



Horsham
District
Council

HORSHAM DISTRICT COUNCIL CONSULTATION

TO:	Horsham District Council – Planning Dept
LOCATION:	Bellway Homes Development Site Wooddale Lane Billingshurst West Sussex
DESCRIPTION:	Erection of a temporary residential sales area to include provision of parking, landscaping and use of a sales cabin.
REFERENCE:	DC/26/0049
RECOMMENDATION:	Holding Objection / Modification No objection

SUMMARY OF COMMENTS & RECOMMENDATION:

The baseline assessment is considered incorrect, due to not accounting for the watercourses and all existing hedgerows on-site. Further, current classification of the eastern hedgerow is not agreed. The post-development plans also require amendments.

Below amendments are suggested for the baseline and the post-development tabs within the metric to discharge the deemed biodiversity gain condition. Several conditions are recommended to secure the BNG delivery for 30 years, including its restoration after the temporary development ceases. The suggested baseline and post-habitat mapping amendments have been actioned. Comments regarding the Reinstatement Plan and Planting Plan are outstanding.

MAIN COMMENTS:

The comments below relate solely to the BNG proposed in the above application. The comments are not considered exhaustive. All other ecology matters will be reviewed by Place Services and NatureSpace, where appropriate.

As currently submitted, the biodiversity metric demonstrates that the development will have an overall 12.01% net gain (+0.12 units) in area habitat and an 80.56% net gain (+0.17 units) in hedgerows. As the proposed gains relate to habitats of medium distinctiveness, the proposal is considered significant on-site BNG as per HDC's definition. As such, if minded to approve, a S106 legal agreement is required to secure the BNG, and monitoring reports will need to be submitted to HDC typically in years 1, 2, 5, 10, 15, 20, 25 and 30. However, please note the requested amendments below are likely to modify the BNG calculation figures.

Given the temporary nature of the development, and the likely damage to habitats resulting from future demolition, it is HDC's view that a S106 legal agreement to secure BNG in this instance is not practical. However, to ensure BNG is delivered and maintained for 30 years following the removal of the temporary buildings and hardstanding, a HMMP condition, a condition to restore the whole grassland area to

other neutral grassland in moderate condition (to match the surroundings), and a condition to submit a timetable of the temporary works are recommended.

Without the off-site element and the amendments made to date, the metric demonstrates that the development will have an overall -26.32% -25.37% net loss (-0.27 -0.25 units) in area habitat, a 13.26% net gain (+0.06 units) in hedgerow, and a 58.94% net gain (+0.06 units) in watercourses. Further recommendations are suggested below to cover the eventual loss of the introduced shrub and ornamental planting and hedgerow, as per the submitted Planting Reinstatement Plan.

Off-site enhancements are also proposed. Further information is requested as to the location of the off-site area within the wider setting and blue land of the applicant. All off-site BNG needs a legal agreement (either S106 or conservation covenant) to register on the Biodiversity Gain Site Register, which is a requirement under the BNG legislation. All off-site units must be allocated to the development prior to submitting the Biodiversity Gain Plan to discharge the deemed condition. If the applicant wishes to enter a legal agreement with HDC to secure the off-site area, please advise the Case Officer as a separate site visit will be necessary.

The location of the off-site area within the wider landholding has been provided. Please see Section 1.3 below for further comments on the off-site proposal.

Baseline

- 1.0 A culvert and an artificial ditch with high structural banks, marginal vegetation, and standing water are present within the red line boundary to the south of the site running adjacent to the balancing pond (see photographs below). As this ditch meets the criteria of a watercourse within the Biodiversity Metric User Guide, this must be included within the watercourse module of the metric.



These habitats have been added. Concern resolved, with thanks.

- 1.1 There are several mature trees within the hedgerow bordering the east of the site. The UKHab definition of a hedgerow with trees is as follows:

A linear feature ≥20m long with a woody component <5m wide at its base, a shrub layer present and with ≥2 prominent trees taking their natural shape that are <20m apart over most of its length.



The 35m length of hedgerow recorded meets the above definition (see photograph to the right) and therefore should be modified to 'native hedgerows with trees' within the metric.

This has been amended – concern resolved, with thanks.

1.2 There is also an existing hornbeam hedgerow running along the north of the site, which can be seen in the Sales Area Landscape Masterplan (drawing no. 3360-APA-ZZ-XX-LA-L-1003, Allen Pyke 2025) and Detailed Planting Plan Sales Area (drawing no. 3360-APA-ZZ-XX-PP-L-2007, Allen Pyke 2025). See photograph to the right. This is not recorded within the baseline assessment and therefore must be added in the hedgerow baseline tab of the metric.

This has been added – concern resolved, with thanks.

1.3 Modified grassland is recorded on the access part into the adjacent site. It is currently understood that this area of habitat is to be other neutral grassland resulting from the main application site consent (see DISC/25/0257). This is proposed to be replaced as hard standing, and therefore it is advised to denote this area as ONG at baseline to ensure the relevant uplift is being provided.

Having reviewed the legislation and sought external advice, this is considered the incorrect approach. The legislation does not allow for a future baseline, and therefore the habitats that are currently on site must be used, and the biodiversity loss by replacing with hardstanding will need to be reflected in the metric. It is accepted to defer this amendment to the discharge of condition stage.

This has been reverted – resolved, with thanks.

Given that the adjacent main application site is considered implementable with this change to hardstanding, it is considered that a condition to 'revert' the grassland to other neutral grassland in moderate condition in accordance with the rest of the site will ensure that the BNG for the adjacent main application site will still be met by year 30.

It is my understanding of the legislation that the rules pertaining to baseline value also relates to the off-site area, with reference to Para 10 (1B) and (1C) under Schedule 7A of the TCPA 1990 which states the pre-enhancement biodiversity value of offsite is the biodiversity value of the offsite habitat on the relevant date (the relevant date being the date on which the application is made to the NE register, or any other date specified in a legal agreement). There is no provision for a future pre-enhancement value. Given this, HDC are not willing to enter a legal agreement to secure this off-site area, as it already has an obligation to provide ONG in poor condition from a recently granted permission and therefore the baseline value cannot be used without causing inflation of the net gain. **That said, the BNG requirement can still be met via purchase of habitat bank units and therefore this is not a reason to refuse the application.**

Post-development

2.0 It is noted that native hedgerow creation is proposed where the existing hedgerow is located to the north of the site (see Plan Eco2: Proposed Habitats within the BNG Report, Ecology Solutions 2025). This is considered double-counting, and therefore this should be removed from the plan and calculations. Enhancement of this hedgerow from native hedgerow single row to double row species-rich hedgerow is an option. As the hedgerow



does not reach the end of the fence, creation of additional hedgerow length is acceptable.

It is now proposed to enhance this hedgerow; concern resolved with thanks. Please note, the Proposed Habitats plan will need amending to show 'enhancement' of this hedgerow, and the baseline hedgerow with trees for clarity. This has been amended – concern resolved, with thanks.

Please also note that given the removal of the native hedgerow as part of the reinstatement plan, **it is recommended for the enhancement of the existing hedgerow to achieve species-rich in moderate condition, to ensure that a 10% net gain is still met with its future removal.**

2.1 Other neutral grassland in both poor and moderate condition are proposed on-site. Please can Plan ECO2: Proposed Habitats within the BNG Report (and to be incorporated into the HMMP) be updated to delineate this habitat by condition.

Concern resolved, with thanks.

2.2 It is noted that almost a 6m length of hedgerow is to be removed to install a timber bridge going over the on-site ditch.

HMMP

3.0 A draft HMMP has not been submitted, as per the requirements under HDC's local validation list. However, the information pertaining to the post-development habitats contained within the BNG report under Table 3.3 will suffice for determination. It is considered that the proposed on-site habitats and conditions are feasible and appropriate. Note that a full HMMP will be required as a condition – please refer to Natural England's HMMP checklist for advised content.

3.1 Some young trees are to be retained as per Detailed Planting Plan Sales Area – please incorporate this into the full HMMP.

3.2 It is understood that the removal of hedgerow along the east of the site is to be reinstated once the temporary nature of the development is complete. Please incorporate these details into the full HMMP, alongside any other reinstatement works (including tree planting as per the submitted Planting Reinstatement Plan, Allen Pyke 2026, drawing ref. 360-APA-ZZ-XX-PP-L-2008. The planting of these trees upon removal of the introduced shrub and ornamental planting will ensure that the BNG delivered will still meet the 10% requirement. **Please can the Reinstatement Plan also detail the planting of EM2 Emorsgate seed mix along the pedestrian access route).**

This has been amended. Concern resolved, with thanks.

Note that as this is considered significant on-site BNG and requires management and monitoring for 30 years, the habitats within the hardstanding footprint of the development cannot be removed without delivering net gains above these proposals and approved by HDC.

3.3 Please ensure the planting plan is updated to include species and composition for the ditch enhancement.

This has been amended. Concern resolved, with thanks.

ANY RECOMMENDED CONDITIONS:

If minded to approve –

Informative:

Scenario 1 – BNG Required

Conditions:

1. Habitat Management and Monitoring (HMMP) Plan

Pre-commencement condition:

The development hereby permitted shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the Biodiversity Gain Plan and including:

- (a) a non-technical summary;
- (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (c) the planned habitat creation and enhancement work to create or improve habitat to achieve the biodiversity net gain; together with a timetable of its provision;
- (d) the management measures to maintain habitat identified in the HMMP for a period of 30 years from the completion of development;
- (e) the monitoring methodology and frequency in respect of the created and/or enhanced habitat(s); and
- (f) the contingencies and/or remedial actions necessary in response to common risks, and the trigger for these where the results of the monitoring show that the aims and objectives of the HMMP are not being met

has been submitted to, and approved in writing by, the local planning authority.

Thereafter, the created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy 31 of the Horsham District Planning Framework (2015).

2. Temporary Works Schedule

Pre-commencement condition:

The development hereby permitted shall not commence until a Temporary Works Schedule has been submitted to and approved by the local planning authority. The schedule must identify the timing, description and arrangement of all proposed works across the construction, operation and demolition phases, a timetable for reinstatement, and the responsible person(s) or organisation for managing these actions.

Reason: To ensure the development temporary work schedule aligns with the objectives within the approved HMMP and delivers a biodiversity net gain on site in compliance with Schedule 7A of the Town and Country Planning Act 1990 and Policy 31 of the Horsham District Planning Framework (2015).

3. Temporary Permission (building)

Regulatory Condition:

The building(s) and associated hardstanding hereby permitted shall be removed and the land shall be restored on or before the **INSERT - date** to other neutral grassland

habitat in moderate condition (as per the UKHab v2.01 classification system and statutory biodiversity net gain condition assessment criteria (v1.0.2)) with individual tree planting as detailed on the approved Detailed Planting Plan Sales Area Reinstatement Plan (Allen Pyke 2025, drawing no. 3360-APA-ZZ-XX-PP-L-2008 Rev. P03) and which has previously been agreed in writing by the Local Planning Authority on or before the [INSERT - date], and maintained in accordance with the approved HMMP and LEMP.

Reason: The proposed development is not considered satisfactory as a permanent measure in accordance with Policy 33 of the Horsham District Planning Framework (2015).

NAME:	Linsey King Ecology Officer (Planning)
DEPARTMENT:	Strategic Planning - Specialists
DATE:	09/03/2026 21/04/2026 07/05/2026 29/05/2026