Horsham District Council

Mr Nikolas Antoniou
NJA Town Planning Ltd
The Beehive
City Place
Gatwick
RH6 0PA

Our ref:	DISC/23/0091
Your ref:	DOC - Cond9 - Angell Sandpit
Email:	planning@horsham.gov.uk
Direct Line:	01403 215238
If Calling Please ask for:	Nicola Pettifer
Date:	11th May 2023

Dear Sir/Madam,

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure England) Order 2015

Approval of details reserved by condition 9 to approved application DC/21/0057

Angell Sand Pit, Washington Road, Storrington, West Sussex

The Authority has considered your application, and I can confirm that the submitted information is acceptable pursuant to the following condition(s):

9. **Pre-Commencement Condition:** No development shall take place until a Reptile Mitigation Strategy addressing the mitigation and translocation of reptiles has been submitted to and approved in writing by the local planning authority. The Reptile Mitigation Strategy shall include the following;
a) Purpose and conservation objectives for the proposed works.
b) Review of site potential and constraints.
c) Detailed design(s) and/or working method(s) to achieve stated objectives.
d) Extent and location/area of proposed works on appropriate scale maps and plans.
e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
g) Persons responsible for implementing the works.
h) Details of initial aftercare and long-term maintenance of the Receptor area(s).
i) Details for monitoring and remedial measures.
j) Details for disposal of any wastes arising from works.

The Reptile Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

Date of approval - 11th May 2023

The development shall be implemented in accordance with the approved plans and details listed in the schedule below.

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Supporting Statement	Reptile Mitigation Strategy		19.04.2023

This letter constitutes a legal document which should be regarded as an addendum to the original planning application.

If you have any queries or require further information, please do not hesitate to contact the Case Officer.

Yours faithfully



Emma Parkes
Head of Development and Building Control

LIZARD
Landscape Design and Ecology

REPTILE MITIGATION STRATEGY

Angell Sandpit, Water Lane, Storrington

On behalf of: MiBri Ltd

Client:	MiBri Ltd			
Project:	Angell Sandpit, Water Lane, Storrington			
Reference:	LLD2458-ECO-REP-004-00-ReptileMitigation			
Revision:	**Date:**	**Author**	**Proof**	**Approved**
00	29/04/22	Catherine O'Reilly MCIEEM	George Sayer MCIEEM	George Sayer MCIEEM

Disclaimer:

The information provided within this report has been prepared and provided in accordance with the Chartered Institute of Ecology and Environmental Management's (CIEEM) Code of Professional Conduct. We confirm that the opinions expressed are our true and professional bona fide opinions.

This report is intended for the sole use of the Client and their agents in accordance with the agreement under which our services were performed. Unauthorised communication, reproduction or usage of this report by any party other than the aforementioned is prohibited. No liability is accepted by Lizard Landscape Design and Ecology for any use of this report, other than for the purposes for which it was originally prepared and provided. This report does not constitute legal advice. No warranty, express or implied, is made as to the advice in this report or any other service provided by us.

Validity:

This report is valid for 18 months from the date of issue. If works have not commenced by this date, an updated site visit should be carried out by a suitably qualified ecologist to assess any changes in the habitats present on site, and to inform a review of the conclusions and recommendations made.

LIZARD
Landscape Design and Ecology
The Old Bank, 34 South Street, Tarring, Worthing, West Sussex, BN14 7LH
T. 01903 216033 E. lizard.landscape@btconnect.com W. lizardlandscapeecology.com

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Figure No. 2 – Reptile Hibernacula Design

Figure No. 3 – Location of Temporary Reptile Fencing

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1.0 INTRODUCTION

1.1 Lizard Landscape Design and Ecology has been commissioned by MiBri Ltd to provide a reptile mitigation strategy for the proposed development at Angell Sandpit, Water Lane, Storrington (*Grid Reference: TQ 098 140– hereafter referred to as 'the site'*).

1.2 A summary of the results of the previous surveys, potential impacts of the proposals, and full details of avoidance, mitigation and compensation measures, with regards to reptiles, have been detailed within this report.

1.3 This report has been produced based on the following surveys / reports produced by this company:

- Updated Detailed Reptile Survey (*Issued November 2021*)
- Updated Ecological Impact Assessment (*Issued November 2021*)

2.0 BASELINE ECOLOGICAL CONDITIONS

2.1 Habitats

2.1.1 The site is approximately 1.2 hectares (*ha)* in size and lies to the immediate north of 'Angel Sands'. The site is bordered by Sullington Warren SSSI to the north and residential gardens to the south, east and west.

2.1.2 At the time of the updated PEA in 2021, large areas of the site were dominated by tall ruderal species including thistle (*Cirsium* sp), canadian fleabane (*Erigeron canadensis*) and common fleabane (*Pulicaria dysenterica).* Evening primrose (*Oenothera biennis*) and pendulous sedge (*Carex pendula*) dominate certain areas, with teasel and bristly ox-tongue also noted . Semi-improved grassland was dominant within the central section of the site, the majority of which was heavily rabbit grazed resulting in a very short, compact sward. Mosses, fescue (*Festuca* sp.) and bent (*Agrostis* sp.) dominated with st john's wort (*Hypericum perforatum*), birds-foot trefoil (*Lotus corniculatus*), black medic (*Medicago lupulina*) and autumn hawkbit (*Leontodon autumnalis*) also frequent. Small areas of longer grass formed of cock's-foot (*Dactylis glomerta*) are recorded to some parts of the site, particularly near the site entrance, with a sward height of 20-30cm.

2.1.3 Areas of dense scrub existed to the boundaries of the site, extending well into the site in places. The scrub was c. 3.0m in height with dominant areas of bramble (*Rubus fruticosus*), gorse (*Ulex europaeus*) and grey willow (*Salix cinereal*) noted. Areas of scattered scrub were also noted within the grassland to the centre of the site. Grey willow dominated with occasional gorse, bramble and buddleia (*Buddleia davidii*) also present.

2.2 Detailed Reptile Survey

2.2.1 30 no. artificial reptile refugia *(roofing felt; 0.50 x 1.0 m^2)* were laid out around the area on 17th September 2021 and allowed to settle for 17 days prior to commencement of the survey. The reptile survey focused on all areas of suitable reptile habitat within the site.

2.2.2 7no. survey visits were undertaken on site during October 2021. A peak count of 1 no. adult grass snake, 1no. adult common lizard and 5 no. adult slow worm were recorded on site. No other reptile species were noted during the survey period. The results of the survey are summarised in Table No. 01 below:

Table No. 1 – Reptile Survey Summary

Visit No.	***Grass Snake***	***Slow Worm***	***Common Lizard***
01	0	2	1
02	0	5	0
03	1	3	0
04	0	2	0
05	0	0	0
06	0	0	0
07	0	0	0
Peak Count	**1**	**5**	**1**

2.2.3 Good numbers of juvenile slow worm (peak count 13no.) and juvenile common lizard (peak count 2no.) were recorded on site, indicative of a healthy breeding population.

2.2.4 Although, reptiles were found under a relatively high percentage of artificial refugia (23%), all records were clustered in 2 no. areas; to the north-eastern corner and the southern boundary of the site.

3.0 IMPACT ASSESSMENT

3.1 The development proposals will result in the loss of the majority of currently suitable reptile habitat within the site area. In the absence of mitigation, impacts would include killing or injuring of reptiles, contrary to The Wildlife and Countryside Act 1981 (*as amended*).

4.0 MITIGATION STRATEGY

4.1 Rationale

4.1.1 As the development access is proposed from the south-western corner of the site, and the location of Sullington Warren SSSI to the north, development is located to the south and centre of the site. Due to this, it was not possible to retain the reptile population in its in current location.

4.1.2 A full translocation exercise was deemed to be the only way to ensure construction proceeds in accordance with *The Wildlife and Countryside Act 1981* (*as amended)*, while also ensuring the long-term continued favourable conservation status of the population of reptiles which were found on site.

4.2 Reptile Receptor Area

4.2.1 The 20m buffer between Sullington Warren SSSI and the development shall be utilised as the reptile receptor area. This area was dominated by dense bramble with isolated patches of tall ruderal, and covers an area of c. 0.3Ha. No reptiles were found within this area during the detailed reptile survey of the site.



Figure No. 01 – Location of receptor site outlined in yellow, with proposed log piles (▲) and hibernacula (★) shown.

4.2.2 In order to allow the receptor area to provide suitable reptile habitat, all bramble and willow scrub within the receptor area were removed to 150mm above ground during the winter of 2021/2022. Works were completed with a small tractor mounted flail, with more substantial stems removed by hand with a chainsaw. Arisings were chipped and left in a single pile to the centre of an area of short vegetation, as directed by the supervising ecologist.

4.2.3 All remaining stumps and bramble roots within the receptor area were removed following the end of the hibernation season in March / April 2022 to allow seeding to take place. All bare ground resulting from scrub clearance within the receptor area was prepared to a medium tilth in April 2022 and rolled to produce a firm surface prior to seeding. The seedbed is to be surface sown with Emorsgate EM10 – Tussock Mixture at a rate of 4g/m^2, with the seedbed rolled to ensure ground contact following sowing.

4.2.4 The receptor area shall be further enhanced through the installation of 1no. below ground hibernacula, and 2no. log piles. These shall be installed in May 2022. Log piles are to be a minimum of 1m^3, formed of site-won logs of varied diameters between 100-250mm and secured with wire for safety.

4.2.5 The below ground hibernacula is to be a minimum of 50cm deep and 1m wide, and filled with loose rubble and logs. Once filled, an earth capping layer will be placed on top, with an access gap left around the base of the hibernacula.

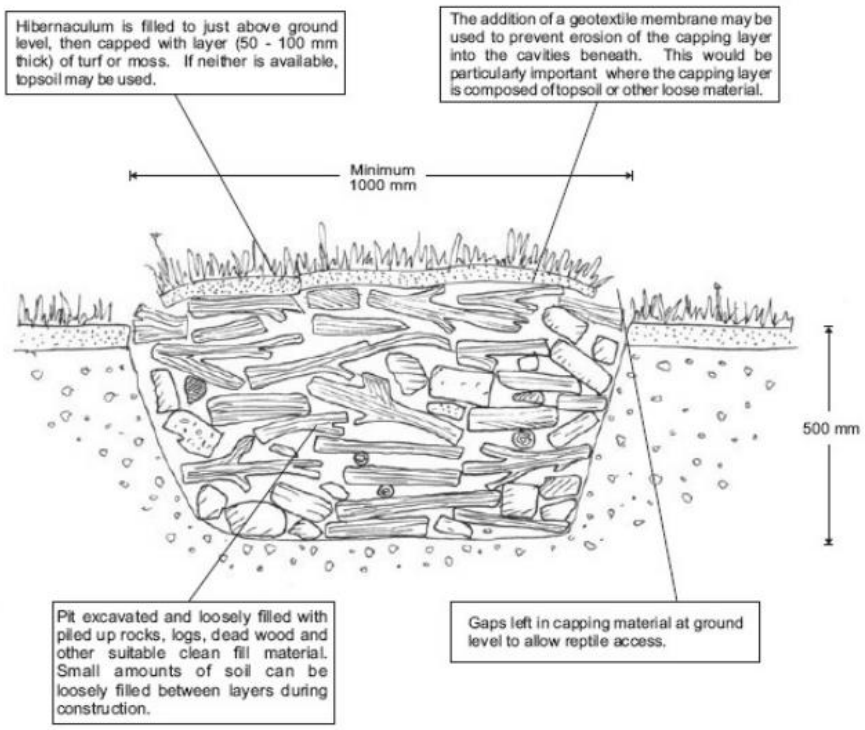

Figure 02 – Reptile Hibernacula Design.

4.3 On-Site Scrub Clearance

4.3.1 Due to the presence of dense scrub to large areas of the site, vegetation clearance across the site was undertaken to allow better access and a clear route for installation of reptile fencing. Works were completed during the winter of 2021/2022 to ensure that works would not damage or destroy any active bird nests contrary to The Wildlife and Countryside Act 1981 (*as amended*).

4.3.2 Scrub clearance was undertaken by hand with chainsaws and brush cutters. All works were coordinated with a suitably qualified ecologist, with vegetation cleared to a height no less than 150mm above ground to ensure the protection of any reptiles within the site area. No damage to areas of existing optimal reptile habitat occurred during the works.

4.4 Temporary Reptile Fencing

4.4.1 Approximately 460m of temporary reptile fencing is to be installed to the margins of the site under ecological supervision.



Figure 03 – Location of Temporary Reptile Fencing (shown in teal)

4.4.3 The fencing is of standard construction, being 750 mm in height, and constructed using 1000-gauge UV-treated polythene fixed to 50 x 50 mm stakes and buried 250 mm underground. The top of the fence is rolled back outwards, and the stakes fitted inside the fence such that reptiles cannot climb up and over the fence.

4.4.4 The fencing will be maintained for the duration of the construction period and until all works have been completed on site. Fencing will be checked on a regular basis and repaired where necessary as soon as possible.

4.5 Translocation

4.5.1 Once vegetation within the reptile receptor has grown to form a suitable sward (*anticipated to be from late-June*), artificial reptile refugia shall be deployed to all areas of suitable habitat within the proposed construction zone. The refugia will be deployed at a minimum density of 100/ha and will be allowed to settle for a minimum of 14no. days before commencement of translocation visits.

4.5.2 Translocation visits will be undertaken during suitable weather conditions (*9-18°C, sunny or intermittent sun*) within the reptile active season (*March – October*) and at the appropriate time of day (*08:00 – 10:00 or 16:00 – 18:00*).

4.5.3 Any reptiles found during the translocation period will be stored in cloth drawstring bags and transported to the receptor site within 1 hour of collection, to be released in a sheltered but warm location.

4.5.4 Given that the site supports low populations of reptiles, a minimum translocation period of 30no. days shall be completed. The translocation shall continue until completion of 5no. translocation visits in suitable weather conditions with no reptiles found, following the initial 30no. day period.

4.6 Destructive Search

4.6.1 Following the completion of the translocation period, a destructive search shall be undertaken.

4.6.2 The top 100mm turf layer shall be carefully scraped off using a toothed bucket excavator, and any piles of rubbish / debris manually checked before their removal from site. All works shall be undertaken by an experienced contractor under ecological supervision. Any reptiles found during the destructive search shall be caught and released into the adjacent receptor area.

4.7 Removal of Temporary Reptile Fencing

4.7.1 The reptile fencing shall remain in situ throughout the construction period. Routine inspections shall be undertaken to ensure the fencing remains in good condition and any repairs made as necessary.

4.7.2 Upon completion of construction, all reptile fencing will be removed under ecological supervision to ensure no reptiles are harmed.

5.0 MANAGEMENT OF THE RECEPTOR AREA

Establishment of new Tussocky Grassland

5.1 The area of cleared bramble is to be seeded with a tussocky grass mix, such as Emorsgate EM10. Unwanted annual weeds and any bramble which appear during the first growing season shall be controlled by hand pulling as appropriate. During the first year, the new growth shall be cut to 100mm in late summer to suppress fast growing grass species. All arisings are to be raked and left in a compost pile.

Cutting

5.2 To control scrub and bramble development, the receptor area shall require cutting every 2-3 years in October. This cutting is to be done on a rotational basis so that no more than half the area is cut in any one year, leaving part as an undisturbed refuge.

Scrub / Weed management

5.3 Unwanted perennial weeds (docks, thistles) may need control by occasional spot treatment with a herbicide to prevent dense, tall stands of nettle etc forming which do not provide optimal habitat.

5.4 Areas of bramble scrub and saplings shall be assessed every 2-3 years and thinned / removed as appropriate to ensure the rough grassland does not become heavily shaded. Removal of scrub / trees shall take place outside the nesting season (e.g. avoiding March – August) to avoid disturbing nesting birds.

Maintenance of Log Piles & Compost

5.5 Log piles shall be checked annually and re-stocked as needed. New log piles may be created, and existing log piles re-stocked using logs arising from any tree works on site.

5.6 Arisings resulting from mowing shall be piled to the margins of the site in areas of established grassland to create compost piles suitable for reptile breeding and shelter. The piles shall be topped-up following grass cutting on site.

Maintenance Contributions and Responsibilities

5.7 A suitable landscape contractor shall be appointed to complete the cutting and maintenance of the receptor zone. An ecologist shall visit the site every 2 years throughout the 10-year maintenance period to ensure the area is being maintained as optimal habitat and allow any issues to be identified and rectified by the appointed contractors.

6.0 CONCLUSION

6.1 The above mitigation has been designed to ensure the continued favourable conservation status of reptiles in the local area. Mitigation, as detailed, will ensure that development proceeds in accordance with all relevant wildlife legislation including The Wildlife and Countryside Act 1981 (*as amended*) and The Natural Environment and Rural Communities Act 2006.

6.2 The creation and maintenance of the receptor area shall ensure that the area remains a suitable reptile habitat in perpetuity. Monitoring visits shall ensure that the biodiversity value of the area is maximised through appropriate management.

7.0 REFERENCES

Froglife (1999). *Advice Sheet 10 – Reptile Survey.*

Herpetofauna Groups of Britain and Ireland (HGBI 1998). *Evaluating Local Mitigation/Translocation Programmes: Maintaining Best Practice and Lawful Standards.* HGBI Advisory Noted for Amphibians and Reptile Groups (ARGs)

Tony Gent and Steve Gibson (Eds. 2003). *Herpetofauna Workers' Manual.* Joint Nature Conservation Committee (JNCC).

www.magic.gov.uk (*accessed 08/04/2022).*

www.gov.uk (*standing advice, accessed 08/04/2022).*

Horsham District Council

Mr Nikolas Antoniou
NJA Town Planning Ltd
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Date of approval - 11th May 2023

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Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Supporting Statement	Reptile Mitigation Strategy		19.04.2023

This letter constitutes a legal document which should be regarded as an addendum to the original planning application.

If you have any queries or require further information, please do not hesitate to contact the Case Officer.

Yours faithfully



Emma Parkes
Head of Development and Building Control

This is a reference copy of a draft online application from www.planningportal.co.uk it is not valid for submission to a Local Planning Authority

Application for Approval of Details Reserved by Condition

Town and Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

DRAFT APPLICATION – Not valid for submission

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Angell Sandpit

Address Line 1

Address Line 2

Address Line 3

Town/city

Storrington

Postcode

RH20 4DE

Description of site location must be completed if postcode is not known:

Easting (x)

509852

Northing (y)

114077

Description

Land to the north of Angell Sands, Storrington and Sullington, Horsham, West Sussex

Applicant Details

Name/Company

Title

First name

Surname

Refer to company name

Company Name

MrBri Ltd

Address

Address line 1

C/O NJA Town Planning Ltd

Address line 2

The Beehive

Address line 3

City Place

Town/City

Gatwick

County

Country

Postcode

RH6 0PA

Are you an agent acting on behalf of the applicant?

- [x] Yes
- [ ] No

DRAFT APPLICATION – Not valid for submission

Contact Details

Primary number

Secondary number

Fax number

Email address

Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

A phased development for the erection of 6no detached houses (of which up to 4no. are to be self-build) with associated landscaping, drainage and access improvements to Heather Way at Angell Sandpit, Storrington

Reference number

DC/21/0057

Date of decision (date must be pre-application submission)

24/09/2021

Please state the condition number(s) to which this application relates

Condition number(s)

9

Has the development already started?

◯ Yes
⊘ No

Part Discharge of Conditions

Are you seeking to discharge only part of a condition?

◯ Yes
⊘ No

Discharge of Conditions

Please provide a full description and/or list of the materials/details that are being submitted for approval

DRAFT APPLICATION – Not valid for submission

Please see covering letter - statement

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- ◯ Yes
- ⊘ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ⊘ The agent
- ◯ The applicant
- ◯ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ◯ Yes
- ⊘ No

DRAFT APPLICATION – Not valid for submission