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DORMOUSE METHOD OF WORKS

NON-LICENSED PRE-CLEARANCE AND GRADED CUT PROTOCOL

LAND ADJACENT TO JOLESFIELD COTTAGES, JOLESFIELD, PARTRIDGE GREEN, HORSHAM, RH13 8JT

1.0 INTRODUCTION AND PURPOSE

- 1.1 This Method of Works (MoW) sets out the precautionary working procedure to be followed during the clearance of a small area of mixed scrub on land adjacent to Jolesfield Cottages, where habitat with potential for hazel dormouse (*Muscardinus avellanarius*) is to be removed as part of the development footprint.
- 1.2 The MoW has been written on a non-licensed basis. It is appropriate where the area of suitable habitat to be cleared is small (in this case, a localised area of mixed scrub on the western/southern margin), where the wider habitat resource is to be retained and protected by buffer fencing, and where the residual risk to the species can be reduced to a level that is no longer reasonably likely to result in an offence under the relevant legislation.
- 1.3 In line with the recommendation of the PEA (Sylvatica Ecology Ltd 2025) and the letter of 10 April 2026, no full presence/likely absence dormouse survey or European Protected Species (EPS) Mitigation Licence has been deemed necessary and would be disproportionate to the potential impacts. This MoW must be read alongside those documents.
- 1.4 The objectives of this MoW are to:
 - *Avoid the killing or injury of any individual dormouse, and the destruction of any breeding site or resting place,*
 - *Provide a clear, proportionate and auditable working method that the principal contractor can adopt,*

- *Set out the actions to be taken in the unlikely event that a dormouse, nest or torpid individual is encountered,*
- *Confirm the role and qualifications of the supervising ecologist, and*
- *Define the timing constraints, supervision and reporting requirements that demonstrate due diligence.*

2.0 SITE CONTEXT AND HABITATS AFFECTED

- 2.1 The site comprises approximately 0.87 ha of land. Habitats present were: modified grassland (the majority of the site and the principal development footprint); a native species-rich hedgerow (eastern and northern boundaries); deciduous woodland (eastern boundary); mixed scrub (around the western pond margin and at the south-eastern corner); a semi-natural pond; and scattered native trees.
- 2.2 The development footprint falls almost entirely within the modified grassland, which is not suitable for dormouse. The hedgerow, woodland and the main block of mixed scrub are to be retained and protected throughout the works.
- 2.3 The works covered by this MoW are limited to:
- *The clearance of a small area of mixed scrub at the edge of the development footprint, required to enable construction,*
 - *The felling of three medium-sized native trees within or immediately adjacent to the working area, and*
 - *Any incidental, minor trimming of the retained hedgerow or scrub edge that proves unavoidable to permit safe access for plant.*
- 2.4 The PEA identified the hedgerows, scrub and woodland as offering potential dormouse habitat. While no dormouse signs (nests, gnawed hazel) were recorded, presence cannot be ruled out and a precautionary approach is therefore adopted.

3.0 LEGAL BACKGROUND

- 3.1 The hazel dormouse is listed on Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2017 (as amended) (the "Habitats Regulations"). It is also a Species of Principal Importance under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006.
- 3.2 In combination, this protection makes it an offence to:
- *Deliberately capture, injure or kill a dormouse,*
 - *Deliberately disturb a dormouse, in particular in a way that impairs its ability to survive, breed or rear young, or to hibernate,*

- *Damage or destroy a breeding site or resting place, or*
- *Possess, control, transport, sell or exchange a dormouse.*

3.3 Where reasonable avoidance measures (RAMs) reduce the risk to a level at which an offence is no longer reasonably likely, works can proceed without an EPS Mitigation Licence. Should circumstances change — for example, if the area of suitable habitat to be cleared increases materially, if a nest or live dormouse is found, or if working is required during the active season in conditions where a hand search cannot adequately reduce risk — then works must stop and an ecologist must be contacted to advise whether a Natural England Mitigation Licence is required before recommencement.

4.0 ROLES AND RESPONSIBILITIES

4.1 The roles defined below apply to all works covered by this MoW. The principal contractor is responsible for ensuring that all sub-contractors and visitors entering the working area are aware of and bound by these requirements.

4.2 ***Table 1 Summary of Roles and Responsibility***

<i>Role</i>	<i>Responsibility</i>
Client / Developer	Ensure that all parties working on site are made aware of this Method of Works prior to commencement of any vegetation clearance, and that its requirements are written into the contractor's site induction and Construction Environmental Management Plan (CEMP).
Principal Contractor	Implement the Method of Works on the ground, install and maintain protective fencing, deliver the toolbox talk to all relevant operatives, and notify the Ecologist a minimum of 5 working days before any clearance affecting potential dormouse habitat.
Suitably Qualified Ecologist (Sylvatica Ecology)	Provide a toolbox talk, attend on the day(s) of clearance to undertake the pre-clearance hand search, supervise the graded cut, oversee the removal of arisings, and produce a short post-works record. Hold an active Natural England dormouse class licence (CL21).
Site Operatives	Follow the instructions of the Ecologist on site, including the graded cutting sequence and the requirement to stop work immediately on discovery of any dormouse or potential nest.

4.3 For the purposes of this document, a "Suitably Qualified Ecologist" (SQE) is defined as an ecologist who is a full member (MCIEEM or above) of the Chartered Institute of Ecology and Environmental Management (CIEEM), with documented field experience of dormouse ecology and survey, and who holds (or works under the named supervision of someone who holds) a current Natural England dormouse class licence (CL21).

5.0 PRE-COMMENCEMENT REASONABLE AVOIDANCE MEASURES

Protective fencing and buffer zones

- 5.1 Heras-style fence panels (or equivalent demarcation acceptable to the Ecologist) shall be installed prior to the start of any clearance, to define the limit of the working area and to protect retained dormouse habitat. The following minimum buffers apply:
- *10.0 m between the edge of the deciduous woodland and the development footprint / working area,*
 - *5.0 m between the retained native hedgerow and the development footprint / working area, and*
 - *5.0 m between the retained block of mixed scrub (around the pond and at the south-east corner) and the development footprint / working area.*
- 5.2 The fence line shall be agreed on site with the Ecologist before installation. No storage of materials, parking of plant, lighting columns, spoil heaps, fuel bowzers, refuelling, washing-out of concrete or welfare facilities is permitted within the buffer zones at any time. The fence shall be inspected weekly by the contractor and any damage rectified within 24 hours.
- 5.3 Signage in the form of A4 weatherproof notices shall be attached to the fence line at intervals of no more than 25 m, reading: "ECOLOGICAL EXCLUSION ZONE — NO ACCESS, NO STORAGE, NO LIGHTING."

Toolbox talk

- 5.4 Prior to any clearance, the Ecologist shall deliver a toolbox talk to all operatives who will be involved in or working close to vegetation removal. The talk will cover: the appearance of dormice and their nests; the legal protection of the species; the location of buffer zones and exclusion areas; the graded cut sequence; and the chance-find procedure. A signed attendance record will be retained on the project file.

Lighting and noise during clearance

- 5.5 Temporary task lighting during the clearance phase shall be of the lowest practical intensity, downward-directed and avoid spill onto retained hedgerow, scrub or woodland. Floodlighting of these features at any time of day or night is not permitted. Engines shall not be left idling alongside retained habitat for prolonged periods.

6.0 TIMING OF VEGETATION CLEARANCE

- 6.1 The optimal window for clearance of dormouse-suitable habitat is during the hibernation period when dormice are torpid and at ground level (typically mid-November to mid-March), provided ground conditions allow for a thorough hand search of the litter layer. The least suitable period is the peak breeding/lactation season (late May to end August), when females may be in arboreal nests with dependent young.
- 6.2 However, hibernating dormice rely on tightly woven nests at, or just above, ground level within deep leaf litter, log piles or the bases of coppice stools. A late-autumn/ winter cut is therefore only "optimal" where it is combined with a careful, supervised lift of the litter and ground vegetation by hand and rake. Without this, winter clearance can carry equal or greater risk than work during the active season, when individuals can move away from disturbance.
- 6.3 The indicative seasonality below shall guide programming. All works, regardless of timing, remain subject to the clearance procedure and the on-the-day judgement of the Ecologist.

6.4 **Table 2: Suitable Seasonal Timings Summary for Vegetation Management Works**

<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>
Optimal	Optimal	Acceptable	Acceptable
<i>May</i>	<i>Jun</i>	<i>Jul</i>	<i>Aug</i>
Acceptable	Avoid if possible	Avoid if possible	Avoid if possible
<i>Sep</i>	<i>Oct</i>	<i>Nov</i>	<i>Dec</i>
Acceptable	Acceptable	Optimal	Optimal

- 6.5 Where works fall within an "Avoid if possible" period, the Ecologist must be consulted at least four weeks in advance so that programme adjustment, additional precautions, or (if necessary) an application for a Natural England Mitigation Licence can be considered.

7.0 METHOD OF VEGETATION REMOVAL

- 7.1 The method described below shall be applied to all clearance of mixed scrub, the felling of the three medium native trees, and any unavoidable trimming of the retained hedgerow edge. It shall be undertaken under the direct on-site supervision of the SQE.

Stage 1 — Pre-clearance walkover and hand search

- 7.2 On the morning of the works, the Ecologist will walk the area to be cleared and a 2 m fringe outside it. The walkover will check for evidence of dormouse activity (woven grass/leaf nests typically the size of a tennis ball or larger; characteristically gnawed hazel nuts; feeding remains) and for any active bird nests (which are protected separately under the WCA 1981 between 1 March and 31 August inclusive, and at any other time if active).
- 7.3 Following the walkover, the Ecologist will undertake a hand search of the ground flora, leaf litter, bramble bases and the lower 1.0 m of any scrub stems within the clearance area. The hand search will involve careful lifting and parting of vegetation by hand and with a soft rake; cutting tools shall not be used at this stage. Any features identified as having potential to support a nest (dense bramble cores, the bases of coppice stools, hollow stems, log piles, dense ivy growth) will be examined individually.
- 7.4 If no evidence of dormouse is found, works may proceed to Stage 2. If evidence is found, the procedure in Section 8 shall be followed without exception.

Stage 2 — Graded (two-stage) cut

- 7.5 Vegetation will be cut in two passes, with a minimum interval of 24 hours (and ideally 48 hours) between passes, to encourage any individual that has not been detected to move out of the working area into the retained habitat:
- *First pass: hand-held tools only (loppers, bowsaw, brush cutter on the lowest practical setting) reducing scrub to a height of approximately 0.5 m – 1.0 m above ground level. Cut material is to be left in situ overnight to allow displacement.*
 - *Second pass: completion of cut to the agreed working level (typically 100 – 150 mm above ground level for scrub; ground level only where a hard edge to the development is required).*
- 7.6 Cutting shall be directed away from retained habitat — i.e. each pass shall start at the development footprint and progress towards the retained scrub/hedgerow/woodland edge — so that any displaced animal is encouraged to move into retained, suitable habitat rather than away from it.
- 7.7 For the felling of the three medium-sized native trees, a soft-fell technique shall be used: lower limbs are to be removed first using hand tools, the felled material checked by the Ecologist before being moved, and the trunk lowered controllably towards the development footprint and away from any retained dormouse habitat. The use of mulchers, flails or tracked machinery within the immediate cut

area is not permitted until the second pass is complete and the area has been signed off by the Ecologist.

- 7.8 Stump grinding or root-ball removal, where required, shall only be undertaken once the area has been signed off by the Ecologist following completion of the second pass.

Stage 3 — Removal of arisings and ground search

- 7.9 Cut material shall be removed from the working area within 24 hours of the second pass, by hand or with the most lightweight machinery practicable. Each pile of arisings shall be checked by the Ecologist before removal.
- 7.10 Following removal of arisings, the Ecologist will undertake a final ground-level inspection of the cut area, lifting remaining leaf litter and inspecting the stumps and bases of cut stems, before formally signing off the area as cleared.

Hedgerow trimming (if required)

- 7.11 No removal of the retained hedgerow is anticipated. Should incidental trimming of the hedgerow edge prove unavoidable to permit access, it shall be carried out by hand, outside the bird breeding season (i.e. between 1 September and 28 February inclusive) where possible, and shall be limited to the minimum extent required. The hand-search and graded-cut principles in Sections 7.2–7.3 apply.

8.0 CHANCE-FIND PROCEDURE

- 8.1 If, at any point during the walkover, hand search or cut, a dormouse, a possible dormouse nest, gnawed hazel nuts or any other confirmed sign is found, the following actions shall be taken without exception:
- *All cutting and clearance shall stop immediately within a 10 m radius of the find,*
 - *The find shall be left in situ and shall not be touched, moved or photographed at close range that requires disturbance,*
 - *The Ecologist shall record the location (grid reference and photograph from a distance), the date and time, the species/feature, and the apparent condition of any animal,*
 - *The Ecologist shall determine whether work can be re-planned to avoid the feature — for example by adjusting the working area, increasing the buffer or reprogramming — and whether continued work without a Natural England Mitigation Licence remains lawful,*
 - *If, in the Ecologist's judgement, an offence cannot be avoided without a licence, all works affecting potential dormouse habitat shall stop pending application for, and grant of, an EPS Mitigation Licence from Natural England.*

- *A torpid or injured dormouse must not be handled by site personnel. The Ecologist shall, under the cover of their class licence, take any necessary care of an injured animal and contact a local wildlife rescue (e.g. RSPCA, 0300 1234 999) for veterinary attention; and*
- *A written record of the find and the actions taken shall be added to the project file and reported to the Client within 24 hours.*

8.2 Any active bird nest encountered shall be left undisturbed with a working buffer of at least 5 m until the Ecologist confirms that the young have fledged and the nest has been abandoned.

9.0 POST-WORKS HABITAT AND REINSTATEMENT

9.1 On completion of clearance, the protective fencing shall remain in place for the duration of the construction phase, and the buffer zones shall continue to be respected. Should temporary access through a buffer be unavoidable (for example for service connections), the Ecologist shall be consulted at least two weeks in advance.

9.2 In the longer term, the proposed planting of native trees and a length of new native hedgerow (as set out in the BNG Assessment Report) shall be designed and implemented to strengthen the connectivity of the existing hedgerow, scrub and woodland, and to compensate for the small loss of mixed scrub. Recommended species include hazel *Corylus avellana*, hawthorn *Crataegus monogyna*, blackthorn *Prunus spinosa*, dog rose *Rosa canina* and field maple *Acer campestre*, with hazel forming a meaningful component ($\geq 20\%$) of the new planting in recognition of its value to dormice.

9.3 Hazel components of the new hedgerow should be allowed to develop a multi-stem coppice structure on a 7–10 year rotation, with no more than one third of the length cut in any one year, to ensure continuity of habitat over time.

10.0 SUPERVISION, RECORDS AND REPORTING

10.1 The Ecologist will be present on site for the duration of the toolbox talk, the pre-clearance walkover and hand search, both passes of the graded cut, the removal of arisings and the final ground inspection. Where the works extend over more than one day, the Ecologist will sign off each working area at the close of each day and confirm in writing the conditions for the recommencement of works the following day.

10.2 A short Method of Works compliance record will be produced by the Ecologist within 10 working days of completion of the clearance. This will include: dates of clearance; weather conditions; personnel present; a description of the area cleared; any incidents or finds; photographs; and confirmation that the MoW has been followed. A copy will be issued to the Client and retained on the Sylvatica Ecology project file.

10.3 In the unlikely event of any incident involving a dormouse, Natural England shall be informed by the Ecologist as soon as reasonably practicable, in line with class licence reporting requirements.

11.0 VALIDITY, LIMITATIONS AND REVIEW

- 11.1 This MoW is valid for two years from the date of issue, in line with CIEEM and Natural England guidance for ecological surveys and assessments. If clearance has not commenced within this period, the supporting habitat data shall be refreshed by an updated walkover, and this MoW shall be reissued or amended as necessary.
- 11.2 The MoW shall also be reviewed and, if necessary, reissued in the event of any of the following:
- *A material change in the design or footprint of the proposed development,*
 - *An increase in the area or extent of dormouse-suitable habitat (scrub, hedgerow, woodland) to be cleared,*
 - *A change in the relevant legislation or guidance (including any update to Natural England standing advice for dormouse),*
 - *Any chance find of dormouse or dormouse nest as described in Section 8, or*
 - *A request from the Local Planning Authority or Natural England.*
- 11.3 This document does not constitute legal advice and does not, of itself, authorise the killing, injury or disturbance of dormice or the destruction of a breeding site or resting place. It sets out reasonable avoidance measures which, if followed in full, are considered sufficient to make such offences not reasonably likely to occur given the specific scale and nature of the works at this site.

12.0 REFERENCES

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