[redacted]

From: Hasler, Luke [redacted]
Sent: 13 November 2023 18:17
To: Planning
Subject: FAO Robert Hermitage - Natural England's comments on DC/23/0345 & DISC/23/0214
Attachments: Natural England Annex A - Additional advice.pdf

[redacted] [redacted]

Dear Robert,

Thank you for consulting with Natural England regarding the following consultations: DC/23/0345 & DISC/23/0214.

The proposed development(s) falls within the Sussex North water supply zone; As set out in Natural England's Advice Note regarding Water Neutrality within the Sussex North Water Supply Zone, the existing water supply in the Sussex North water supply zone cannot be ruled out as contributing to the declines in wildlife within internationally protected sites in the Arun Valley SPA, SAC and Ramsar site. Achieving water neutrality is recognised as a suitable method to rule out potential adverse effects on the integrity of these sites arising from development.

Considering the supporting information provided by the applicant(s) and your authority's habitats regulation assessment (HRA) our advice is as follows.

Our ref	LPA ref	Planning Consultation and Location	Natural England's advice
456039	DC/23/0345	**Planning Consultation**: CoU of ground floor from commercial (Class E(e)) to residential (Class C3) & erection of single storey ground floor rear extension & first floor extension to form 1no 2-bedroom dwelling. **Location**: 75A Crawley Road Horsham West Sussex RH12 4DS.	We concur with the conclusion of your authority's HRA appropriate assessment insofar that: We have no objections subject to the: delivery, management and maintenance of measures identified in the water neutrality statement to achieve water neutrality.
456068	DISC/23/0214	**Planning Consultation**: Approval of details reserved by condition 1 & 2 - DC/21/2822 **Location**: T & S Cake 8 East Street Horsham West Sussex	We note that despite this proposal's potential to impact the Arun Valley designated sites via increased abstraction no water neutrality statement and/or budget have been provided. Without these documents there is insufficient information to determine whether adverse effects on the sites can be ruled out. Once provided these should be considered, along with any necessary mitigation measures, by the competent authority at the appropriate assessment stage of HRA.

Further general advice on the protected species and other natural environment issues is provided in the attached Annex A.

If you have any queries relating to this advice please let us know.

Yours sincerely,

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Annex A – Additional advice

Annex A – Additional advice

Natural England offers the following additional advice:

Landscape
Paragraph 174 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland, or dry-stone walls) could be incorporated into the development to respond to and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the Landscape Institute Guidelines for Landscape and Visual Impact Assessment for further guidance.

Best and most versatile agricultural land and soils
Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 174 and 175). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in GOV.UK guidance Agricultural Land Classification information is available on the Magic website on the Data.Gov.uk website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, and we recommend its use in the design and construction of development, including any planning conditions. For mineral working and landfilling separate guidance on soil protection for site restoration and aftercare is available on Gov.uk website. Detailed guidance on soil handling for mineral sites is contained in the Institute of Quarrying *Good Practice Guide for Handling Soils in Mineral Workings*.

Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

Protected Species
Natural England has produced standing advice[1] to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Local sites and priority habitats and species
You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 175 and179 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and are included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found on Gov.uk.
Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential

[1] https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals

environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found here.

Ancient woodland, ancient and veteran trees
You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 180 of the NPPF. Natural England maintains the Ancient Woodland Inventory which can help identify ancient woodland. Natural England and the Forestry Commission have produced standing advice for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Biodiversity and wider environmental gains
Development should provide net gains for biodiversity in line with the NPPF paragraphs 174(d), 179 and 180. It is anticipated that major development (defined in the NPPF glossary) will be required by law to deliver a biodiversity gain of at least 10% from January 2024 and that this requirement will be extended to smaller scale development in April 2024. For nationally significant infrastructure projects (NSIPs) it is anticipated that the requirement for biodiversity net gain will be implemented from 2025.

Further information on the timetable for mandatory biodiversity net gain can be found here. Further general information on biodiversity net gain can be found here.

The Government's Biodiversity Metric should be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. For small development sites the Small Sites Metric may be used. This is a simplified version of the Biodiversity Metric and is designed for use where certain criteria are met.

We advise you to follow the mitigation hierarchy as set out in paragraph 180 of the NPPF and firstly consider what existing habitats within the site can be retained or enhanced. Where on-site measures are not possible, provision off-site will need to be considered.

Development also provides opportunities to secure wider biodiversity enhancements and environmental gains, as outlined in the NPPF (paragraphs 8, 73, 104, 120,174, 175 and 180). Opportunities for enhancement might include Incorporating features to support specific species within the design of new buildings such as swift or bat boxes or designing lighting to encourage wildlife.

Natural England's Environmental Benefits from Nature tool may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside the Biodiversity Metric and is available as a beta test version.

Further information on biodiversity net gain, the mitigation hierarchy and wider environmental net gain can be found in government Planning Practice Guidance.

Green Infrastructure
Natural England's Green Infrastructure Framework provides evidence-based advice and tools on how to design, deliver and manage green infrastructure (GI). GI should create and maintain green liveable places that enable people to experience and connect with nature, and that offer everyone, wherever they live, access to good quality parks, greenspaces, recreational, walking and cycling routes that are inclusive, safe, welcoming, well-managed and accessible for all. GI provision should enhance ecological networks, support ecosystems services and connect as a living network at local, regional and national scales.

Development should be designed to meet the 15 Green Infrastructure Principles. The Green Infrastructure Standards can be used to inform the quality, quantity and type of green infrastructure to be provided. Major development should have a GI plan including a long-term delivery and management plan. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

Annex A – Additional advice

GI mapping resources are available here and here. These can be used to help assess deficiencies in greenspace provision and identify priority locations for new GI provision.

Access and Recreation
Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to urban fringe areas should also be explored to strengthen access networks, reduce fragmentation, and promote wider green infrastructure.

Rights of Way, Access land, Coastal access and National Trails
Paragraphs 100 and 174 of the NPPF highlight the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

Biodiversity duty
Your authority has a duty to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available here.