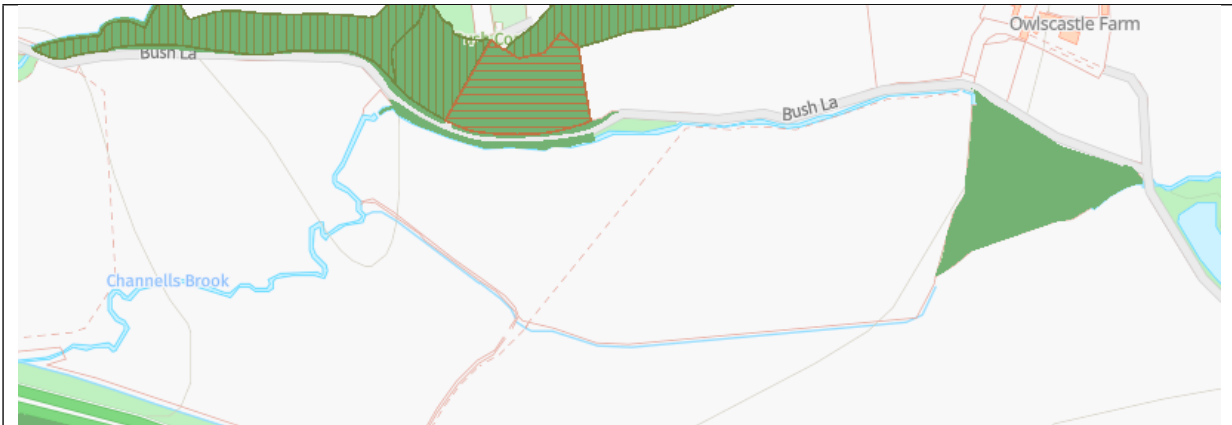




HORSHAM DISTRICT COUNCIL CONSULTATION

TO:	Horsham District Council – Planning Dept
LOCATION:	Mowbray Development Site, Employment Land
DESCRIPTION:	Construction of Primary Road from the Left-In, Left-Out junction with the A264 (constructed pursuant to Outline Planning Permission DC/16/1677) to Bush Lane (Bridleway 1585), footpaths and cycleways, foul and surface water drainage including a SUDS basin and foul pumping station, landscaping, substations and associated infrastructure.
REFERENCE:	DC/25/1543
RECOMMENDATION:	Objection
SUMMARY OF COMMENTS & RECOMMENDATION: The submitted metric demonstrates that the development will have a 10.21% net gain (+1.32 units) in area habitats and a 17.18% net gain (+0.82 units) in hedgerow habitats. However, the watercourse module of the metric and a River Condition Assessment has not been completed, and therefore the baseline is considered incorrect. This must be completed prior to grant of planning permission. Many additional points are raised for further information or modifications relating to the baseline and post-development habitats.	
MAIN COMMENTS: The below comments relate primarily to the Biodiversity Net Gain requirement for the above application. Note, these comments are not exhaustive. All other ecology matters will be reviewed by Place Services and/or NatureSpace where necessary. The submitted metric demonstrates that the development will have a 10.21% net gain (+1.32 units) in area habitats and a 17.18% net gain (+0.82 units) in hedgerow habitats. As per HDCs definition, this is considered significant on-site BNG and therefore will require a legal agreement to secure. Monitoring reports will typically need to be submitted to HDC in years 1,2,5,10,15,20,25 and 30. However note, amendments are required prior to grant of planning permission which may change the calculated figures in the metric. <u>Biodiversity Context</u> Lowland mixed deciduous woodland (priority habitat) is located immediately adjacent to the red line boundary of the site, both in the north-west and east. Ancient woodland is approximately 20m away to the north-west of the site, and this woodland is intercepted from the site by Bush Lane.	



(Blue linear features = watercourses; solid green shading = priority habitat woodland; hashed shading = ancient woodland and replanted ancient woodland. Source MAGIC.defra.gov.uk)

Given the proximity of these sensitive habitats, mitigation such as installation of fencing and dust sheets, a lighting strategy sympathetic to wildlife, and adherence to pollution prevention guidelines throughout the construction and operational phase will be required within the CEMP. Assurance is also requested that these habitats will not be publicly accessible.

Baseline

Metric

Channells Brook lies immediately adjacent to the red line boundary, and as such the site lies within the riparian zone (10m). There is also a watercourse running along the centre of the site. Both watercourses and their riparian zones are therefore caught under the BNG requirement.

Para 3.1.9 of the BNG Report states that as there is no suggestion that the stream would meet priority habitat status, the watercourse module has been omitted due to it falling under the de minimis exemption. The BNG exemptions do not apply to the different modules individually, and for a development to be exempt, the Regulations state that the development must meet the first and second condition, with the second condition having two points whereby both must be met for an exemption to apply. The development is not exempt as it impacts more than 25sqm of onsite area habitat and more than 5m of linear habitat (both points to condition two of the exemption). Therefore, this has been incorrectly applied, as the entirety of the site is triggered by the biodiversity net gain requirement, and therefore by default includes the watercourse module section of the metric.

As such, a River Condition Assessment will need to be undertaken by a certified assessor, and the watercourse module of the metric will need to be completed. The RCA results and metric must be resubmitted prior to grant of any planning permission.

Note that many culverts are proposed to be installed on the existing watercourse within the site, and a headwall outfall is proposed to Channells Brook. Please see the metric user guide on how to account for the installation of culverts and headwalls/outfalls.

Habitat Map

130sqm of woodland has been entered within the metric, although it cannot be clearly ascertained from the Phase 1 Map whereabouts this is located on the site. Please can this be added.

It is also noted that several individual trees are mapped within the Phase 1 Map, however only one tree has been inputted into the metric which is to be removed. It is understood that T356 (oak, DBH 40cm), T272 (5x holly, avg DBH 15cm) T273 (alder, avg DBH 26cm), T277 (ash, DBH 60cm) and mixed tree group G54 (DBH <40cm) are to be cleared, and partial clearances of mixed species groups are mentioned – see Para 5.14 and 5.15 of the Arboricultural Report (David Jarvis Associates 2025, ref: 2898-2-17-TD-0001-S5-P1)

Please can the final individual tree number for the baseline assessment be confirmed, and the trees to be removed (both individually, and within other area habitat parcels whereby the species is not excluded as a tree sp. within UKHab description and has a DBH of 30cm or greater) and their corresponding references be accounted for within the metric baseline and marked as lost. It is also noted that the Bat tree roost assessment plan (Bioscan UK Ltd, 2016) submitted under DC/16/1677 highlighted that several trees had medium bat roosting potential, with one tree having high bat roosting potential. It is acknowledged that 2025 surveys have been undertaken across the site, and the ES claims that the results of these surveys remain largely unchanged. Further information is therefore requested as to the relationship between the trees to be removed and the potential for roosting bats.

Mixed scrub is mentioned within the LEMP, with the habitat being present at baseline and post-development (excluding woodland scrub edge), however does not appear within the metric or Planting Proposals. Please can this be amended and clearly depicted on a landscape map. The inclusion of mixed scrub is desirable for the linnet population identified onsite.

Condition Assessments

No completed condition assessments are provided for individual trees. Please can this be provided.

Post-development

Metric

It is noted that throughout the centre of the site, hedgerow and trees are proposed to be created to line the road. Confirmation is requested if the planting of these trees are separate to the hedgerow. If not, these should not be counted separately and should instead be inputted as a length of native hedgerow with trees. Note that no hedgerow creation has been included within the metric. If minded to include one more native woody species to the hedgerow mix, this would then qualify as a species-rich native hedgerow with trees.

Habitats

It is noted that much of the proposed woodland copse is situated within existing tree RPAs, with tree planting proposed on the other side of these trees, increasing competition for space and resources. It would be preferable to keep any new tree planting outside of the retained trees canopies and RPAs, to ensure they will establish well. It is also recommended to have a minimum width of 20m, and a length larger than 6.5m to better conform to woodland definitions within government guidance.

Planting proposal

A greater variety of native tree specimen species are requested, with planting of the non-native specimens being restricted near to the lowland mixed deciduous woodland priority habitat (reference is made to Planting Proposals 5 of 6, David Jarvis Associates

2025, ref: 2898-5-2-20). Specimen trees in these areas should be species locally found within the woodland adjacent to the site.

Planting of climbing species such as native honeysuckle (*Lonicera periclymenum*) and traveller's joy (*Clematis vitalba*) should also be incorporated into the woodland mix, as these provide good links between the shrub and canopy layer, as well as providing additional habitat and autumn resources for small mammals and invertebrates.

Habitat creation for protected and priority species

It is acknowledged from the ES that skylark is still recorded onsite. The habitats proposed within the site do not cater for skylark, which prefer undisturbed open habitat such as treeless grasslands and farmland. As such, further information is sought on what habitat creation is being offered across the larger strategic site for this species to compensate for the loss of farmland habitat.

Draft LEMP

Please can all relevant plans, including an overall landscape plan, be appended to the LEMP for the purposes of the legal agreement. Note that all responsibilities should be known at the signing of the agreement.

Biocides

Note that biocides should only be used as a last resort, unless eradicating species as listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). Please can words to this effect be added into the LEMP to cover all habitats.

Vigorous plants

Note that cutting back vegetation on a 3-year rotation will not control vigorous plants, and the frequency of cutting will need to be increased if control is necessary.

Grassland

Use of fertilizer on grassland areas will encourage vigorous plants and is not recommended when trying to achieve a diverse floristic sward. Other mechanisms should be explored to reduce nutrient soil prior to employing topsoil stripping, as this disrupts the soil microbial communities and releases stored carbon. Spraying a field-wide application of glyphosate is not considered appropriate as an initial method. Whilst other mechanisms take longer, they are more sustainable. It is recommended to conduct soil testing to know whether 'meadow grassland' is feasible and to monitor nutrient levels. Given that 'other neutral grassland' in moderate condition is proposed, management methods under Section 5.116 onwards should generally be applied across the site (excluding areas of modified grassland for recreational amenity).

Note that yellow rattle will only successfully germinate after a period of cold stratification and with a very short sward before sewing in autumn (50mm) and during early spring (the latter max 2cm if possible).

No cuts should be undertaken in waterlogged or very wet conditions to avoid soil compaction.

Generally, arisings are left in situ for no more than 72 hours.

Woodland

It is noted that Section 5.3 refers to publicly accessible areas of woodland for all visitors. Please can further detail be provided as to proposed footpaths through the woodland, and if there are any inaccessible areas dedicated to biodiversity.

Target conditions

The LEMP does not refer to the target condition criteria to reach the overall desired condition as per the entries within the metric.

ANY RECOMMENDED CONDITIONS:

If minded to approve -

Informative

Scenario 1: BNG Required.

NAME:	Linsey King Ecology Officer (Planning)
DEPARTMENT:	Strategic Planning - Specialists
DATE:	11/11/2025