (ECoW). Details regarding this are outlined in section 5.2 below.
Invertebrates	Low (notable or protected invertebrate assemblages) and moderate (common	The site is considered to have low suitability for notable or protected invertebrate assemblages and moderate suitability for common and widespread invertebrate species. Compensatory measures such as pollinator friendly landscaping and the inclusion of log and brash piles within the proposed landscaping are recommended.

	and widespread invertebrate species)	
Reptiles (widespread species)	Moderate	Phases 8 and 13 consist of developed land sealed surface and so were considered unsuitable/ sub-optimal for reptiles. Phases 10-12 are considered to have moderate suitability to support reptiles. Reptile translocation took place on earlier Phases of the scheme. Reptile survey comprising minimum of seven site visits between April/May and September should be undertaken to confirm presence/likely absence. The survey results will inform the requirement for/scope of additional survey effort (population estimate) and/or appropriate mitigation measures.
Invasive non-native species	Confirmed presence (Buddleia)	Buddleia <i>Buddleja davidii</i> was present on the site, mitigation measure to avoid the spread of this species are outlined in section 5.2.
Other priority/notable species	Low (Hedgehog)	The site is considered to have low suitability for hedgehogs. The scrub and grassland on site provide suitable foraging habitat for hedgehogs. Therefore, mitigation measures for vegetation clearance are outlined in section 5.2.

Ecological Enhancements

The Section 96a application that this report has been prepared to inform includes minor changes to the scheme/proposals which has Reserved Matters Approval. The changes comprise changes to specific buildings (limited to 19no. plots) and does not materially change the landscaping proposed and approved at Reserved Matters Approval Stage. As such, ecological enhancements proposed and approved previously are still committed to and will be delivered as each Phase comes forward. These enhancements include native planting. No further enhancements are therefore made within this report.

General Recommendations

This report/survey has been undertaken in July 2026 and is valid for 18 months.

2.0 INTRODUCTION

Greengage Environmental Limited (Greengage) was commissioned by Berkeley Homes (Southern) Ltd to undertake a PEA of an area of land known as Phases 8 and 10 - 13 of Highwood in Horsham, RH12 1HS, hereafter referred to as 'the site'.

It is understood that planning permission for the wider residential development was granted in 2014 and that Phases 1–7 have since been completed. Construction of Phase 8 is anticipated to commence in 2026 and will comprise additional residential development. Phases 8 and 10-13 comprises the construction of 257 residential units. The phases already have planning permission and can be implemented at any stage.

This PEA has been undertaken to inform a Section 96.a Non-Material Minor Amendment application covering the Phases 8 and 10-13 reserve matters area and relating to design changes on specified plots in Phases 8 and 10 only. Phase 9, which sits in a different Reserved Matters area, does not form part of this assessment and will be the subject of a separate ecological report.

This PEA aims to establish the presence of, or potential for, designated sites and legally protected/priority habitats and species at the site or within the zone of influence i.e. the ecological constraints. It assesses likely impacts on the ecological constraints based on design stage proposals/assumptions and subsequently provides recommendations for additional targeted surveys and/or appropriate mitigation measures in accordance with the mitigation hierarchy, where applicable. Ecological enhancement recommendations have also been provided.

2.1 SITE DESCRIPTION

The site extends to approximately 7.5 hectares (ha) and is centred on Ordnance Survey National Grid Reference (OS NGR): TQ 15279 29777, OS Co-ordinates (515279, 129777).

The site comprised primarily modified grassland with tall ruderal, bramble scrub, willow scrub, tall ruderal vegetation and limited areas of developed land sealed surface.

Completed phases 1-7 of residential housing and future phase 9 are present to the north-east of the site. On the south-eastern site boundary is a railway corridor, with arable fields beyond the railway. On the western site boundary is the A24 dual carriageway, with a water waste and sewage treatment facility on the other side.

Fragmented priority woodland is found throughout Horsham with the closest deciduous and ancient and semi-natural woodland found 300 metres (m) southwest. Sparrow Copse Local Wildlife Site (LWS) is located 1.07 kilometres (km) south of site.

3.0 METHODOLOGY

The PEA was undertaken in accordance with guidance in the UK Habitat Classification System (UKHab)¹ Version 2 and the Chartered Institute of Ecological and Environmental Management (CIEEM) (2017) Guidelines for Preliminary Ecological Appraisal², in accordance with British Standard (BS) 2020:2013: Biodiversity. The overall assessment consisted of:

- A desk study to collate site specific biological information gained from statutory and non-statutory consultation; and,
- A site walkover comprising UKHab survey and scoping assessment to record and assess protected/priority habitats and species.

3.1 DESK STUDY

Environmental Databases

A review of readily available ecological information and other relevant environmental databases (including the Multi-Agency Geographic Information for the Countryside (MAGIC) website³) was undertaken for the site and a radius of 2km from the site boundary, to search for statutory designated sites at the local to international level.

A review of the MAGIC website was also undertaken to check for records of European Protected Species (EPS) licences for Great Crested Newt (GCN) *Triturus cristatus* and bat species within 2km of the site. EPS licences dated within the past 10 years are considered to be most relevant.

Where the site is identified to be located within the Impact Risk Zone (IRZ) for a statutory designated site (e.g. Special Protection Area (SPA)/Special Area of Conservation (SAC)/Ramsar or Site of Special Scientific Interest (SSSI)) the features for which the designated site is notified and the types of proposed development which could potentially have adverse impacts (and trigger the requirement for further assessment, e.g. Habitat Regulations Assessment (HRA) or SSSI Impact Assessment) have also been reviewed.

Local Nature Recovery Strategy

Local Nature Recovery Strategies (LNRSs) were introduced through the Environment Act 2021²⁴ as statutory, locally led strategies to identify priorities and opportunities for nature recovery. They provide a framework for the creation, restoration and enhancement of habitats and the improvement of ecological connectivity.

The West Sussex Local Nature Recovery Strategy⁴ was published in June 2026 and identifies priorities and opportunities for nature recovery across West Sussex. The strategy and associated mapping have therefore been considered when identifying opportunities for biodiversity enhancement and habitat creation within the site.

- The desk study reviewed LNRS habitats and species with consideration as to which habitats/species are of relevance to the site and/or proposed development.

Local Environmental Records Centre

A data consultation with the Local Environmental Records Centre (LERC) Sussex Biodiversity Records Centre (SxBRC), for a 2km search radius around the site was also undertaken and the data

received was reviewed to identify the location and citations of any local non-statutory designated sites and the presence of any protected/priority species.

A summary of the records received from SxBRC is discussed under 'Species Records' in Section 4.1. The records discussed under each relevant subheading have been included based on their relevance to the site e.g. there are suitable habitat types present on site to support the species, there is habitat connectivity between the site and record location and/or the record is in proximity of the site. Records dated within the past 10 years have also been favoured. [REDACTED]

The combination of actions described above provided the overall ecological context for the site, to better inform the site walkover and the subsequent assessment.

3.2 SITE WALKOVER

Habitats

The extent, distribution, type and categories of the different habitats on site were identified and mapped according to the standard UKHab methodology, using the UKHab primary codes, and UKHab secondary codes in square brackets to provide supplementary information where appropriate. Mandatory codes for habitat mosaics, priority and Annex 1 habitats that occur in multiple primary habitats have also been applied where appropriate. Any features of interest were recorded using Target Notes (TN). Any protected plant species and/or invasive non-native species (INNS) present were also noted.

The abundance of plant species recorded was classified according to the DAFOR rating scale. The standardised terms are: D – Dominant, A – Abundant, F – Frequent, O – Occasional and R – Rare.

Species

The site walkover included assessments to identify the potential value for legally protected or priority species at the site. This involved identifying potential habitats which support opportunities for refuge, breeding and foraging in the context of species known to be present locally and regionally.

The likelihood of occurrence is ranked as follows:

- Negligible - While presence cannot be absolutely discounted, the site includes very limited or poor-quality habitat for a particular species. The site may also be outside the known national range for a species;
- Low - On-site habitat is poor to moderate quality for a given species, with few or no information about their presence from the desk study. However, presence cannot be discounted due to the national distribution of the species or the nature of on-site and surrounding habitats;
- Moderate - The on-site habitats are of moderate quality, providing most or all of the key requirements for a species. Several factors may limit the likelihood of occurrence, habitat severance, habitat disturbance and small habitat area;
- High - On-site habitat of high quality for given species. Site is within a regional or national stronghold for that particular species with good quality surroundings and good connectivity; and,

- Present - Presence confirmed from the site walkover itself or recent, confirmed records from information gathered through the desk study.

The species considered potentially relevant to the site and therefore taken into consideration included:

Amphibians

Great Crested Newt

The site walkover assessed the habitats on site for their suitability to support GCN and/or other native amphibians, e.g. common toad *Bufo bufo*, common frog *Rana temporaria*. The aquatic and terrestrial habitats required generally include still waterbodies suitable for breeding and woodland, scrub or grassland habitat where there is optimal invertebrate prey potential and/or shelter.



Bats

The PEA considers foraging/commuting bats and roosting bats (summer/transitional and winter hibernation).

Habitats such as woodland, meadows and waterbodies can provide important foraging resources and linear features such as tree lines, hedgerows, railway and river corridors are often considered valuable for commuting bats. The site walkover included recording the presence/assessing the suitability of the habitats and features present on the site, in combination with habitat connectivity associated with the wider landscape.

The site walkover included an external, ground-level visual assessment to identify and record Potential Roosting Features (PRFs) on buildings/structures, a Ground Level Tree Assessment (GLTA) and evaluation of habitats for foraging and commuting bat species *Chiroptera* spp. Consideration was given to the presence of features and habitats both within and adjacent the site.

In accordance with the Bat Conservation Trust's (BCT) Good Practice Guidelines⁵ and methods given in the CIEEM Bat Mitigation Guidelines⁶ consideration was given to:

- The presence, location, type and suitability of PRFs; and
- Signs of bat activity or presence including bat sightings, audible bat chattering, droppings, stains (including grease marks and urine spatter), scratch marks, and moth/butterfly wings.

Guidance from BCT ranks bat roosting and foraging suitability on a scale through None, Negligible, Low, Moderate and High. The parameters for each of these are as follows:

- None - Relates to a site with 'no habitat features suitable for bats';
- Negligible - Relates to a site with no 'obvious habitat features likely to be used by bats';

- Low - Relates to a site with only a few roost sites that could be used by individual bats 'opportunistically', and foraging and commuting habitat which is 'not very well connected' and only suitable to support small numbers of bats;
- Moderate - Relates to a site with potential roosting features that could be used regularly by bats but not for roosts of high conservation status, and foraging and commuting habitat which is 'continuous' and 'connected to the wider landscape'; and,
- High - Relates to a site with one or more potential roost sites that could support 'larger numbers of bats on a more regular basis' and also have suitability to support high conservation status roosts, e.g. maternity roosts. High suitability foraging and commuting habitat is well connected and likely to be used regularly by bats for flight paths e.g. rivers, valleys etc and could even be connected to a roost site(s).
- PRFs can include buildings, bridges, tunnels and caves with cracks or gaps leading into voids or crevices, or trees with holes, crevices or splits of sufficient size and depth. Based on the number, location and type of PRF(s) the buildings/structures were categorised based on the categorisations provided above.

Trees were categorised either individually or as a group using the following BCT grading system; None (same as above), Further Assessment Required (FAR), PRF-I (where PRFs are only suitable for individual bats or very small numbers of bats either due to size or lack of suitable surrounding habitats), or PRF-M (where PRFs are suitable for multiple bats and may therefore be used by a maternity colony).

Birds

During the site walkover, the potential for the site to support breeding and/or non-breeding bird species was assessed. This included recording the presence/absence of areas of trees, scrub, heathland, arable and wetland habitat that could support nests or provide foraging resources for common or notable species. Consideration was also given to the presence/absence of features on-site that may support Wildlife and Countryside Act 1981 (as amended) Schedule 1 species, e.g. barn owl *Tyto alba*, black redstart *Phoenicurus ochruros*, and kingfisher *Althedo atthis*.

A re-assessment of Birds of Conservation Concern⁷ (version 5) (BoCC5) defined rare and threatened bird species on two lists (Red and Amber) describing the level of threat to each species of concern. 'Red' is the highest conservation priority, with species needing urgent action due to either a historical decline in breeding population, severe (>50%) decline in breeding or non-breeding population, or severe decline in breeding range over 50 years or more. 'Amber' is the next most critical group, with species qualifying for this status as a result of either recovery from red list criterion, being classed as rare breeders in the UK, moderate (>25%) decline in breeding or non-breeding population or moderate decline in breeding range over 25 years or more. These categories are followed by 'Green', which indicates a species is relatively unthreatened.

The potential for the site to support foraging barn owls was also assessed with the grassland categorised into the following⁸:

Type 1 Habitat: Type 1 Habitats are those which provide optimum habitat to field voles *Microtus agrestis* (for breeding, foraging and shelter) and are of the highest value to barn owls. This habitat type is usually permanent, unimproved or semi-improved grassland, rank and heterogeneous in appearance, often of mixed height, with fully or partly collapsed dead grass stems (straw) often dominating the leaf sward. The grassland possesses a high abundance of raised tussocks per unit area (typically 4-40m²) coupled with a compacted basal litter layer or 'thatch' of straw, at least

30mm deep (Shawyer 1998). Type 1 Habitats usually receive no real management or anything other than periodic light grazing by farm animals. Long-term set-aside grassland and unmanaged fields, wasteland, ditches, riverbanks, field margins and road verges are the most common examples of this habitat type. When viewed in the wider landscape, Type 1 Habitats can usually be recognised, particularly in the autumn, winter and early spring, by their golden or green/brown appearance, and are sometimes described as 'white grassland'.

Type 2 Habitat: Type 2 Habitats are sub-optimal to field voles and are of intermediate and often transient value to barn owls. This type of improved or semi-improved grassland is characterised by having a homogeneous, more even-height sward, sometimes displaying some lush and emerging tussock structure but little sign of a litter layer or 'thatch'. It can sometimes constitute a mature clover/grass ley and usually receives some level of farm management such as occasional fertilization, annual topping or light grazing. When seen in the wider landscape Type 2 Habitats normally have a more uniform, dark green appearance, than Type 1 Habitats.

Type 3 Habitats: Type 3 Habitats offer very poor habitat for field voles and most other small mammals and as such are of low value to barn owls. These improved grasslands are characterised by having a homogeneous sward, which is often kept short throughout much of the year, no tussock structure and are devoid of any litter layer at their base. They are usually mown closely for hay or silage, heavily grazed by sheep, horses or cattle or used for public amenity. They normally display a uniform bright green appearance when viewed in the wider landscape. Acid grasslands and those overgrown with scrub which can restrict barn owls from hunting, also fall into this habitat category. Type 3 Habitat is not normally illustrated on the final survey map because of its poor suitability to barn owls.

Other Habitats: Non-grassland habitats, such as arable fields and mature woodland are generally of little or no value as a permanent foraging resource to barn owls. Arable fields containing cereals, rapeseed, or other food crops do not provide suitable habitat for field voles, although at certain times of the year, such as during harvest, they can, for short periods, expose wood mice *Apodemus sylvaticus* and temporarily attract barn owls. Prior to harvest, however, arable crops are largely impenetrable to foraging barn owls because of the stiff nature of the crop and high density of planting. For the purpose of the survey, arable fields without grass margins and woodlands (except those possessing wide grass rides or young plantations) are, therefore, considered unsuitable for barn owls and are not illustrated on the eventual survey map.

Dormouse

During the site walkover the potential for dormouse *Muscardinus avellanarius* to be present on site was assessed. This included observations for suitable habitat such as well-layered woodland, scrub and linking hedgerows, particularly those comprised of species offering suitable food sources such as honeysuckle *Lonicera periclymenum* and hazel *Corylus avellana*, in addition to direct evidence such as nests or characteristically gnawed hazelnuts, chewed ash keys and honeysuckle flowers.

Invertebrates

As part of the site walkover the quality of invertebrate habitat and the potential for the site to support notable terrestrial and aquatic invertebrate species was considered. There is a wide variety of habitats that are suitable for invertebrates including wetland, heathland, areas of bare sandy soil, ephemeral brownfield vegetation and meadows. The diversity of the habitat structures and features present is important along with food sources for supporting specific needs/life stages/population numbers.

Species of particular interest included, but were not limited to, stag beetle *Lucanus cervus*, roman snail *Helix pomatia*, glow worm *Lampyrus noctiluca* and notable butterfly species for the region.

Reptiles

The potential for widespread reptile species to use the site was assessed during the site walkover. Possible species include adder *Vipera berus*, grass snake *Natrix helvetica*, slow worm *Anguis fragilis* and common lizard *Zootoca vivipara*. These native reptile species generally require open areas with low, mixed-height vegetation, such as heathland, rough grassland, and open scrub or, in the case of grass snake, waterbody margins. Suitable well drained areas and frost-free features for hibernation are needed to survive the winter.

Other Priority/Notable Species

Where desk study data indicates the potential for presence of BAP priority species or other notable/rare species not protected by statute, effort was made to establish the potential for the site habitats to support these species during the site walkover.

Protected/Priority Plant Species

During the site walkover, presence of plant species protected under the Wildlife and Countryside Act 1981 (as amended) Schedule 8 or NERC Act 2006 Section 41 were searched for (seasonal timing allowing).

Invasive Non-native Species

During the site walkover, presence of plant and animal species listed as invasive under the Wildlife and Countryside Act 1981 (as amended) Schedule 9 were searched for. As and where appropriate to the site habitats present, these included but were not necessarily limited to, Japanese knotweed *Reynoutria japonica*, Himalayan balsam *Impatiens glandulifera*, wall cotoneaster *Cotoneaster horizontalis*, Japanese rose *Rosa rugosa*, Australian swamp stonecrop *Crassula helmsii*, signal crayfish *Pacifastacus leniusculus*, American mink *Neovison vison*, Chinese mitten crab *Eriocheir sinensis*, midwife toad *Alytes obstetricans*, alpine newt *Ichthyosaura alpestris* and Italian newt *Lissotriton italicus*.

In addition, where species that are not Wildlife and Countryside Act 1981 (as amended) Schedule 9 listed species, i.e. INNS, but which are considered to have 'invasive tendencies' were encountered, these were also recorded e.g. buddleia *Buddleja davidii*, snowberry *Symphoricarpos alba*, common horsetail *Equisetum arvense* (list not exhaustive).

3.3 SURVEYORS/COMPETENCIES

Jennifer Allen, Graduate Consultant, has a degree in Zoology (BSc Hons) with 1 year of experience in ecological surveying. Her survey experience includes bat, reptile, GCN, [REDACTED] nesting bird, dormouse and Ecological Clerk of Works. Jennifer also has experience in report writing and data analysis.

India Rayner is a Senior Consultant with a BSc (Hons) in Physical Geography and over eight years' experience in environmental consultancy. She is a Chartered Member of the Chartered Institution of Water and Environmental Management, holding both Chartered Water and Environmental Manager (C.WEM) and Chartered Environmentalist (C.Env) status, and is certified to undertake River Condition Assessments. India contributes to wider industry initiatives as a member of the Yorkshire and Humber Climate Commission Panel and the CIWEM Natural Capital Panel,

supporting the advancement of sustainable environmental management and natural capital approaches.

Charlotte Hammond, Associate, has an undergraduate degree in Geography (BSc Hons), two postgraduate degrees in Environmental Bioscience in a Changing Climate (MSc) and Landscape Architecture (MA). Charlotte is an Associate member of CIEEM and the Landscape Institute and holds a Natural England bat and Great Crested Newt Licence. Charlotte has over 12 years' experience in ecological surveys and consultancy.

This report was prepared by Jennifer Allen, reviewed by India Rayner and authorised by Charlotte Hammond, who confirms that the report is in line with the following:

- Represents sound industry practice;
- Reports and recommends correctly, truthfully and objectively;
- Is appropriate given the local site conditions and scope of works proposed; and
- Avoids invalid, biased and exaggerated statements.

3.4 CONSTRAINTS

Trees within inaccessible areas of dense scrub were not subject to a direct GLTA. The scrub limited visibility of the trees and prevented a full inspection for PRFs. These trees are not currently proposed for removal.

4.0 RESULTS

4.1 DESK STUDY

Environmental Databases

Designated Sites

Consultations with the SxBRC and the MAGIC dataset have confirmed that there are no statutory designations of national or international importance within the boundary of the site. The site is located within a Site of Special Scientific Interest (SSSI) Impact Risk Zone (IRZ) for St Leonard's Park Ponds SSSI and St. Leonard's Forest SSSI. However, this is not a constraint to the to the current proposals as they do not match any of the relevant triggers that would require consultation with Natural England.

The desk study has not identified any statutory designations associated with the site itself. The desk study has not identified any statutorily designated sites within 2km of the site.

Records received from SxBRC did not return any non-statutory designation relating to the site itself but identified three non-statutory designated sites within 2km of the site. Table 4.1 below gives the locations and descriptions of the three Local Wildlife Sites (LWS) in order of their proximity to the site.

Table 4.1 Statutory and Non-Statutory Designated Sites identified within 2km Search Radius

Site Name and Designation	Approximate Location and Direction from the Site	Description/Citation
Statutory		
None identified.		Consultations with the SxBRC and the MAGIC dataset have confirmed that there are no statutory designations of national or international importance within the boundary of the site. The site is located within a Site of Special Scientific Interest (SSSI) Impact Risk Zone (IRZ) for St Leonard's Park Ponds SSSI and St. Leonard's Forest SSSI. However, this is not a constraint to the to the current proposals as they do not match any of the relevant triggers that would require consultation with Natural England.
Non-statutory		
Sparrow Copse (LWS)	1.07km south	This wood consists mostly of Ash/Maple woodland situated on the slopes of a stream valley. It has a diverse shrub layer, and a species rich ground flora and supports a good variety of mosses and liverworts. There is a well-developed Ash/Maple woodland on the valley side. It has a diverse shrub layer consisting mostly of Hazel coppice, Elder <i>Sambucus nigra</i> and Hawthorn <i>Crataegus monogyna</i> with occasional Black Currant <i>Ribes nigrum</i> , Dogwood

		<i>Cornus sanguinea</i> and Spindle <i>Euonymus europaeus</i> throughout. The ground flora is species-rich and forms a dense cover. Frequent species includes Dog's Mercury <i>Mercurialis perennis</i>, Yellow Archangel <i>Lamiastrum galeobdolon</i>, Bluebells <i>Hyacinthoides non-scripta</i> and Ground Ivy <i>Glechoma hederacea</i>. Additionally, Oak/Hazel woodland can be found on flatter ground where Bramble <i>Rubus fruticosus</i>, Bluebell <i>Hyacinthoides non-scripta</i> and Dog's Mercury <i>Mercurialis perennis</i> are frequent in the ground flora. Also, Alder <i>Alnus glutinosa</i> occurs beside the stream with some Wych Elm <i>Ulmus glabra</i>. The ground flora near the stream has Wood Avens <i>Geum urbanum</i>, Hedge Woundwort <i>Stachys sylvatica</i>, and Male and Buckler ferns <i>Dryopteris spp.</i> Carpets of Liverworts occur on the stream banks and there are a few small wet areas adjacent to the stream where Opposite-leaved Golden-saxifrage <i>Chrysosplenium oppositifolium</i>, Creeping Buttercup <i>Ranunculus repens</i> and Common Nettle <i>Urtica dioica</i> are frequent.
High Wood (LWS)	1.39km northwest	This ancient woodland is situated on one side of a hill, so that mostly the ground is quite steeply sloped. Much of it is over-shot Hornbeam <i>Carpinus betulus</i>, Hazel, Field Maple <i>Acer campestre</i>, Ash <i>Fraxinus excelsior</i> and some Oak coppice, under occasional Oak standards. Despite being grazed by cattle, the wood supports a diverse ground flora and a good number of woodland birds. The canopy of this wood consists mainly of occasional Pedunculate Oak <i>Quercus robur</i> with some Hornbeam, Ash, Crab Apple <i>Malus sylvestris</i>, Wild Cherry <i>Prunus avium</i> and Sessile Oak <i>Quercus petraea</i>. The understorey has abundant Hornbeam and Hazel coppice but also there is frequent coppiced Ash, Field Maple and Oak. Most of the coppice is over-shot, and many of the coppice stools are very large and must be of considerable age. Generally, there is a diverse ground flora, with numerous ancient woodland indicator species present, including Ramsons <i>Allium ursinum</i>, Yellow Archangel, Wood Anemone <i>Anemone nemorosa</i>, Moschatel <i>Adoxa moschatellina</i>, Pignut <i>Conopodium majus</i>, Bluebell and Goldilocks Buttercup <i>Ranunculus auricomus</i>.
Denne Road Cemetery (LWS)	1.88km east	A small urban Victorian cemetery with a mosaic of habitats including mixed woodland, grassland and scattered trees. The site includes records for several notable species from a range of taxonomic groups. The site includes historic records for the notable lichen species <i>Caloplaca vitellinula</i> and <i>Porpidia platycarpoides</i>. The site is known to support a diversity of flora species, including populations of Goldilocks Buttercup.

The review of MAGIC did not identify any EPS licences relating to GCN/bats.

Biodiversity Action Plans/Priority Habitats and Species

The following UK BAP priority habitats/species were present at the site or in the immediate vicinity:

- Deciduous woodland 300m southwest;
- Ancient and semi-natural woodland, 300m southwest;
- Wood pasture and Parkland 1.2km west
- Ponds 1.6km east

West Sussex BAP

It is understood that all Sussex BAPs have been archived and are no longer of specific relevance to the site.

Local Environmental Records Centre

Species Records

The data consultation with SxBRC returned records of relevance to the site relating to amphibians, bats, birds, invertebrates, reptiles, protected/notable plant species, invasive non-native species and other priority/notable species within 2km of the site.

Amphibians - Great Crested Newt

SxBRC returned a total of six records for GCN within 2km of the site between 2016 and 2026.

Table 4.2 Summary of most relevant great crested newt records within 2km of the site

Common Name	Scientific Name	Distance/Direction From Site	Notes
Great crested newt	<i>Triturus cristatus</i>	0.5km north	Six records of GCN collected between 2018 and 2021, with a maximum count of 11 individuals.

Amphibians - Native Amphibians

SxBRC returned a total of 10 records for amphibians within 2km of the site between 2016 and 2026.

Table 4.3 Summary of most relevant native amphibians within 2km of the site

Common Name	Scientific Name	Distance/Direction From Site	Notes
Smooth newt	<i>Lissotriton vulgaris</i>	0.5km north	Two records were returned, the most recent of which was dated 2019.
Common frog	<i>Rana temporaria</i>	0.5km north	Four records were returned, the most recent of which was dated 2023.

Common Toad	<i>Bufo bufo</i>	1.0km south east	Four records were returned, the most recent of which was dated 2020.
Palmate Newt	<i>Lissotriton helveticus</i>	1.9km south	One record was returned and was dated 2018.



Bats

SxBRC returned a total of 66 records for a total of at least 10 bat species within 2km of the site between 2016 and 2026.

Table 4.4 Summary of most relevant bat records within 2km of the site

Common Name	Scientific Name	Distance/Direction From Site	Notes
Bats (activity)			
Common pipistrelle	<i>Pipistrellus pipistrellus</i>	1.4km south	26 records were returned, the most recent of which was dated 2025.
Soprano pipistrelle	<i>Pipistrellus pygmaeus</i>	1.4km south	16 records were returned, the most recent of which was dated 2025.
Brown long-eared	<i>Plecotus auritus</i>	1.0km south east	Seven records were returned, the most recent of which was dated 2024.
Nathusius's Pipistrelle	<i>Pipistrellus nathusii</i>	1.0km south east	Two records were returned, the most recent of which was dated 2024.
Noctule	<i>Nyctalus noctula</i>	1.9km north west	13 records were returned, the most recent of which was dated 2025.
Daubenton's Bat	<i>Myotis daubentonii</i>	1.0km north west	One record was returned and dated 2017.
Myotis Bat	<i>Myotis sp.</i>	1.0km south east	Four records were returned, the most recent of which was dated 2024.
Eurasian serotine	<i>Cnephaeus serotinus</i>	1.0km north west	Two records were returned, the most recent of which was dated 2024.
Barbastelle	<i>Barbastella barbastellus</i>	1.0km north west	One record was returned and dated 2024.

Birds

SxBRC returned a total of 384 records for 40 no. of notable bird species within 2km of the site between 2016 and 2026. 5 no. Wildlife and Countryside Act 1981 (as amended) Schedule 1 bird species were included within the records. 16 of the records also comprised BoCC⁹ Red listed species, 17 were BoCC Amber listed species and the remaining 7 is of BoCC Green status or

unlisted. Table 4.5 below provides the summary list of bird species of relevance to the site, based on the habitat types present. Table 4.5 below does not include specific location and direction information.

Table 4.5 Summary of most relevant bird species recorded within 2km of the Site.

Common Name	Scientific Name	WCA/BoCC5 Status
Barn owl	<i>Tyto alba</i>	Schedule 1
Red kite	<i>Milvus milvus</i>	Schedule 1
Cetti's Warbler	<i>Cettia cetti</i>	Schedule 1
Skylark	<i>Alauda arvensis</i>	Red
Cuckoo	<i>Cuculus canorus</i>	Red
House sparrow	<i>Passer domesticus</i>	Red
Lesser spotted woodpecker	<i>Dendrocopos minor</i>	Red
Dunnock	<i>Prunella modularis</i>	Amber
House martin	<i>Delichon urbicum</i>	Amber
Kestrel	<i>Falco tinnunculus</i>	Amber

Invertebrates

SxBRC returned a total of 62 records for a total of 13 invertebrate species, including butterflies, moths, beetles, bees and dragonflies, within 2km of the site between 2016 and 2026.

Table 4.6 Summary of most relevant invertebrate records within 2km of the site

Common Name	Scientific Name	Distance/Direction From Site	Notes
Stag Beetle	<i>Lucanus cervus</i>	Within 2km	Five records were returned, the most recent of which was dated 2023.
Common Darter	<i>Sympetrum striolatum</i>	Within 2km	Six records were returned, the most recent of which was dated 2024.
Jersey Tiger	<i>Euplagia quadripunctaria</i>	Within 2km	Four records were returned, the most recent of which was dated 2025.

Reptiles

SxBRC returned a total of 20 records for three reptile species within 2km of the site between 2016 and 2026.

Table 4.7 Summary of most relevant reptile records within 2km of the site

Common Name	Scientific Name	Distance/Direction From Site	Notes
Slow-worm	<i>Anguis fragilis</i>	1.5km north west	14 records were returned, the most recent of which was dated 2021.
Grass Snake	<i>Natrix helvetica</i>	0.5km north	Two records were returned, the most recent of which was dated 2018.

Common Lizard	<i>Zootoca vivipara</i>	1.0km south east	Three records were returned, the most recent of which was dated 2021.
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Protected/Notable Plant Species

SxBRC returned a total of 23 records for a total of 14 protected/notable plant species within 2km of the site between 2016 and 2026.

Table 4.8 Summary of most relevant protected/notable plant species records within 2km of the site

Common Name	Scientific Name	Distance/Direction From Site	Notes
Bluebell	<i>Hyacinthoides non-scripta</i>	Within 2km	Four records were returned, the most recent of which was dated 2020.

Invasive Non-native Species

SxBRC returned a total of 22 records for a total of 10 invasive non-native species, within 2km of the site between 2016 and 2026.

Table 4.9 Summary of most relevant invasive non-native species records within 2km of the site

Common Name	Scientific Name	Distance/Direction From Site	Notes
Giant hogweed	<i>Heracleum mantegazzianum</i>	Within 2km	Four records were returned, the most recent of which was dated 2024.
Himalayan balsam	<i>Impatiens glandulifera</i>	Within 2km	One record was returned and was dated 2025.
Japanese knotweed	<i>Reynoutria japonica</i>	Within 2km	One record was returned and was dated 2018.

Other Priority/Notable Species

SxBRC returned a total of 50 records for four notable species within 2km of the site between 2016 and 2026.

Table 4.10 Summary of most relevant other priority/notable species records within 2km of the site

Common Name	Scientific Name	Distance/Direction From Site	Notes
Hazel dormouse	<i>Muscardinus avellanarius</i>	1.1km south west	31 records were returned, the most recent of which was dated 2023.
Hedgehog	<i>Erinaceus europaeus</i>	1.0km east	Two records were returned, the most recent of which was dated 2023.

The species referred to in this section are primarily those known to be in the area that may be impacted by any proposals at the site, or that stand to benefit as a consequence of potential ecological enhancements at the site and inform site-specific mitigation and enhancement recommendations described in Section 5.

4.2 SITE WALKOVER

The site walkover was carried out on 6th July 2026 by Jennifer Allen, Graduate Consultant, during suitable weather conditions (sunny and dry conditions).

The site extents and habitats are shown at Appendix A, Figure A.1 with site photographs presented at Appendix C.

Habitats

The habitats present across the site consisted of the following UKHab categories, as mapped in Appendix A, Figure A.1, and described below:

- g4 - Modified grassland
- g4 - Modified grassland [18 - ruderal/ephemeral]
- h3h - Mixed scrub [32 - scattered trees]
- h3c - Willow scrub [32 - scattered trees]
- h3d - Bramble scrub
- u1b5 - Buildings
- u1b - Developed land; sealed surface

g4 - Modified grassland

Surrounding the stockpiles in the eastern and western areas of the site, the habitat comprised modified grassland (g4). The species-poor, unmanaged sward was dominated by Yorkshire fog *Holcus lanatus*, with occasional timothy *Phleum sp.*, bent *Agrostis sp.* and perennial rye-grass *Lolium perenne*. Occasional white clover *Trifolium repens*, red-veined dock *Rumex sanguineus*, field bindweed *Convolvulus arvensis*, common fleabane *Pulicaria dysenterica* and common ragwort *Jacobaea vulgaris* were also recorded. Scattered willow *Salix sp.* saplings occurred throughout the habitat, together with small, localised areas of exposed chalky gravel supporting ruderal vegetation.

In the south of the site, a second area of modified grassland was present and comprised a species-poor sward dominated by false oat-grass *Arrhenatherum elatius*, with occasional Yorkshire fog. There was occasional common knapweed *Centaurea nigra*, bird's-foot trefoil *Lotus corniculatus*, bramble *Rubus fruticosus*, creeping Thistle *Cirsium arvense* and rare rush *Juncus sp.*

g4 - Modified grassland [18 - ruderal/ephemeral]

The eastern and western areas of the site was characterised by a series of stockpiles supporting areas of tall ruderal vegetation. The habitat was dominated by red-veined dock, with abundant common fleabane and Yorkshire fog. Frequent species included common ragwort, creeping thistle

and bramble. Occasional species included timothy, meadow vetchling *Lathyrus pratensis* and field bindweed.

h3h - Mixed scrub - [32 - scattered trees]

Mixed scrub occurred as a linear belt running along the railway line on the south east border of site. The habitat was dominated by willow, with abundant bramble and occasional hawthorn *Crataegus monogyna*. The ground flora comprised occasional common nettle, cow parsley *Anthriscus sylvestris*, Yorkshire fog, false oat-grass, red-veined dock and field bindweed.

h3c - Willow scrub - [32 - scattered trees]

A thin line of willow scrub dominated by grey willow *Salix cinerea* and goat willow *Salix caprea*, was present along the western border of site. The scrub grades into adjacent modified grassland.

In the east of site there was a large area of self-seeded willow saplings within the modified grassland.

h3d - Bramble scrub

Bramble scrub was present in the north west of the site growing over a stockpile. Bramble was the dominant species with occasional common knapweed and common ragwort.

u1b5 - Buildings

There was one recently constructed residential house just within the site boundary that was constructed as part of phases 1-7.

u1b - Developed land; sealed surface

Hardstanding areas included access roads and one storage yards.

Species

Amphibians

Great Crested Newt

No ponds were present within the site boundary and, therefore, no breeding habitat for GCNs was identified within the proposed development area during the survey. Terrestrial habitats within the site, including areas of scrub, grassland and ruderal vegetation, may provide limited terrestrial habitat for GCN.

Ponds are present within the surrounding landscape; however, these are located outside the site boundary. A separate environmental DNA (eDNA) survey has been undertaken to assess the presence or likely absence of GCN within these off-site waterbodies. The findings of this survey are presented in a separate report¹⁰ and should be considered alongside this PEA.

Native Amphibians

The presence of other native amphibians, including common frog *Rana temporaria*, common toad *Bufo bufo* and smooth newt *Lissotriton vulgaris*, within the site is considered possible due to the presence of ponds in the surrounding landscape and suitable terrestrial habitats within and connected to the site.

Overall, the site is assessed to have low suitability for other native amphibians.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Bats

Foraging/Commuting

The site offers suitable foraging and commuting habitat for bats, with areas of scrub, scattered mature trees and boundary vegetation present throughout. These vegetative features support invertebrate prey populations, enhancing foraging opportunities while also providing linear features that facilitate bat movement across the site and between the surrounding habitats.

Habitat connectivity is enhanced by the adjacent railway corridor along the south-eastern boundary, which provides a well-connected linear feature likely to be used by commuting bats. The scrub and mature trees within the site further increase its value by offering sheltered foraging habitat and links to the wider landscape.

With these factors considered, the site is assessed to have moderate suitability for foraging and commuting bats.

Roosting

Summer/Transitional (Buildings)

One recently constructed residential property is present within the site, having been completed as part of the earlier phases of the wider development. This building was visually inspected from ground level and no PRFs suitable to support roosting bats were identified. The building is of modern construction and is considered unlikely to provide suitable roosting opportunities for bats.

Summer/Transitional (Trees)

The majority of trees on-site were subject to a GLTA, although some trees were obscured by inaccessible areas of dense scrub and could not be sufficiently assessed. In addition, dense ivy cover on some pedunculate oak trees restricted visibility and may have obscured PRFs.

Two mature pedunculate oak trees were identified as supporting PRFs. One tree (T1 on the UKHab Plan and T18 in the Arb reports), located in the western part of the site, had a scar on the eastern aspect of the trunk. A second tree (T2 on the UKHab Plan and T9 in the Arb reports), located in the north-eastern part of the site, had two scars on the southern aspect of the trunk and a knot hole.

Overall, the site is considered to provide moderate suitability for roosting bats.

Birds

The site provides good opportunities for nesting birds. Areas of scrub, grassland, scattered mature trees and tall ruderal vegetation offer suitable nesting habitat, providing secure nesting locations, shelter and nest-building resources. The grassland has not been cut since September 2025 giving increased cover for ground nesting species. The suitability is reduced due to the surrounding development and regular disturbance in the area.

One recently constructed residential property was present within the site; however, the building is of modern construction and generally well-sealed, offering negligible opportunities for nesting birds.

The site is well connected to the surrounding landscape through the adjacent railway corridor and boundary vegetation, which provide additional nesting and foraging habitat for common bird species. No active or inactive bird nests were recorded during the walkover survey.

Overall, the site is considered to have moderate suitability for nesting common and farm-land-associated (passerine) birds.

Dormouse

No evidence of dormice was identified during the site visit, such as gnawed hazel nuts (with a smooth, rounded hole) or nesting structures.

Hazel dormice rely on a complex, three-dimensional habitat structure to navigate between feeding and breeding areas while minimizing exposure to predators. The site's scrub and associated tree cover contribute to this structural complexity and may facilitate commuting routes. Fruiting tree and shrub species, including blackthorn and oak, are present and could offer limited foraging resources, although they do not constitute the dormouse's preferred diet.

The adjacent railway corridor and boundary vegetation provide habitat connectivity with the surrounding landscape. However, the presence of residential development and a major road along the site boundaries is likely to reduce connectivity for this species.

Overall, the site is considered to provide low suitability for hazel dormouse.

Invertebrates

The site provides suitable habitat for a range of common and widespread invertebrate species. Areas of modified grassland, scrub and tall ruderal vegetation provide foraging, sheltering and breeding opportunities, while flowering herbaceous vegetation offers nectar and pollen resources for pollinating insects.

No habitats of particular importance for notable or protected invertebrate assemblages, such as species-rich grassland, wetland habitats or extensive deadwood, were identified during the survey.

Overall, the site is considered to have low suitability for notable or protected invertebrate assemblages and moderate suitability for common and widespread invertebrate species.

Reptiles

No reptiles or evidence of reptiles were identified during the walkover survey. The habitats present within Phases 10-12 of the site, including areas of modified grassland, scrub and tall ruderal vegetation (growing on stockpiles) provide suitable opportunities for foraging, basking,

sheltering and hibernation. Phases 8 and 13 were dominated by developed land sealed surface and/ or sub-optimal to support reptiles.

The adjacent railway corridor provides good connectivity to the surrounding landscape and may facilitate the movement of reptiles. Although the site is bordered by residential development and a major road, the mosaic of habitats within the site is considered suitable to support common reptile species.

A reptile translocation has been completed previously in reference to earlier phases of the development. Reptile fencing could be spotted within some areas of dense scrub, but as the vegetation had been left to grow over it, reptiles could now climb over it into the site.

Phases 10-12 are assessed to provide moderate suitability for reptiles.

Protected/Notable Plant Species

Bluebell was the only protected plant species recorded within 2km. This species is typically found in woodlands and along woodland edges, a habitat not present on site. No other protected plant species were identified on the site at the time of the site walkover.

Therefore, the site is considered to be of negligible suitability to support protected plant species.

Invasive Non-native Species

Small amounts of buddleia was recorded across the site which is included in the West Sussex Invasive species list. However, it is not listed on Schedule 9 of the WCA (1981) as amended. No other invasive species were present on site.

Therefore invasive/non-native species are confirmed on site.

Other Priority/Notable Species

Hedgehog

Records of hedgehog were returned within the desk study. The railways and residential gardens bordering the site provide habitat corridors, however the recently constructed garden fences likely limit access.

Scrub on site provides suitable cover for active foraging of hedgehogs on ground dwelling invertebrate species and fallen fruit.

Therefore, the site is considered to be low suitability for hedgehog.

Roe deer

Two roe deer *Capreolus capreolus* were incidentally observed during the site visit in the modified grassland dominated by false oat-grass in the south of site.

5.0 EVALUATION

5.1 PROPOSALS

The proposed development is expected to comprise a large residential development, as shown in the Southern Site Masterplan Phasing Plan drawing, produced by Berkley, (2020)¹¹.

This PEA has been undertaken to inform a planning application for Phase 8 and Phases 10–13 of the wider residential development. Phase 9 does not form part of this assessment and will be the subject of a separate ecological report.

Phase 8 - 13 already has reserved matters consent for residential development (which could be implemented at any stage). The proposed Section 96.a Non-Material Minor Amendment application simply proposes to change the design and mix of 19no. plots.

5.2 DISCUSSION AND RECOMMENDATIONS

The discussion is provided below on the key ecological receptors that stand to be impacted by and/or could benefit through careful design of, the proposed development. High level commentary on the recommendation for additional targeted survey, appropriate mitigation, compensation and enhancement actions is provided.

Designated Sites

Non-statutory

Three LWS are located within 2km, the closest site being Sparrow Copse LWS located approximately 1.07km south of the site. The distance from the sites means indirect construction impacts such as air, dust or water pollution are considered to be negligible. No further assessment is therefore considered necessary. No further assessment is therefore considered necessary.

Habitats

The closest priority habitat is deciduous woodland and ancient and semi-natural woodland located approximately 300m southwest of the site. Therefore, it is unlikely to be affected by the construction activities or proposed development on site.

Species

Amphibians

Great Crested Newt

A separate eDNA survey has been conducted and the report¹⁰ should be considered alongside this PEA.

Native Amphibians

The habitats on site are considered to be of low suitability to support native amphibians. Compensatory measures were included within the Reserved Matters Approved scheme and these measures will continue to be delivered as phase come forward.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Bats

Foraging/Commuting

The habitats on the site have been identified as moderate suitability to support foraging bats. Areas suitable for foraging and commuting potential are being retained as part of the proposals. This is the same as was proposed for the proposals that have Reserved Matters Approval and no design changes associated with this Section 96.a Non Material Minor Amendment application change the areas deemed suitable. Furthermore, whilst the detailed lighting scheme has not been finalised, it will follow the same principles as the approved scheme for other phases of the development. The key features of this, as far as bat mitigation is concerned, is maintaining the light levels in sensitive areas, in private unadopted roads, around 0.5 – 1.0 Lux (approximately equivalent to somewhere between deep twilight and a full moon).

Roosting

The habitats on the site have been identified as moderate suitability to support roosting bats. This comprises two large oak trees (T1 and T2 on the UKHab Plan, which are T9 and T18 on the Arb reports). At the time of writing these trees are not due for removal under the proposals. As such no further survey is required. However, if proposals change and any of these trees are required to be removed, best practice mitigation guidelines¹² should be followed and an ecologist contacted for advice.

Artificial Lighting

The habitats on the site have been identified as having potential to support roosting bats. Areas with suitable roosting potential (2no. oak trees) are being retained as part of the proposals. This is consistent with the proposals that have Reserved Matters Approval. Furthermore, whilst the detailed lighting scheme has not been finalised, it will follow the same principles as the approved scheme for other phases of the development. The key features of this, as far as bat mitigation is concerned, is maintaining the light levels in sensitive areas, in private unadopted roads, around 0.5 – 1.0 Lux (approximately equivalent to somewhere between deep twilight and a full moon).

Birds

The site is considered to provide moderate suitability for supporting nesting common and farmland associated species (passerines), in relation to the grassland and scrub habitats. The proposals will result in some loss of suitable habitats.

It is recommended that any vegetation clearance be undertaken outside of the breeding bird season (typically recognised as March to August inclusive), where feasible. However, due to climate changes, this nesting season can sometimes extend. Where clearance is undertaken outside of the typical breeding season, a precautionary approach should be employed and clearance should be undertaken with awareness for possible bird nests outside of the peak season. In the unlikely event that a nesting bird (active bird nest) is found on-site during construction, all works should stop and an ecologist should be contacted for advice.

If the above months cannot be avoided, a nesting bird check for active bird nests would need to be carried out by an ecologist no more than 48 hours prior to the commencement. If an active nest is identified, a suitable exclusion zone would be agreed and implemented, where works cannot proceed until an ecologist has confirmed that the chicks have fledged and/or the nest is no longer in use.

Dormouse

The site is considered to provide low suitability for hazel dormouse due to the limited extent, connectivity and quality of suitable habitat. The scrub habitat is confined to two isolated patches with poor connectivity to other suitable habitats, reducing the potential for dormouse movement across the site. The scrub has also been subject to historical disturbance.

The desk study returned 31 records of hazel dormouse, in the wider area, with the most recent record dating from 2023. However, given the low suitability of habitats within the site, targeted dormouse surveys are considered disproportionate.

Existing areas of scrub and suitable habitat should be retained where practicable and incorporated into the proposed landscaping plan. Where this cannot be avoided, prior to the removal of any areas of scrub or other potentially suitable habitat, a pre-works ecological check should be undertaken by an Ecological Clerk of Works (ECOW), including a search for dormouse nests and characteristic feeding remains, such as hazelnuts, to confirm that no evidence of dormouse is present. Should evidence of dormouse be identified during the pre-works check or clearance works, works should cease immediately and further advice from a SQE should be sought. Further survey and/or a dormouse licence may then be required prior to works recommencing.

Invertebrates

The site habitats are considered to provide low suitability for notable or protected invertebrate assemblages and moderate suitability for common and widespread invertebrate species.

Compensatory measures such as pollinator friendly landscaping and the inclusion of log and brash piles within the proposed landscaping are recommended. No further surveys are recommended.

Reptiles

The scrub, grassland and tall ruderal vegetation on-site are considered to provide moderate suitability to support reptiles. A previous reptile translocation has been completed across the site associated with the development of earlier phases. As the previously installed reptile fencing has become overgrown by scrub, it is no longer effective in excluding reptiles from site. Surveys to

identify the presence/likely absence of reptiles on site are recommended, and should follow guidance from Froglife¹³, which requires seven visits to be undertaken during suitable weather conditions between April -June and/or September-October. The high summer months of July/August may be avoided owing to the higher temperatures in which reptiles may shelter from or be already warmed and therefore less likely to need to use artificial refugia or move off very quickly if disturbed (leading to a lower likelihood of survey or detection). The results of these surveys would inform the need for/approach to mitigation and compensation works.

Invasive Non-native Species

Buddleia is an invasive species which can damage native habitats and outcompete other native species; therefore, it is important that they are removed sensitively from the site during the clearance works and destroyed in such a way that prevents their spread.

West Sussex county council outlines disposal methods for small quantities of invasive species¹⁴ at their recycling centre if prior notice is given.

In addition, the following steps should be taken before, during and after site clearance to help control the aforementioned species:

- Identify areas where these species are present and assess the risk of and how they would be spread;
- Set up monitoring schemes on the site; and
- Raise awareness of these species through notices on the site to help prevent the spread. This could be done through a toolbox talk.

Care should be taken not to include INNS within the soft landscape planting schedule.

Other Priority/Notable Species

Hedgehog

In order to minimise the potential for killing or injuring of hedgehogs (and other small to medium sized mammals), works to remove scrub should ideally take place during September to October. This is due to individuals likely being active and able to move away of their own volition, whilst also being outside the nesting bird season. Additionally, during site clearance, removal of scrub/shrub should be undertaken in two phases, by cutting to 30 centimetres (cm) in the first instance, then to ground level after that. The vegetation should be checked by an ECoW for mammals before and in-between these two cuts. Should any hedgehogs be found, they should be allowed to move away of their own volition. If in immediate harms way, they should be carefully moved to a suitable area of habitat that is not due to be subject to clearance and which offers suitable cover for shelter/protection and shade.

If vegetation clearance occurs during the hibernation period between November to April inclusive, should any hedgehogs be found, works should cease and an ecologist should be contacted, with the hedgehog being left undisturbed.

During ground works, any trenches or excavations should be covered at the end of each working day/overnight or include a ramp as a means of escape for any animals that may fall in. Excavations left overnight should also be checked prior to filling.

Ecological Enhancements

The Section 96a application that this report has been prepared to inform includes minor changes to the scheme/proposals which has Reserved Matters Approval. The changes comprise changes to specific buildings (limited to 19no. plots) and do not materially change the landscaping proposed and approved at Reserved Matters Approval Stage. As such, ecological enhancements proposed and approved previously are still committed to and will be delivered as each Phase comes forward. These enhancements include native planting. No further enhancements are therefore made within this report.

General Recommendations

This report/survey has been undertaken in July 2026, and is valid for 18 months.

6.0 CONCLUSION

Greengage was commissioned by Berkeley Homes (Southern) Ltd to undertake a PEA for the site known as Phases 8 and 10 - 13 of Highwood in Horsham, RH12 1HS, in order to establish the ecological value of the site and its potential to support protected/priority habitats and species.

The PEA identified the following ecological constraints associated with the site:

- Low suitability to support native amphibians;
- [REDACTED]
- Moderate suitability to support foraging and commuting bats;
- Moderate suitability to support roosting bats;
- Moderate suitability to support nesting birds;
- Low suitability to support dormice;
- Low suitability to support notable/protected invertebrates and moderate suitability to support common invertebrates;
- Moderate suitability to support reptiles;
- Confirmed presence of buddleia.

Additional targeted survey reptiles and GCN has been recommended to determine presence/likely absence.

At the time of writing the trees identified as having bat potential (2no. large oak trees) are not due for removal under the proposals. As such no further survey for roosting bats is required. However, if proposals change and any of the trees are required to be removed, further survey will be necessary.

This information is needed to fully address the impacts of the development and/or inform appropriate mitigation and compensation measures for these species.

Key mitigation, compensation and enhancement actions have been recommended to enable legislative and policy compliance (see context at Appendix D).

Enhancement recommendations made previously under the Reserved Matter Approval remain valid.

This report/survey has been undertaken in July 2026, and is valid for 18 months.

The application to which this PEA accompanies relates to minor design changes to specified plots in Phases 8 and 10 and the scheme therefore proposes limited changes in ecology terms in comparison to the approved extant application.

APPENDIX A UKHAB MAP

Figure A.1 UKHAB Map

HIGHWOOD PHASES 8 & 10-13

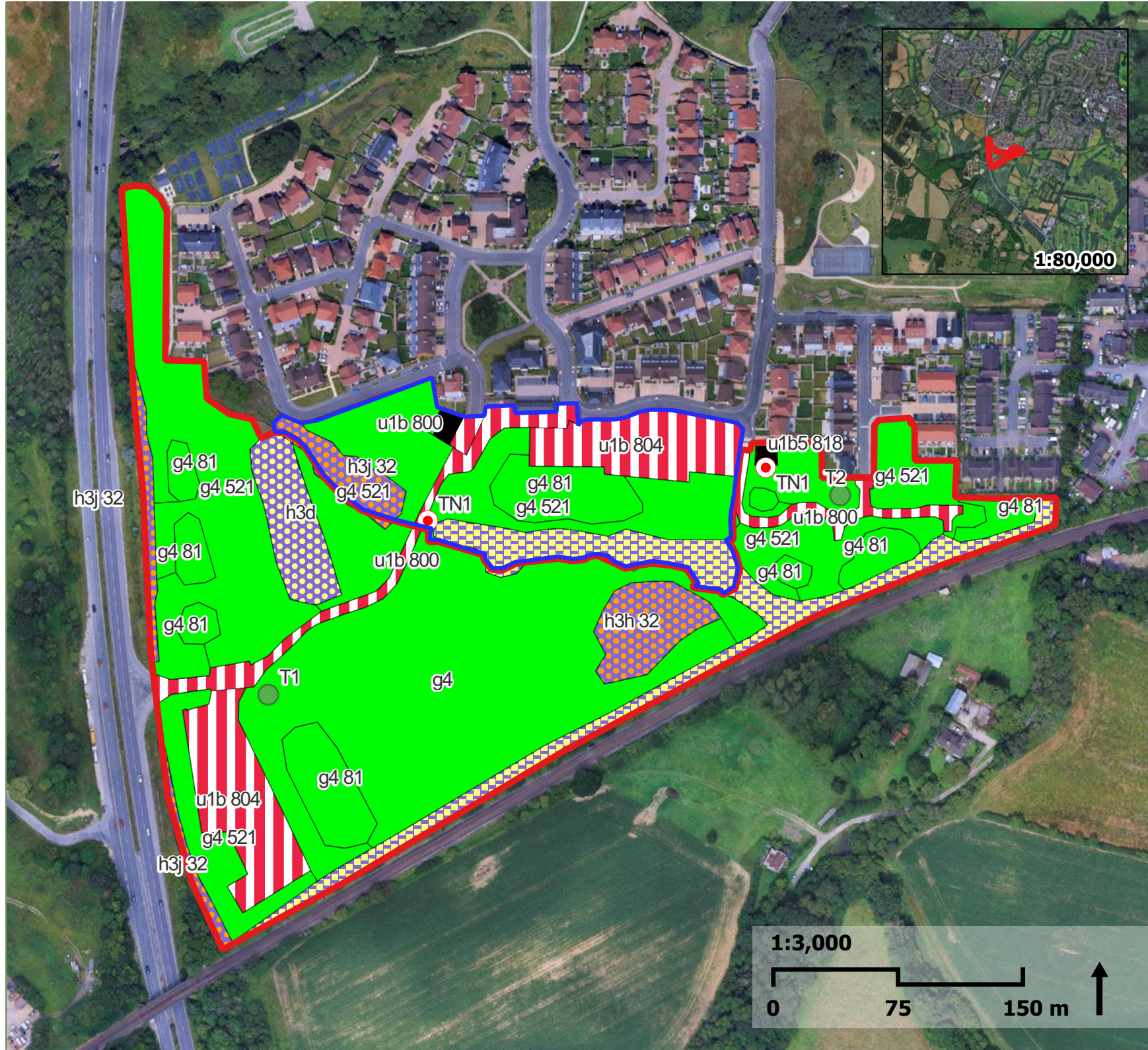
-  Phase 9
-  Phases 8 & 10-13
- Habitats**
-  g4 - Modified grassland
-  h3d - Bramble scrub
-  h3h - Mixed scrub
-  h3j - Willow scrub
-  u1b - Developed land; sealed surface
-  u1b5 - Buildings
-  Target Notes
-  Trees

Title: Figure A.1

Drawn by: JA
Date: 15/09/2026

Reviewed by: CH
Date: 15/09/2026

Project number: 554408
Sources: Google Satellite Imagery, ESRI World Topo



APPENDIX B TARGET NOTES

TN1. Buddleia

APPENDIX C SITE PHOTOGRAPHS

Plates

Plate C 1 Tall ruderal vegetation on stockpile in north east of site



Plate C 2 Tree T2 in north east of site



Plate C 3 Tree T1 in south west of site



Plate C 4 Buddleia next to house in north east of site



Plate C 5 Modified grassland in north east of site



Plate C 6 Modified grassland in centre of site



Plate C 7 Modified grassland in south of site dominated by false oat-grass



Plate C 8 Self-seeded young willows in east of site



Plate C 9 Bramble scrub on stockpile in north of site



Plate C 10 Willow scrub on western site boundary



APPENDIX D RELEVANT LEGISLATION AND POLICY

D.1 LEGISLATION

Current key legislation relating to ecology includes the Environment Act 2021¹⁵, Wildlife and Countryside Act 1981 (as amended)¹⁶; The Conservation of Habitats and Species Regulations 2019 ('Habitats & Species Regulations')¹⁷, The Countryside and Rights of Way Act 2000 (CRoW Act)¹⁸, and The Natural Environment and Rural Communities Act, 2006¹⁹.

The Environment Act, 2021

Under the Environment Act²⁰, 2021, as of 12th February 2024 and 2nd April 2024, it is mandatory in England for new developments (with a small number of exceptions) to deliver a minimum 10% biodiversity net gain (BNG), as measured by the Statutory Biodiversity Metric or Small Sites Metric (SSM) respectively, secured through planning condition as standard (as per schedule 14 of the Act). Approach to the delivery of BNG must follow the mitigation hierarchy, with avoidance of impact and on-site compensation/gains prioritised, ahead of the use of off-site compensation, or the purchase of statutory credits.

The Act introduces the condition that no development may begin unless a Biodiversity Gain Plan (BGP) has been submitted and approved by the LPA.

The Act also amends requirements of the NERC Act, 2006, adding the need to not just conserve, but enhance biodiversity through planning projects. Furthermore, it introduces the need for the LPA to have regard to relevant local nature recovery strategies and relevant species/protected site conservation strategies, when making their decision.

Under the Act, the enhancements must be maintained for at least 30 years.

The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019

The Conservation of Habitats & Species Regulations replace The Conservation (Natural Habitats, etc.) Regulations 1994 (as amended)²¹, and transpose Council Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Fauna and Flora ('EU Habitats Directive')²², and Council Directive 79/409/EEC on the Conservation of Wild Birds ('Birds Directive')²³ into UK law (in conjunction with the Wildlife and Countryside Act).

Regulation 43 and 47 respectively of the Conservation of Habitats & Species Regulations makes it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2 (European protected species of animals), or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 5 (European protected species of plant). Development that would contravene the protection afforded to European protected species requires a derogation (in the form of a licence) from the provisions of the Habitats Directive.

Regulation 63 (1) states: 'A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which —

(a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects); and

(b) is not directly connected with or necessary to the management of that site;

must make an appropriate assessment of the implications for that site in view of that site's conservation objectives.'

Wildlife and Countryside Act 1981 (as amended)

The Wildlife and Countryside Act 1981 (as amended) is the principal mechanism for the legislative protection of wildlife in Great Britain. This legislation is the means by which the Convention on the Conservation of European Wildlife and Natural Habitats²⁴ (the 'Bern Convention') and the Birds Directive and EU Habitats Directive are implemented in Great Britain.

The Countryside and Rights of Way Act 2000

The Wildlife and Countryside Act has been updated by the CROW Act. The CROW Act amends the law relating to nature conservation and protection of wildlife. In relation to threatened species it strengthens the legal protection and adds the word 'reckless' to the offences of damaging, disturbing, or obstructing access to any structure or place a protected species uses for shelter or protection, and disturbing any protected species whilst it is occupying a structure or place it uses for shelter or protection.

The Natural Environment and Rural Communities Act 2006

The Natural Environment and Rural Communities Act 2006 states that every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. Biodiversity Action Plans provide a framework for prioritising conservation actions for biodiversity.

Section 41 of the Natural Environment and Rural Communities Act requires the Secretary of State to publish a list of species of flora and fauna and habitats considered to be of principal importance for the purpose of conserving biodiversity. The list, a result of the most comprehensive analysis ever undertaken in the UK, currently contains 1,149 species, including for example, hedgehog (*Erinaceus europaeus*), and 65 habitats that were listed as priorities for conservation action under the now defunct UK Biodiversity Action Plan²⁵ (UK BAP). Despite the devolution of the UK BAP and succession of the UK Post-2010 Biodiversity Framework²⁶ (and Biodiversity 2020 strategy²⁷ in England), as a response to the Convention on Biological Diversity's (CBD's) Strategic Plan for Biodiversity 2011-2020 and EU Biodiversity Strategy (EUBS)²⁸, this list (now referred to as the list of Species and Habitats of Principal Importance in England) will be used to guide decision-makers such as public bodies, including local and regional authorities, in implementing their duty under section 41 of the Natural Environment and Rural Communities Act 2006 'to have regard' to the conservation of biodiversity in England, when carrying out their normal functions.

Biodiversity Action Plans

Non-statutory Biodiversity Action Plans (BAPs) have been prepared on a local and regional scale throughout the UK over the past 15 years. Such plans provide a mechanism for implementing the government's broad strategy for conserving and enhancing the most endangered ('priority') habitats and species in the UK for the next 20 years. As described above the UK BAP was succeeded in England by Biodiversity 2020 although the list of priority habitats and species remains valid as the list of Species of Principal Importance for Nature Conservation.

Regional and local BAPs are still valid however and continue to be updated and produced.

Detail on the relevant BAPs for this site are provided in the main text of this report.

Legislation Relating to Natura 2000 Sites and Habitats Directive Annex I/II Species

European Commission Council Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Fauna and Flora ('EU Habitats Directive'), and Council Directive 79/409/EEC on the Conservation of Wild Birds ('Birds Directive') form the cornerstones of nature conservation legislation across EU member states. Priority species requiring protection across Europe are listed in the Annexes of these Directives. Regulation 63(1) of the Conservation of Habitats and Species Regulations 2019 and Offshore Marine Conservation Regulations, 2007 (as amended) transpose these directives into UK law and set the basis for the designations of protected sites (known as Natura 2000 sites; Special Areas of Conservation under the Habitat Directive and Special Areas of Protection under the Birds Directive) that are of importance for habitats, species or assemblages listed on the directive Annexes. In the UK Ramsar sites are also offered the same level of protection as SPAs and SACs however the qualifying species for the designation may differ; Ramsar sites being designated specifically as important wetland habitats.

Under article 6(3) of the Habitats Directive, where projects stand to have likely significant effect (in accordance with the European Court of Justice ruling of C-127/02 Waddenzee cockle fishing) upon the integrity of conservation objectives (i.e. conservation status of the qualifying species or habitats) within the designated sites then the Competent Authority must undertake an Appropriate Assessment.

Legislation Relating to Amphibians i.e. Great Crested Newt

Great crested newts are given full protection under Schedule 5 of the Wildlife and Countryside Act 1981, as amended. Protection to the species is also afforded by Regulation 43 of the Conservation of Habitats and Species Regulations 2019, making the great crested newt a European Protected Species. These two pieces of legislation operate in parallel, although there are some small differences in scope and wording. Under the provisions of Section 9 of the Wildlife & Countryside Act, it is an offence to:

- Intentionally kill, injure or take a great crested newt;
- Possess or control and live or dead specimen or anything derived from a great crested newt (unless it can be shown to have been legally acquired);
- Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection by a great crested newt; and
- Intentionally or recklessly disturb a great crested newt while it is occupying a structure or place which it uses for that purpose.

Regulation 43 of the Conservation of Habitats and Species Regulations 2019 makes it an offence to:

- Deliberately capture or kill a great crested newt;
- Deliberately disturb a great crested newt;
- Damage or destroy a breeding site or resting place of a great crested newt; and

- Keep transport, sell or exchange, or offer for sale or exchange a live or dead great crested newt or any part of a great crested newt.

Legislation Relating to Badger

Badgers and their setts are protected under the Protection of Badgers Act 1992, an Act which consolidated and strengthened previous legislation, including the Badgers (Further Protection) Act 1991, the Badgers Act 1991 and the Badgers Act 1973. In England and Wales, it is an offence to:

- Wilfully kill, injure or take a badger;
- Attempt to kill, injure or take a badger;
- Cruelly ill-treat a badger;
- Dig for a badger;
- Intentionally or recklessly damage or destroy a badger sett, or obstruct access to it;
- Cause a dog to enter a badger sett; or
- Disturb a badger when it is occupying a sett.

A licence may be obtained from the appropriate authority (Natural England or Natural Resources Wales) to carry out any activities prohibited by the Act, subject to the conditions of the licence being adhered to.

Legislation Relating to Bats

All UK bats and their roosts are protected by law. Since the first legislation was introduced in 1981, which gave strong legal protection to all bat species and their roosts in England, Scotland and Wales, additional legislation and amendments have been implemented throughout the UK.

Six of the 18 British species of bat have Biodiversity Action Plans (BAPs) assigned to them, which highlights the importance of specific habitats to species, details of the threats they face and proposes measures to aid in the reduction of population declines.

Although habitats that are important for bats are not legally protected, care should be taken when dealing with the modification or development of an area if aspects of it are deemed important to bats such as flight corridors and foraging areas.

The Wildlife & Countryside Act 1981 (WCA) was the first legislation to provide protection for all bats and their roosts in England, Scotland and Wales (earlier legislation gave protection to horseshoe bats only.)

All eighteen British bat species are listed in Schedule 5 of the Wildlife and Countryside Act, 1981 and under Annex IV of the Habitats Directive, 1992 as a European protected species. They are therefore fully protected under Section 9 of the 1981 Act and under Regulation 43 of the Conservation of Habitats and Species Regulations 2019, which transposes the Habitats Directive into UK law. Consequently, it is an offence to:

- Deliberately capture, injure or kill a bat;
- Intentionally or recklessly disturb a bat in its roost or deliberately disturb a group of bats;
- Damage or destroy a bat roosting place (even if bats are not occupying the roost at the time);
- Possess or advertise/sell/exchange a bat (dead or alive) or any part of a bat; and

- Intentionally or recklessly obstruct access to a bat roost.

Legislation Relating to Birds (Nesting)

Nesting birds, with certain exceptions, are protected from intentional killing, destruction of nests and destruction/taking of eggs under the Wildlife and Countryside Act 1981 (as amended) and the CROW Act. Any clearance of dense vegetation should therefore be undertaken outside of the nesting bird season, taken to run conservatively from March to August (inclusive), unless an ecologist confirms the absence of active nests prior to clearance.

Legislation Relating to Dormice

Dormice are given full protection under Schedule 5 of the Wildlife and Countryside Act 1981, as amended. Protection to the species is also afforded by Regulation 43 of the Conservation of Habitats and Species Regulations 2019, making the hazel dormouse a European Protected Species. These two pieces of legislation operate in parallel, although there are some small differences in scope and wording. Under the provisions of Section 9 of the Wildlife & Countryside Act, it is an offence to:

- Intentionally kill, injure or take a dormouse;
- Possess or control and live or dead specimen or anything derived from a dormouse (unless it can be shown to have been legally acquired);
- Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection by a dormouse; and
- Intentionally or recklessly disturb a dormouse while it is occupying a structure or place which it uses for that purpose.

Regulation 43 of the Conservation of Habitats and Species Regulations 2019 makes it an offence to:

- Deliberately capture or kill a dormouse;
- Deliberately disturb a dormouse;
- Damage or destroy a breeding site or resting place of a dormouse; and
- Keep transport, sell or exchange, or offer for sale or exchange a live or dead dormouse or any part of a dormouse.

Legislation Relating to Fish

The following fish are protected under the Wildlife and Countryside Act 1981:

- Allis shad *Alosa alosa*;
- Twaite shad *Alosa fallax*;
- Vendace *Coregonus albula*;
- Whitefish *Coregonus lavaretus* - also known as powan, gwyniad or schelly; and,
- Atlantic sturgeon *Acipenser sturio*.

Allis shad and twaite shad

For allis shad and twaite shad, it is an offence to:

- Intentionally kill, injure or take them; and,
- Intentionally or recklessly damage or destroy a structure or place used for shelter or protection.

Vendace and whitefish

For vendace and whitefish, it is an offence to intentionally:

- Kill, injure or take them; and
- Possess or control them (alive or dead).

It is also an offence to intentionally or recklessly:

- Damage or destroy a structure or place used for shelter or protection;
- Disturb them in a place used for shelter or protection; and,
- Obstruct access to a place used for shelter or protection.

Atlantic sturgeon

Atlantic sturgeon are European protected species (EPS) protected under the Conservation of Habitats and Species Regulations 2017. It is an offence to:

- Deliberately kill, injure, disturb or capture them;
- Deliberately take or destroy their eggs;
- Damage or destroy their breeding sites and resting places (even when Atlantic sturgeon are not present); and
- Possess, control or transport them (alive or dead).

It is also an offence under the Wildlife and Countryside Act 1981 to intentionally or recklessly:

- Disturb Atlantic sturgeon while they occupy a structure or place used for shelter or protection; and,
- Obstruct access to a place of shelter or protection.

Special areas of conservation (SACs), sites of special scientific interest (SSSIs) or Ramsar sites have features of special interest for freshwater or migratory fish, such as:

- Atlantic salmon *Salmo salar*;
- bullhead *Cottus gobio*;
- lamprey (brook, river and sea) (*Petromyzontiformes*);
- spined loach *Cobitis taenia*; and,
- European eel *Anguilla anguilla*.

Many fish species are also listed as rare and most threatened species. You must have regard for the conservation of Section 41 species as part of your planning decision.

Fish are also protected under the Salmon and Freshwater Fisheries Act 1975 and Eels (England and Wales) Regulations 2009.

Legislation Relating to Reptiles

All species of reptile native to the UK are protected to some degree under national and/or international legislation, which provides mechanisms to protect the species, their habitats and sites occupied by the species.

Sand lizards and smooth snakes are European protected species and are afforded full protection under Section 9 of the Wildlife and Countryside Act 1981 and Regulation 43 of the Conservation of Habitats and Species Regulations 2019. However, these species are rare and highly localised. Their occurrence is not considered as relevant in this instance, as the ranges and specialist habitats of these species do not occur at this site.

The remaining widespread species of native reptiles (adder, grass snake, slow worm and viviparous lizard) are protected under part of Section 9(1) and all of Section 9(5) of the Wildlife and Countryside Act 1981. They are protected against intentional killing and injury and against sale, transporting for sale etc. The habitat of these species is not protected. However, in terms of development, disturbing or destroying reptile habitat during the course of development activities while reptiles are present is likely to lead to an offence under the Wildlife and Countryside Act 1981. It is therefore important to identify the presence of these species within a potential development site. If any of these species are confirmed, all reasonable measures must then be taken to ensure the species are removed to avoid the threat of injury or death associated with development activities.

Each species of native reptile has specific habitat requirements but general shared features include a structurally diverse habitat that provides for shelter, basking, foraging and hibernating.

All reptiles are BAP species and as such are also of material consideration in the planning process due to the NPPF.

Legislation Relating to Riparian Mammals

Beaver

Under the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations') it is an offence to:

- deliberately disturb a beaver - this includes any action likely to impair their ability to survive, breed or rear their young;
- deliberately injure, capture or kill a beaver; and/or
- damage or destroy the breeding site or resting place of a beaver.

It is also an offence to:

- possess, control or transport a beaver
- sell or exchange a beaver
- offer a beaver for sale or exchange

This applies whether the beaver is alive or dead and includes beaver parts and derivatives.

The Wildlife and Countryside Act 1981 legislation prohibits the release of beavers into the wild except with a licence.

It also makes it an offence to use any trap or snare for the purpose of killing, taking or restraining beavers. It is also an offence to set a trap or snare in place to cause injury to a beaver.

Some management activities near or in a SSSI may need permission from Natural England under this legislation.

Otter and Water Vole

Otter and water vole are protected by the Wildlife and Countryside Act (1981) (as amended). It is an offence to intentionally kill, injure or capture a water vole or be in a possession of a live or dead otter/water vole or any part of one or intentionally damage, destroy or obstruct access or disturb any otter/water vole shelter or disturb while occupying such shelter. Works to water vole/otter habitat may require a licence for Natural England.

Legislation Relating to Protected/Priority Plant Species

For plant species that are listed in Schedule 5 of the Conservation of Habitats and Species Regulations 2017, it is an offence to:

- deliberately pick, collect, cut, uproot or destroy them
- possess, control or transport them (alive or dead)

A granted mitigation licence is required to carry out any of the above actions for any plant that is a EPS.

For plants, fungi and lichens protected under the Wildlife and Countryside Act 1981, it is an offence to:

- intentionally uproot any wild plant without the landowner's consent.

For plants, fungi and lichens listed in Schedule 8 of the Wildlife and Countryside Act 1981, it is an offence to:

- intentionally pick, uproot or destroy them.

A granted mitigation licence is required to carry out proposed activities.

Many plants, fungi and lichens are also listed as rare or most threatened species under Section 41 of the NERC Act 2006. Regard must be had for the conservation of Section 41 species as part of planning decisions.

Legislation Relating to Invasive Non-native Species

Section 14 of the Wildlife and Countryside Act 1981 (as amended) prevents the release into the wild of certain plants and animals which may cause ecological, environmental or socio-economic harm. It prohibits the introduction into the wild of any animal of a kind which is not ordinarily resident in, and is not a regular visitor to, Great Britain in a wild state, or any species of animal or plant listed on Schedule 9 of the Act. In the main, Schedule 9 lists non-native species that are already established in the wild, but which continue to pose a conservation threat to native biodiversity and habitats, such that further releases should be regulated. The Schedule also includes some native species (for example barn owl) in order to provide a level of control to

ensure that releases, in particular reintroduction programs, are carried out in an appropriate manner and biodiversity is properly safeguarded.

D.2 PLANNING POLICY

National

National Planning Policy Framework

The National Planning Policy Framework (NPPF) 2026 sets out the Government's planning policies for England, including how plans and decisions are expected to apply a presumption in favour of sustainable development. Chapter 19 of the NPPF focuses on conservation and enhancement of the natural environment, with the objective of influencing the design and location of new development to help drive nature's recovery and contribute to wider environmental outcomes, safeguarding our most important habitats, species and landscapes and recognising the centrality of natural capital to delivering sustainable growth.

Amongst other considerations, development proposals should:

- Use green infrastructure provided as part of the scheme and nature-based solutions to secure multiple benefits: such as for biodiversity; surface water and pollution management (including maintaining flow rates and water quality); climate change mitigation and adaptation, and recreation;
- Minimise any 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) into their construction unless there are compelling technical reasons which prevent their use, or would make them ineffective; and
- Ensure that green infrastructure and other features to support nature are located and designed to minimise risk of future failure, and that appropriate measures are in place for any necessary long-term management.

It goes on to state: '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 the development should be refused'.

Also included are measures to protect designated sites, and it states that, 'Irrespective of a site's status in nature conservation terms, development proposals which would entail 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.'

Regional

West Sussex LNRS

The West Sussex LNRS 2026⁴ sets out priorities and actions for nature recovery across West Sussex. The strategy provides a local framework for protecting, restoring and enhancing habitats, improving ecological connectivity and supporting the recovery of priority habitats and species.

The LNRS identifies opportunities for habitat creation, restoration and enhancement, including through the provision of green infrastructure and nature-based solutions. The strategy is

supported by a Local Habitat Map, which identifies areas of particular importance for biodiversity and opportunities for nature recovery. The LNRS and associated mapping should therefore be considered when identifying opportunities for biodiversity enhancement associated with development.

West Sussex Planning Policy

Climate Change Resilience

No formal environmental strategy is included however key points within this document include increasing access to nature, prioritising natural flood solutions and increasing opportunities for BNG to promote the following:

- Green tourism;
- Natural capital investment funding when available
- Sustainable businesses
- Sustainable business growth
- Green innovation amongst business

Local

Horsham District Planning Framework (2015)²⁹

Policy 25 - The Natural Environment and Landscape Character

The natural environment and landscape character of the District, including the landscape, landform and development pattern, together with protected landscapes and habitats will be protected against inappropriate development. The Council will support development proposals which:

1. Protects, conserves and enhances the landscape and townscape character, taking into account areas identified as being of landscape importance, the individual settlement characteristics, and maintains settlement separation;
2. Maintain and enhances the Green Infrastructure Network and addresses any identified deficiencies in the District;
3. Maintains and enhances the existing network of geological sites and biodiversity, including safeguarding existing designated sites and species, and ensures no net loss of wider biodiversity and provides net gains in biodiversity where possible; and,
4. Conserve and where possible enhance the setting of the South Downs National Park.

Policy 26 - Countryside Protection

In addition, proposals must be of a scale appropriate to its countryside character and location. Development will be considered acceptable where it does not lead, either individually or cumulatively, to a significant increase in the overall level of activity in the countryside, and protects, and/or conserves, and/or enhances, the key features and characteristics of the landscape character area in which it is located, including;

5. The development pattern of the area, its historical and ecological qualities, tranquillity and sensitivity to change;

6. The pattern of woodlands, fields, hedgerows, trees, waterbodies and other features; and,
7. The landform of the area.

Policy 27 Settlement Coalescence

Landscapes will be protected from development which would result in the coalescence of settlements. Development between settlements will be resisted unless it can be demonstrated that:

8. Proposals contribute to the conservation, enhancement and amenity of the countryside, including where appropriate enhancements to the Green Infrastructure network or provide opportunities for quiet informal recreation.

Policy 31 Green Infrastructure and Biodiversity

9. Development will be supported where it can demonstrate that it maintains or enhances the existing network of green infrastructure. Proposals that would result in the loss of existing green infrastructure will be resisted unless it can be demonstrated that new opportunities will be provided that mitigates or compensates for this loss, and ensures that the ecosystem services of the area are retained.
10. Development proposals will be required to contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate. The Council will support new development which retains and /or enhances significant features of nature conservation on development sites. The Council will also support development which makes a positive contribution to biodiversity through the creation of green spaces, and linkages between habitats to create local and regional ecological networks.
11. Where felling of protected trees is necessary, replacement planting with a suitable species will be required.
12. a) Particular consideration will be given to the hierarchy of sites and habitats in the district as follows:
 - i. Special Protection Area (SPA) and Special Areas of Conservation (SAC)
 - ii. Sites of Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs)
 - iii. Sites of Nature Conservation Importance (SNCIs), Local Nature Reserves (LNRs) and any areas of Ancient woodland, local geodiversity or other irreplaceable habitats not already identified in i & ii above.
1. b) Where development is anticipated to have a direct or indirect adverse impact on sites or features for biodiversity, development will be refused unless it can be demonstrated that:
 - i. The reason for the development clearly outweighs the need to protect the value of the site; and,
 - ii. That appropriate mitigation and compensation measures are provided.
2. Any development with the potential to impact Arun Valley SPA or the Mens SAC will be subject to a HRA to determine the need for an Appropriate Assessment. In addition, development will be required to be in accordance with the necessary mitigation measures for development set out in the HRA of this plan.

Policy 33 Development Principles

In order to conserve and enhance the natural and built environment developments shall be required to:

3. Presume in favour of the retention of existing important landscape and natural features, for example trees, hedges, banks and watercourses. Development must relate sympathetically to the local landscape and justify and mitigate against any losses that may occur through the development.

Draft Horsham District Local Plan 2019-2036

Policy 27 - The Natural Environment and Landscape Character

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 expect development proposals to be landscape led from the outset so that they clearly inform the design and layout. Proposals will also be required to:

4. Protect, conserve and enhance the landscape and townscape character, taking into account areas identified as being of landscape importance, the individual settlement characteristics, and maintain settlement separation;
5. Maintain and enhance the Green Infrastructure Network, the Nature Recovery Network and, where practicable, help to address any identified deficiencies in the District;
6. Maintain and enhance the existing network of geological sites and biodiversity, including safeguarding existing designated sites and species, and secure net gains in biodiversity;
7. Incorporate SUDS into a scheme in an optimal location for their purpose whilst also securing landscape enhancements and good quality spaces. Proposals will be expected to provide details to demonstrate that the whole life management and maintenance of the SUDS are appropriate, deliverable and will not cause harm to the natural environment and/or landscape; and,
8. Where applicable, conserve and, where possible, enhance the setting of the South Downs National Park and the High Weald Area of Outstanding Natural Beauty.

Policy 28 - Countryside Protection

9. Outside built-up area boundaries and unclassified settlements, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Any proposal must be essential to and justify its countryside location, and must meet one of the following criteria:
 - a. Support the needs of agriculture or forestry
 - b. Enable the extraction of minerals or the disposal of waste;
 - c. Provide for quiet informal recreational use; or,
 - d. Enable the sustainable development of rural areas.
10. In addition, all proposals must be appropriately integrated within the landscape and be of a scale appropriate to its countryside character and location. Development will be considered acceptable where it does not lead, either individually or cumulatively, to a significant increase in the overall level of activity in the countryside, and protects, conserves, and seeks to enhance, the key features and characteristics of the landscape character area in which it is located, including;

- a. The development pattern of the area, its historical and ecological qualities, tranquillity and sensitivity to change;
- b. The pattern of woodlands, fields, hedgerows, trees, waterbodies and other features; and,
- c. the landform of the area; and,
- d. Where relevant, the designated South Downs National Park 'International Dark Sky Reserve' (IDSR).

Policy 29 - Settlement Coalescence

11. Landscapes will be protected from development which would result in the coalescence of settlements in order to protect local identity and a sense of place. Development between settlements will be resisted unless it can be demonstrated that:
 - a. c. Proposals respect the landscape and contribute to the enhancement of their countryside setting, including, where appropriate, enhancements to the Green Infrastructure network, the Nature Recovery Network and/or provide opportunities for quiet informal countryside recreation.

Policy 31 - Green Infrastructure and Biodiversity

12. 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.
13. Proposals will be expected to retain and enhance existing fresh water 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.
14. 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.
15. 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.
16. 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.
17. Particular consideration will be given to the hierarchy of sites and habitats in the District as follows:
 - a. Special Protection Area (SPA) and Special Areas of Conservation (SAC)

- b. Sites of Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs)
 - c. 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.
18. 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:
- a. The objectives of a site's designation, where applicable, and integrity of the area will not be undermined;
 - b. The reason for the development clearly outweighs the need to protect the value of the site; and,
 - c. That appropriate mitigation and compensation measures are provided.
19. 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.

Policy 33 Development Quality

High quality and inclusive design for all development in the District will be required based on a clear understanding of the local, physical, social, economic, environmental and policy context for development. In particular, development will be required to:

20. 5. Contribute to, and enhance, the green infrastructure that makes the District a more pleasant place to live. Existing landscape belts, trees, and hedgerows that are field boundaries and form the character of the landscape should be retained; and

Policy 34 Development Principles

21. 8. Development must relate sympathetically to the local landscape and should retain existing important landscape and natural features, for example trees, hedges, banks and watercourses. Any losses or harm to landscape and natural features that may occur through the development will require justification and evidence that new opportunities will be provided or that that mitigation or compensation for any loss will be provided.

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