HORSHAM DISTRICT COUNCIL CONSULTATION

TO:	Horsham District Council – Planning Dept
LOCATION:	Land Between Muntham Drive and Smugglers' Lane Chapel Road Barns Green West Sussex
DESCRIPTION:	Erection of 31 dwellings with access from Chapel Road including roads, parking and open space.
REFERENCE:	DC/26/0933
RECOMMENDATION:	More information / Modification

SUMMARY OF COMMENTS & RECOMMENDATION:

Some comments have been addressed, which is positive. However, further amendments with regards to hedgerow classification is requested prior to grant of planning permission. Further modifications to the layout are also strongly recommended to avoid deterioration of boundary vegetation, and several comments pertaining to the post-development habitats have not yet been addressed, which will need to be agreed and finalised prior to discharging the deemed biodiversity gain condition.

The submitted metric currently demonstrates that the development will have a -44.32% net loss (-3.33 units) in area habitats and a +10.04% net gain (+0.31 units) in hedgerows. Further information and metric amendments are requested with regards to site areas, irreplaceable habitat, hedgerows, and conditions for baseline habitat, and modifications to the layout, proposed habitats, and metric are advised. Comments are also made regarding the submitted draft HMMP.

MAIN COMMENTS:

The comments below pertain primarily to the Biodiversity Net Gain proposal as submitted in the above application. However, it should be noted that these comments are not exhaustive. All other ecology matters will be reviewed by Place Services and NatureSpace, where necessary.

The metric calculation tool submitted currently demonstrates that the development will have a ~~-39.23%~~ -44.32% net loss (~~-2.95~~ -3.33 units) in area habitats and a +10.04% net gain (+0.31 units) in hedgerows. In accordance with HDCs significant on-site criteria, the proposed on-site BNG is considered significant as the gains pertain to habitats of a medium distinctiveness (hedgerows) and therefore a legal agreement to secure the delivery will be required. Monitoring reports will ned to be submitted to HDC typically in years 1,2,5,10,15,20,25 and 30, and an upfront monitoring fee will need to be paid. However, please note the below comments may result in modifications that will alter the final BNG calculated figures.

<u>Baseline</u>

1.0 The Preliminary Ecological Assessment (PEA) (HCUK Group, 2026) lists under Section 4.13 that a species-rich native hedgerow was present at baseline, however there are no further details pertaining to this hedgerow classification and there is no corresponding metric entry. Please can confirmation be sought that this hedgerow type is absent from the site.

This has been removed. From a site visit undertake on 23/11/26, removal of this classification is not agreed, as H4.1 on the southern boundary is considered a species-rich native hedgerow as it contains a minimum of 5x woody species as per the Hedgerow Regs 1997 within a 30m stretch (identified species on the day include wild privet, blackthorn, field maple, pedunculate oak, wild cherry, hawthorn, rose sp., ash, hazel and holly). Please can this be addressed.

1.1 The PEA states that the boundary hedgerows include veteran trees, however these are not recorded separately within the metric (please see page 23 of the metric user guide). Further, they are not mapped and therefore it is unclear which trees have veteran status. Please can this be addressed. Please note that the addition of these trees at baseline will likely result in a greater net loss in units to be offset.

This has been replaced with a statement that says these do not meet veteran status. One oak tree (to be retained, labelled T29 within the EcIA Report, HCUK 2026) on the western border was identified during the site visit on 23/11 to have a small number of dead limbs and a trunk wound that may extend into an internal cavity. However, the extent of these features are common, minimal and not considered significant, and therefore it is agreed that this is not considered a veteran tree/irreplaceable habitat for BNG purposes. Please note that the site visit was limited to the public right of way, so view of all tree aspects was restricted.

1.2 The condition assessments appended to the PEA show that the baseline other neutral grassland habitat scored an overall moderate condition, however it has been entered as having a poor condition in the metric. Please can this be rectified.

The condition assessment sheet and metric have been modified to reflect the grassland in a poor condition. This is agreed.

1.3 Please note that a discrepancy has been flagged, in that for on-site area habitats, the total area of lost habitat was found to be 1.88 ha, and the total area of created habitat was found to be 1.79 ha. These areas should be equal.

Concern resolved, with thanks.

<u>Post-development</u>

2.0 The distance between the recorded ancient woodland parcel to the south-west of the site and the application site is approximately 13m which is under the recommended 15m buffer as per government guidance. It is recommended to seek further comments from the HDC Arboricultural team regarding this.

This has been addressed by the HDC Arboricultural Officer, with thanks.

In addition, given the presence of identified veteran trees within the boundary vegetation as per the definition within BNG legislation, the backing of private gardens onto retained vegetation is not supported. This also encroaches within the proposed 5m important hedgerow buffer zone illustrated on the Tree Constraints Plan (drawing no. SJA TCP 25558-011a, SJA Trees 2025) and does not comply with the recommendations under Section 5.4 of the PEA to incorporate a suitable buffer to facilitate maintenance and maintain dark zones for commuting, foraging and roosting bats. As such, a buffer zone is recommended alongside the boundary vegetation of the site. The buffer zone size will need input from the HDC Arboricultural team.

As per point 1.1, it is agreed that no trees on-site are considered veterans for BNG purposes. The incorporation of a 5m buffer to the western boundary is positive, although it should comprise vegetation such as scrub of trees for further mitigation, rather than modified grassland. However, the other boundary vegetation should also receive a buffer to comply with the PEA recommendations and to ensure that the boundary vegetations are retained and in their current condition. Any boundary vegetation on the border of gardens is at risk to excessive pruning or compaction of rooting system, which may result in its deterioration.

2.1 A footpath is proposed in the north-east corner of the site, through hedgerow H1. Please can the installation of this footpath and the consequences on H1 be addressed.

Does not appear to be addressed.

2.2 The proposed tree planting and retained hedgerow/hedgerow enhancement is not depicted on the post-development habitat plan within Appendix 1 of the Biodiveristy Net Gain Feasibility Assessment (HCUK Group, 2026). Please can these be added.

Concern resolved, with thanks.

2.3 The Site Layout shows c. 56 trees outside of private gardens. However, the BNG assessment only accounts for the planting of 38 trees. Please can the correct number be confirmed.

Does not appear to be addressed.

2.4 The entries in Tab A-2 of the metric are missing the strategic significance. Please can this be amended.

Concern resolved, with thanks.

2.5 The proposal of other neutral grassland to achieve a good condition is questioned due to the likely disturbance it will receive from residents in the absence of a communal amenity area for play and recreation on-site. As such, it is advised to downgrade this to moderate condition and consider mown pathways where necessary.

Concern resolved, with thanks.

2.6 It is noted in the Soft Landscaping Specification (ACD, 2026) that a stabilising matting is proposed for wildflower grassland where there are slopes. These should not be used unless essential, and where necessary, biodegradable control blankets that temporarily stabilise the soils whilst the vegetation established roots should be used. Furthermore, the use of herbicide is not supported for other neutral grassland establishment, unless eradicating invasive non-native species as listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). Preparation of the soil layers and a regular mowing regime in the first (and second) year will control undesirable species if consistent. As such, please modify the wording to ensure that use of herbicide is a last resort only.

Does not appear to be addressed.

HMMP

3.0 A full HMMP will be required to discharge the biodiversity gain condition and S106 obligation. For expected content, please consult Natural England's HMMP template, companion document, and checklist. Please ensure that it corresponds with the Soft Landscaping Specification and any other future LEMPs, where required.

3.1 No information relating to the target condition criterions and the high-level management required to achieve them has been provided in the draft HMMP. This is requested to assure HDC that these habitats are feasible. As above, some target conditions are questioned (see point 2.5). 3.2 Please note that the PM-T01 does not detail all the post-development habitats, which will need amending.	
ANY RECOMMENDED CONDITIONS: If minded to approve: *Informative –* Scenario 3: BNG Required + Irreplaceable Habitat	
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DEPARTMENT:	Strategic Planning - Specialists
DATE:	08/09/2026 23/11/2026