

***Kilnwood Vale:***

***Phase 3 DEFG***

***Discharge of Condition 21***

**April 2023**



**T:** 0118 989 10 86  
**E:** [info@derekfinnie.com](mailto:info@derekfinnie.com)  
**W:** [www.derekfinnie.com](http://www.derekfinnie.com)

20 Soames Place, Mulberry Grove  
Wokingham, Berkshire RG40 5AT



**COMMISSIONED BY**

Crest Nicholson  
Crest House,  
Pycroft Road,  
Chertsey,  
KT16 9GN

***Kilnwood Vale:***  
***Phase 3 DEFG***  
***Discharge of Condition 21***

**April 2023**

Report Ref: DFA23020

**Derek Finnie Associates Ltd**

20 Soames Place  
Wokingham  
Berkshire  
RG40 5AT

[info@derekfinnie.com](mailto:info@derekfinnie.com)

## CONTENTS

|     |                                         |   |
|-----|-----------------------------------------|---|
| 1   | INTRODUCTION.....                       | 1 |
| 1.1 | Background.....                         | 1 |
| 2   | PHASE 3 INFRASTRUCTURE WORKS SITE ..... | 2 |
| 2.1 | Site Description .....                  | 2 |
| 3   | MITIGATION AND ENHANCEMENT .....        | 3 |
| 3.1 | Mitigation Required .....               | 3 |
| 3.2 | Habitat creation and management .....   | 4 |

## TABLES

|          |                                               |   |
|----------|-----------------------------------------------|---|
| Table 1. | Mitigation required for the Phase 3 DEFG..... | 3 |
|----------|-----------------------------------------------|---|

## 1 INTRODUCTION

### 1.1 Background

- 1.1.1 Derek Finnie Associates Limited was commissioned by Crest Nicholson to prepare a Report to partially discharge Condition 21(b) in so far as it relates to the Phase 3 DEFG works at the Kilnwood Vale Development.
- 1.1.2 Planning permission has been granted by Horsham District Council (planning permission ref. DC/15/2813) for residential-led mixed-use development at Kilnwood Vale, subject to certain conditions. Condition 21 of planning relates to the production of an Ecological Management Plan and states:

*Condition 21*

*a) Within 6 months of the commencement of the development a scoping document in the form of an overarching long term Ecological Management Plan in respect of all the land within the red line as shown on the Masterplan (including the details submitted as part of phase 1) shall have been submitted to the local planning authority in writing. The Ecological Management Plan shall be based upon the mitigation and measures contained within Chapter 10 of the Environmental Statement dated July 2010.*

*b) A detailed Ecological Management plan shall be submitted as part of each reserved matters application and approved in writing by the Local Planning Authority and shall be incorporated into, and demonstrate integration with, the overarching Ecological Management Plan together with demonstrating compliance with the ecological mitigation set out in Chapter 10 of the Environmental Statement.*

*Each phase or part phase of the development shall thereafter be maintained in accordance with the approved overarching and detailed Ecological Management plan, unless otherwise approved in writing by the LPA*

- 1.1.3 An overarching long-term Ecological Management Plan was produced by SLR (SLR. Kilnwood Vale, West of Bewbush, Crawley, West Sussex Details Pursuant to Condition 21 Ecological Management Plan. SLR Ref: 404.00404.00027 September 2013) and submitted to the local planning authority to discharge Part (a) of Condition 21.
- 1.1.4 A Reserved Matters Application (RMA) for the Phase 3 DEFG works of the development has been prepared. Therefore, in line with Part b of Condition 21, an Ecological Management Plan for the Phase needs to be submitted to the LPA in support of this RMA, which incorporates the principles of the overarching long term management plan. The following document, therefore, represents the Ecological Management Plan for The Phase 3 DEFG part of the development.

## **2 PHASE 3 DEFG SITE**

### **2.1 Site Description**

- 2.1.1 The land within the RM for the Phase 3 DEFG lies to the south of the railway line. The Site has been subject to re-profiling works in line with the extant Outline Permission, and as such is devoid of any vegetation. The land within 30m of the edge of the development area was also surveyed and found to comprise bare soil and stock of piles of sub-soil.
- 2.1.2 Prior to the re-profiling works, the land supported a relatively poor flora comprising predominantly bare ground with a sparse developing ephemeral community as a result of the recent completion of the land fill works (Kilnwood Vale Environmental Statement Chapter 10: Ecology and Nature Conservation, 2010), hence the re-profiling works have not altered the ecological value of the area significantly.

### 3 MITIGATION AND ENHANCEMENT

#### 3.1 Mitigation Required

- 3.1.1 Table 1 details the mitigation proposed for the Phase 3 DEFG in line with overarching long term Ecological Management Plan (SLR. Kilnwood Vale, West of Bewbush, Crawley, West Sussex Details Pursuant to Condition 21 Ecological Management Plan. SLR Ref: 404.00404.00027 September 2013).

**Table 1.** Mitigation required for the Phase 3 DEFG

| Species Group | Mitigation/Management Required for each Phase                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Mitigation undertaken for the Phase 3 DEFG                                                                                                                                      |
|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Badger        | Within the 12 month period prior to each phase commencing the area within that phase will be re-surveyed to identify whether any badger setts are present, if they are the level of activity at the setts and whether the sett can be retained. If considered necessary to ascertain which badger clan is using a particular sett, a bait marking survey will be undertaken. Timing to be sufficient to enable a NE Sett Closure Licence to be applied for and the works to be undertaken within that 12 months | A badger survey was undertaken across the site on the 23 <sup>rd</sup> February 2023, including a 30m buffer around the perimeter. No evidence of badger presence was detected. |
| Bats          | Within the 12-month period prior to the development of each Phase commencing, the woodlands and hedgerows within the development phase will be assessed to determine whether the potential value of the trees present for bats has changed. This is particularly important for those areas of the development phase where trees will need to be removed or lighting is required.                                                                                                                                | No trees or hedgerows are present within the Phase 3 DEFG land.                                                                                                                 |
| Birds         | Avoidance of damage or disturbance to bird nests as required by the Wildlife and Countryside Act 1981 (as amended). Habitats would be removed outside of the breeding bird season (1st March – 31st July). If suitable habitat has to be removed during this period then habitat would be checked for breeding bird nests, if any are found and identified as being in use then this area of habitat would not be cleared until the bird has completed or abandoned its nesting attempt                         | The land within Phase 3 DEFG area comprises bare soil and as such is not deemed suitable to nesting birds.                                                                      |
| Reptiles      | Within the 12-month period prior to development commencing in each phase of the development the habitats will be re-assessed and if suitable habitat is present will be resurveyed to confirm if reptiles are                                                                                                                                                                                                                                                                                                   | The land within Phase 3 DEFG area comprises bare soil and as such is not deemed suitable to support reptiles. The area has previously been subject to a                         |



| Species Group | Mitigation/Management Required for each Phase                                                                                                                                                                                                                                                                                                                                                                                                                                              | Mitigation undertaken for the Phase 3 DEFG                                               |
|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
|               | present. Then one of two approaches will be taken, depending on if reptiles are found.                                                                                                                                                                                                                                                                                                                                                                                                     | reptile translocation exercise.                                                          |
| Dormouse      | At least 18 months before the development of each Phase woodlands and hedgerows within the development area will be assessed and it will be determined whether the dormice surveys should be updated. The requirement to update the surveys for each Phase will be based on the type of habitats within that Phase, the species composition, age and density within each woodland/hedgerow and whether the development will lead to loss/damage/isolation of an area of woodland/hedgerow. | The site does not contain any hedgerows or other vegetation that could support dormouse. |

### 3.2 Habitat creation and management

- 3.2.1 Within the boundary of the Phase 3 DEFG there is little habitat creation and management proposed due to the fact the area is principally given over to more formal landscaping and public open space. Some native tree planting, however, will be undertaken within these areas.
- 3.2.2 The majority of the habitat enhancement associated with this Phase is provided in the surrounding areas, namely the Bewbush Brook and the Extension to the Eastern Greenway and Pond S1. Detailed information on the habitat enhancements within the Central Greenway and the Extension to the Eastern Greenway and Pond S1 were submitted previously as part of the Condition 21(b) discharge report for Central Greenway and the Extension to the Eastern Greenway and Pond S1 (Derek Finnie Associates Report Ref: DFA18082, October 2018 and Ref: DF/CNL/KWV/AV08, 3<sup>rd</sup> February 2017 respectively).