

Bat Survey Report

Sir Roberts Farm, Goose Green Lane, Pulborough
West Sussex, RH20 2LW

November 2024

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Client	Peter Isherwood
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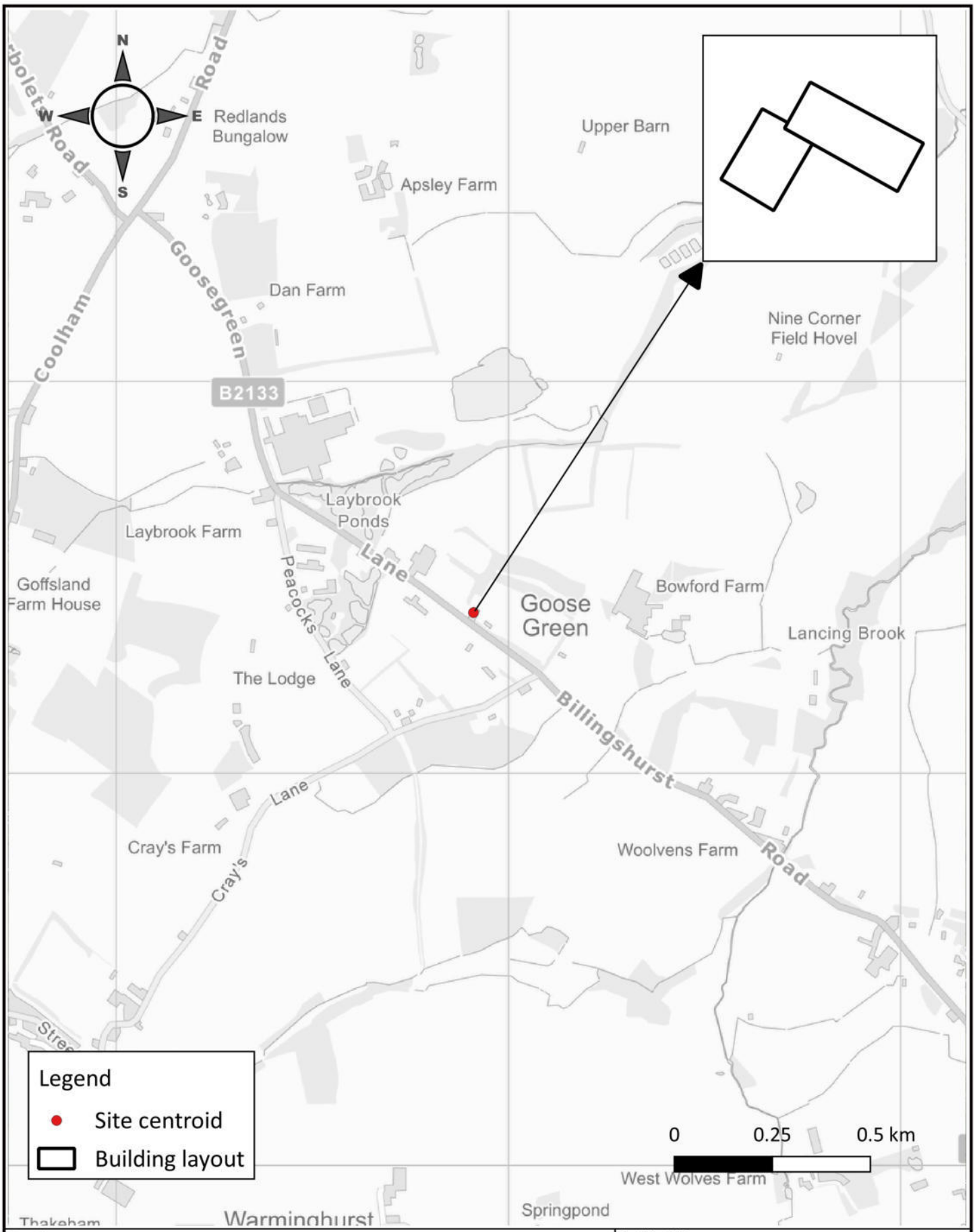

Figure title: Site Location		Client/ Report Reference: Peter Isherwood - D-PIW-001-001-001
Site location: Sir Roberts Farm, Goose Green Lane, Pulborough, RH20 2LW		
Figure number: 1	Date drawn: 03/10/2024	Scale at A4: 1:13000
Revision: 1	Cartographer: Amy Oldham	Approver: Hannah Baker

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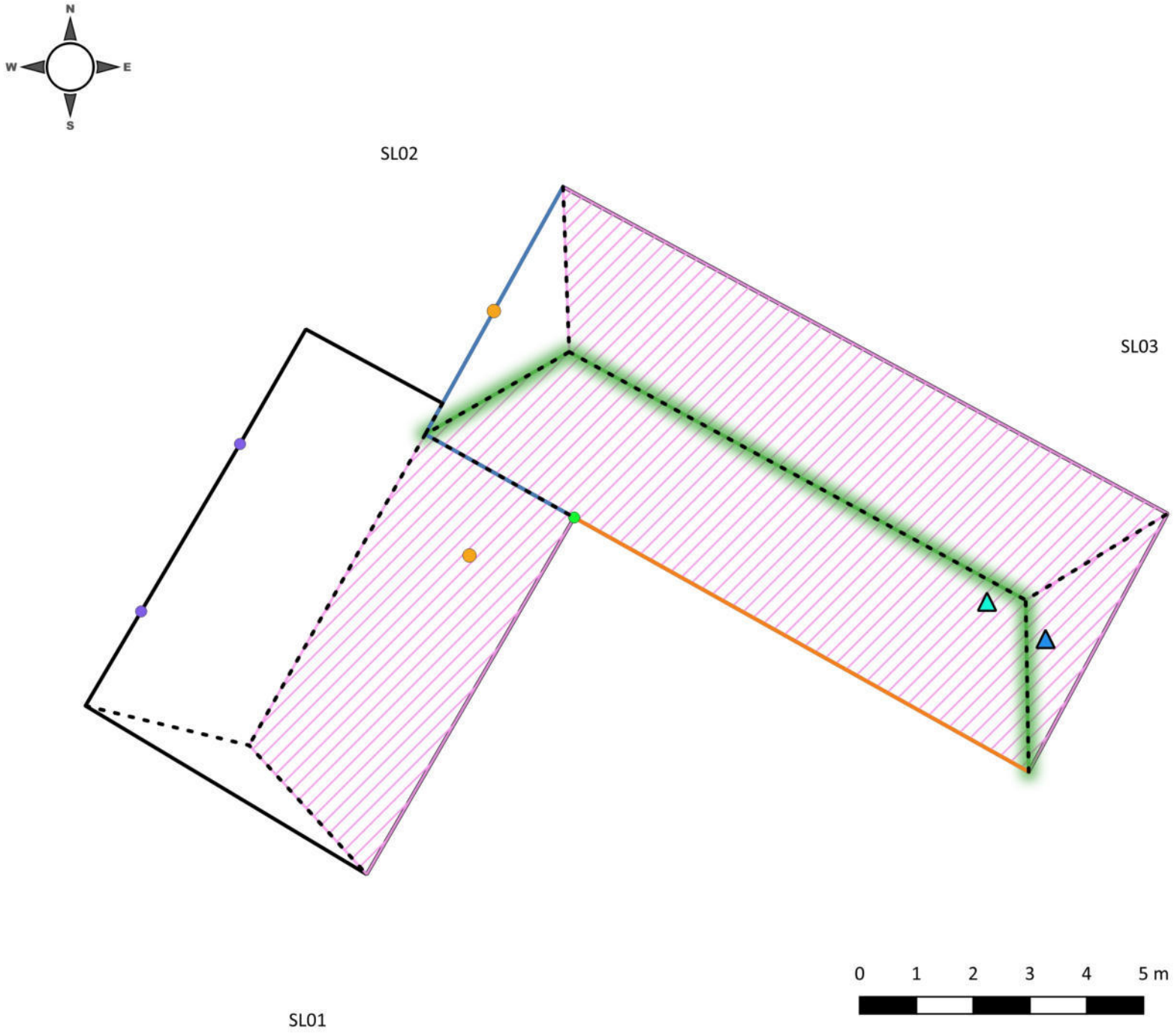

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Legend

- Building layout
- Bat emergence location

Potential roosting features

- lifted wooden cladding
- missing mortar on ridge tiles
- gaps between roof and wooden cladding
- raised lead flashing
- gaps between breeze blocks under eaves
- raised roof tiles

Evidence of owl

- owl faeces
- owl pellets

SL - surveyor locations

Figure Title: Bat Survey Results		
Client/ Project Reference: Peter Isherwood - D-PIW-001-001-001		
Figure number: 2	Revision: 1	Scale at A4: 1:100
Cartographer: Amy Oldham	Date drawn: 03/10/2024	Approver: Hannah Baker

Photo 1: Displaying the south-western aspect of building B1.



Photo 2: Displaying the north-eastern aspect of building B1.



Photo 3: Displaying the north-western aspect of building B1.



Photo 4: Displaying lifted roof tiles on building B1.



Photo 5: Displaying raised roof tiles, raised lead flashing and gaps in wooden cladding on the south-western aspect of building B1.



Photo 6: Displaying gaps between breeze blocks under the eaves of building B1.



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Site Location Sir Roberts Farm, Goose Green Lane, Pulborough, RH20 2LW	**Client/ Report ref:** Peter Isherwood
Figure Title Preliminary Roost Assessment – Photographs	**Report reference** D-PIW-001-001-001

Figure no: 3	**Revision no:** 1	**Scale:** n/a
Cartographer: Amy Oldham	**Date Drawn** 04/10/2024	**Reviewed by:** Hannah Baker

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Photo 1: Infra-red camera field of view from survey location SL01 taken at the darkest point of the survey. The circle shows the location of Roost 2.



Photo 2: Infra-red camera field of view from survey location SL02 taken at the darkest point of the survey. The circle shows the location Roost 1.



Photo 3: Infra-red camera field of view from survey location SL03 taken at the darkest point of the survey.



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Site Location: Sir Roberts Farm, Goose Green Lane, Pulborough, RH20 2LW	Project: D-PIW-001-001-001
Figure Title: Bat Emergence Surveys - Infra-red camera field of view photographs.	Client name: Peter Isherwood

Figure no:	Revision no:	Scale:	
4	1	n/a	
Cartographer:	**Date Drawn**	**Reviewed by:**	
Amy Oldham	04/10/2024	Joseph Baker	

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Summary and Recommendations

Proposals	• Peter Isherwood is proposing a development (grid reference: TQ 11911 18423) at Sir Roberts Farm, Goose Green Lane, Pulborough, RH20 2LW (see Figure 1). • The proposals include the conversion of a timber-frame barn to a three-bedroom residential property within the existing building footprint.
Surveys	• A Preliminary Roost Assessment (PRA) was conducted that comprised of a desk study relevant to bats and a site visit on the 12th of June 2024. • Two bat emergence surveys were undertaken on building B1, on the 4th July and 25th July. A third bat emergence survey was subsequently recommended and undertaken on 3rd September. No limitations were noted during the surveys.

Impact assessment	• The site is reasonably unlikely to result in any adverse impacts to designated sites of international, national or local importance for bats, including The Mens SAC that is designated for barbastelle bat.
	• The development proposals will contravene the legislation and planning policy outlining the protection of bats, as:
	  ○ It will result in the removal of one common pipistrelle day (summer) roost and one pipistrelle sp. day (summer) roost; and
	  ○ It could result in harm to small numbers of common pipistrelle and pipistrelle sp. bats.
	• As the development will result in adverse impacts to bat roosts and could result in harm to small numbers of bats, it will require approval under the licensing system administered by Natural England to proceed lawfully.
	• There is evidence that access to a historic barn owl nest/roost has been inadvertently removed during previous maintenance works at building B1. To ensure the development proceeds lawfully, compensatory barn owl nesting/roosting habitat will be required.
	• In-line with national and local policy, the development will be required to incorporate ecological enhancements into the design.

Recommendations	**The recommendations below represent a summary only. The full recommendations are outlined in section 5 and should be referenced to in the use of this report.** **Bats** • To ensure the development proceeds lawfully the bat mitigation strategy outlined in section 7 of this report should be followed, including registration of the site (subject to approval by Natural England) under the Bat Mitigation (Low Impact) Class Licence (BMCL). • Bat survey data used to inform planning applications and registration under the BMCL should be collected in the most recent bat survey season (typically May -

	September). If significant time passes prior to determination of the application or registration under the BMCL further bat emergence surveys will be required. **Ecological Enhancement** • A barn owl nestbox installed on a suitable tree within the site is recommended to compensate for the previous loss of a barn owl roost/ nesting site at building B1.

1. Introduction

1.1 Development Location

1.1.1 Peter Isherwood is proposing a development (grid reference: TQ 11911 18423) at Sir Roberts Farm, Goose Green Lane, Pulborough, RH20 2LW (see Figure 1). The property is hereafter referred to collectively as 'the site', and Peter Isherwood as the 'applicant'.

1.2 Development Proposals

1.2.1 The applicant seeks planning consent for the conversion of a timber-frame storage barn to a residential dwelling, within the existing building footprint. The proposals above are hereafter referred to collectively as 'the development' in this report and the barn as building B1.

1.2.2 The site falls within the governance of Horsham District Council. The applicant submitted a planning application for the above development in mid-2024, which was subsequently approved subject to a number of conditions. One of the conditions related to bats:-

1.2.3 *'No development shall commence until a detailed survey inspecting the presence of bats on the site and within the building has been undertaken and submitted to and approved in writing by the Local Planning Authority. The survey shall include details of the findings of that survey and any necessary mitigation measures including a timetable for their implementation. The development shall be undertaken in strict accordance with the agreed details and timetable, and shall thereafter be retained and maintained in accordance with the approved details'.*

1.3 Ecology Background

1.3.1 A previous Preliminary Ecological Appraisal (PEA) was competed by Phlorum Limited in August 2022. Section 3.35 of the '*9961 Sussex Barn PEA Rev1'* PEA report identified building B1 as having moderate bat roosting potential.

1.4 Brief and Objectives

1.4.1 Arun Ecology Ltd were commissioned by the applicant to undertake a bat Preliminary Roost Assessment (PRA) of building B1 at the site and were subsequently commissioned to undertake three bat emergence surveys of building B1.

1.4.2 The key objectives of a bat PRA, as per Bat Conservation Trust (BCT) Good Practice guidance (Collins, 2023) is to determine:

- The actual or potential presence of bats;

- The need for further bat surveys (such as bat emergence surveys); and/or
- The need for any bat mitigation.

1.4.3 The key objectives of the bat emergence surveys, as per BCT Good Practice Guidelines for Ecologists (Collins, 2023) are to:

- Determine the presence or probable absence of bats;
- Characterise any bat roost types recorded and the number of bats using the roost; and
- Collect information on any bat roosts recorded in order to inform the planning application for the development and any bat mitigation licencing requirements.

1.4.4 The combined brief of the bat PRA and bat emergence surveys was to:

- Carry out an ecological desk study obtaining records (excluding purchased records) of designated sites, bat roosts and European Protected Species Licences (EPSL) granted for bats within 2 km of the site;
- Undertake an internal and external survey, comprising a systematic search of building B1 to identify potential or actual bat access/ egress points and roosting places, and to locate any evidence of bats (such as live or dead specimens, bat droppings, feeding remains, urine splashes, fur oil staining and/or bat noises, such as social calls);
- Undertake a proportionate number of bat emergence surveys in line with the suitability classification assigned to them during the bat PRA in line with the Bat Conservation Trust Good Practice Guidelines (Collins, 2023); and
- Provide a technical report supported by digitised mapping. The report will present the methods and results (including any limitations) of the bat PRA and bat emergence surveys. The report will also include a discussion of the legislation and planning policy relevant to bats, and our recommendations.

2. Method

2.1 General Approach

2.1.1 The bat PRA and three bat emergence surveys were carried out in accordance with the Bat Conservation Trust Good Practice Guidelines for Ecologists (Collins, 2023).

2.2 Preliminary Roost Assessment - Desk Study

Zone of Influence

2.2.1 The study area for the desk study at this stage of the development is based upon a provisional *'zone of influence'*. *'The 'zone of influence'* is defined as per CIEEM guidance as *'the area over which ecological features may be affected by biophysical changes as a result of the proposed project and associated activities'* (CIEEM, 2018).

2.2.2 The provisional zone of influence for the development where data was sought is set as the following:

- Statutory and non-statutory designated sites – 2 km; and
- Granted European Protected Species Licences for Bats – 2 km;

2.3 Preliminary Roost Assessment - Field Survey

2.3.1 A ground level inspection of the exterior of building B1 was undertaken with the aid of torchlight and binoculars to search for bat PRFs that might provide suitable crevices or access/egress points to voids or cavities for roosting bats.

2.3.2 Where accessible and safe to do so, a search for signs of bats such as bat specimens, droppings, urine staining, and audible sound (such as social calls) was undertaken at the building. This included an internal inspection of any roof voids present at the building and the use of an endoscope to inspect any accessible bat PRFs.

2.3.3 A classification based upon the roosting suitability for bats was assigned for the building as well as the overall suitability of site habitat. The classification descriptions are detailed below in Table 1 below.

Table 1 – Suitability assessment for a proposed development site for bats, as adapted from BCT Good Practice Guidelines (Collins, 2023).

Potential Suitability	Definition	
	Roosting habitat	Potential flight paths and foraging habitat
None	No habitat features on-site likely to be used by any roosting bats at any time of year (i.e. a complete absence of crevices/ suitable shelter at all ground/ underground levels).	No habitat features on site likely to be used by any commuting or foraging bats at any time of the year (i.e. no habitats that provide continuous lines of shade/ protection for flight lines or that generates shelter for insect populations that is available to foraging bats).
Negligible	No obvious habitat features on site likely to be used by roosting bats, however, small element of uncertainty remains as bats can use small and apparently unsuitable features on occasion.	No obvious habitat features on site likely to be used as flight paths or by foraging bats; however, a small element of uncertainty remains in order to account for non-standard bat behaviour.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically at any time of the year. However, these potential roosting sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity and not a classic cool/stable hibernation site but could be used by individual hibernating bats).	Habitat that can be used by a small number of bats as flightpaths such as a gappy hedgerow or unvegetated stream but isolated i.e. not very well connected to the surrounding landscape by other habitats. Suitable, but isolated habitat that can be used by small numbers of foraging bats such as a lone tree (not in parkland situation) or a patch of scrub.
Moderate	A structure with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions, and surrounding habitat but unlikely to support a roost of high conservation status, with respect to roost type only, such as maternity or hibernation roosts.	Continuous habitat connected to the wider landscape that could be used by bats for flight paths such as lines of trees, scrub and linked back gardens and for foraging such as trees, scrub grassland and water.
High	A structure with one or more potential roosting sites that are obviously suitable for use by a larger number of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions, and surrounding habitat. These structures have the potential to support high conservation status roosts, e.g. maternity or classic cool/stable hibernation sites.	Continuous, high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by bats for flight paths such as river valleys, streams, hedgerows, lines of trees and woodland edge. High quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined water courses and grazed parkland. The site is close to and connected to known bat roosts.

2.3.4 The bat PRA included the collection of information on the structure type and condition as well as the construction materials.

2.4 Bat Emergence Surveys

2.4.1 The number and timing of the bat emergence survey visits were initially determined by the roost suitability classification assigned to building B1 during the bat PRA. Further bat emergence survey visits were conducted when required to classify any bat roosts recorded.

2.4.2 The bat emergence surveys commenced 15 minutes before the time of local sunset (source www.sunrisesunsetmap.com) and continued for 1.5 hours after sunset.

Recording Bats

2.4.3 Surveyors were positioned around the exterior of the building to observe all potential access/egress points and bat PRFs that were recorded in the bat PRA. The location of bat PRFs and surveyor locations for all bat emergence surveys are shown in Figure 2.

2.4.4 The surveyors were aided by ultrasonic bat detectors (Elekon Batlogger M) to audibly record any bat echolocation calls from bats that emerged from or re-entered the building.

2.4.5 During the bat emergence surveys three infra-red video cameras (model: Canon XA 40) were used. The cameras were used in infrared mode by the surveyors with a 7-inch monitor to act both as a visual aid when watching bat PRFs as light levels dropped and to record the survey and any bats that emerged or re-entered the building. All infra-red cameras were accompanied by two Nightfox 850nm infra-red torches to illuminate the area of the building in front of the surveyor location with infrared light (see Figure 4).

2.4.6 Only bats that emerged or re-entered the building were recorded (in handwritten notes) by surveyors during the bat emergence survey to ensure concentration was retained on the bat PRFs at all times by surveyors.

Data Analysis

2.4.7 If bats were recorded emerging or re-entering the building, associated bat calls were subject to analysis using the Elekon Bat Explorer software. These were identified to species level (where possible) or genus level, using British Bat Calls: A Guide to Species Identification, Russ J. M, 2012.

2.4.8 Infra-red camera footage collected by surveyors for each survey visit was analysed (watched) using the VLC media player software.

2.5 Survey Dates and Conditions

Preliminary Roost Assessment

2.5.1 Details on the date, timing and conditions recorded during the bat PRA are provided below in Table 2.

Table 2 – Bat PRA Survey Information.

Date	Survey type	Survey timings		Temperature (°C)		Rain	Wind (Beaufort scale)
		Start	Finish	Start	Finish		
12/06/2024	Bat PRA	10:30	12:00	15	15	None	2

Bat Emergence Surveys

2.5.2 Information about the bat emergence surveys including the date and the weather conditions at the time of the survey are outlined below in Table 3.

Table 3 – Bat Emergence survey information

Visit	Survey type	Date	Survey timings		Temperature (°C)		Rain	Wind (Beaufort Scale)
			Start	Finish	Start	Finish		
Building B1								
1	Emergence survey	04/07/24	21:01	22:46	18	17	No	3
2	Emergence survey	25/07/24	20:43	22:28	20	19	No	1
3	Emergence survey	03/09/24	19:26	21:11	19	17	No	1

2.5.3 Temperature was measured by the lead surveyor in degrees Celsius using the inbuilt meter within the Batlogger M detectors. Wind levels were also recorded, using the Beaufort scale.

2.5.4 For the bat emergence surveys, an overall assessment of the suitability of the weather conditions was made against those outlined in BCT Good Practice Guidelines for Ecologists (Collins, 2023), which state:

'The aim should be to carry out surveys in conditions that are close to optimal (sunset temperature 10°C or above, no rain or strong wind)'.

2.5.5 All bat emergence surveys were undertaken (as outlined in Table 1) in suitable conditions in-line with the above statement.

2.6 Surveyors

Preliminary Roost Assessment

2.6.1 The bat PRA was undertaken by Hannah Baker BSc (Hons), MSc, assisted by Molly Manwill BSc (Hons), MSc and Amy Oldham BSc (Hons). Hannah Baker is registered to use the Natural England Level 2 Class Licence to survey bats.

Bat Emergence Surveys

2.6.2 A summary of the survey teams for the bat emergence surveys are outlined below in Table 4.

Table 4 – Bat Emergence survey surveyor details.

Surveyor name	Job title and credentials	Surveys completed
Hannah Baker	• BSc (Hons), MSc – Principal Ecologist.	• Bat emergence survey: Visit 1 and visit 2 (Lead surveyor).
Amy Oldham	• BSc (Hons), - Assistant Ecologist; • One season of bat emergence surveying experience.	• Bat emergence survey: Visit 1 and 3.
Molly Manwill	• Molly Manwill (Lead surveyor) BSc (Hons), MSc. • Three seasons of bat emergence surveying experience	• Bat emergence survey: Visit 3 (Lead surveyor
Robin Bassett	• Ecologist. • Two seasons of bat emergence surveying experience.	• Bat emergence survey: Visit 1 and 2.

2.7 Limitations and Deviations

2.7.1 One unsupervised camera was used at survey location 2 on survey visits 1 and survey location 3 on survey visits 2 and 3. This is not seen as a limitation as the infra-red camera fully covered all bat PRFs in close focus at this location. Furthermore, the video was watched in full in post-survey analysis.

3. Results

3.1 Desk Study

Designated Sites

3.1.1 The results of the desk study search for statutory and non-statutory designated sites are detailed below in Table 5 (see Figure 1).

Table 5 - Statutory and non-statutory designated sites returned from the desk study search.

Statutory and non-statutory designated sites			
Designation level	**Site name**	**Distance & direction**	**Summary**
National			
SAC	The Mens	Within the outer 12km zone of Influence. Nearest boundary is 10 km south of the site.	Designated due to its lowland broadleaved, mixed and yew woodland, and its assemblages of invertebrates and breeding birds. Barbastelle bat is also another qualifying feature of this designation.

Granted European Protected Species Licences

3.1.2 Two EPSLs were granted for bats within 2 km of the site. Information on the EPSLs granted within 2km of the site are provided below in Table 6.

Table 6 - Information of EPSL licences granted within 2 km of the site.

Licence number and year granted	Species	Grid reference	Distance from site	Summary of activities
2015-16248-EPS-MIT	Brown long-eared and common pipistrelle	TQ 1166 1681	1.6 km South	Allowed damage to a known breeding and resting place.
2017-31760-EPS-MIT	Common pipistrelle	TQ 1362 1882	1.9 km East	Allowed damage and destruction of a known breeding and resting place.

3.2 Bat Preliminary Roost Assessment

3.2.1 The results of the external inspection including a description of the building, roost classification and selection justification are given in Table 8 – Appendix I. The location

of all bat PRFs recorded during the bat PRA are displayed in Figure 2 with photographs provided in Figure 3.

3.2.2 No evidence of bats was recorded during the external or internal inspection of building B1 at the time of the bat PRA.

3.2.3 Building B1 was classified as having moderate suitability to support roosting bats during the bat PRA based on the bat PRFs recorded at the time of the survey.

Site Habitat

3.2.4 The site habitat was classified as having high suitability for roosting bats. The justification for this was based on the presence of modified grassland and lowland deciduous woodland within the site that provided suitable foraging habitat and commuting habitat for bats.

3.2.5 Furthermore, the site connects well to the wider rural landscape which includes higher quality habitats including deciduous woodland, wood pasture and parkland and a network of hedgerows that are located in close proximity to the site. There was also an absence of notable sources of light pollution.

Other Protected Species

3.2.6 During the PRA, evidence of barn owls was recorded within building B1 in the form of barn owl pellets and faeces. The barn owl pellets were recorded within a loft space (on top of loft insulation) in the eastern section of the barn (see, Figure 2). The barn owl faeces (white staining) were recorded on boarding adjacent to the loft.

3.2.7 At the time of the survey, no access point into the loft was recorded that could be used by barn owls, with the barn doors constantly kept closed. A window was noted directly below an open loft hatch that had been recently repaired (in December 2023). It is likely that barn owls had historically entered the loft space through the broken window and adjacent open loft hatch.

3.3 Bat Emergence Surveys

3.3.1 The results of the bat emergence surveys undertaken at building B1 are summarised below in Table 7 and shown in Figure 2 with photographs provided in Figure 3.

Table 7 – Summary of the bat emergence survey results from building B1.

Survey visit	Surveyor location	Infra-red camera used (✓ = yes)	Surveyor records
Building B1			
Visit 1 Date: 04/07/24 Start time: 21:02 Sunset time: 21:17 End time: 22:46	SL01	✓	No bats were recorded emerging/ re-entering building B1.
	SL02 (unsupervised camera)	✓	**Roost 1** - One common pipistrelle bat emerged from under wooden cladding located beneath the northwest facing window of building B1. • One common pipistrelle emerged at 22:11 (54 minutes after sunset)
	SL03	✓	No bats were recorded emerging/ re-entering building B1.
Visit 2 Date: 25/07/24 Start time: 20:43 Sunset time: 20:58 End time: 22:28	SL01	✓	No bats were recorded emerging/ re-entering building B1.
	SL02	✓	No bats were recorded emerging/ re-entering building B1.
	SL03 (unsupervised camera)	✓	No bats were recorded emerging/ re-entering building B1.
Visit 3 Date: 03/09/24 Start time: 19:26 Sunset time: 19:41 End time: 21:11	SL01	✓	No bats were recorded emerging/ re-entering building B1.
	SL02	✓	No bats were recorded emerging/ re-entering building B1.
	SL03 (unsupervised camera)	✓	No bats were recorded emerging/ re-entering building B1.

3.3.2 In addition to the roost recorded during survey visit 1, a second emergence was recorded on 15th August 2024 during an emergence survey that was cancelled due to continued rain. The bat emerged from underneath a lifted roof tile on the southeast section of building B1, as shown in Figure 2. The emergence was noted whilst equipment was being packed away, so no echolocation call was recoded to aid species identification. However, based on visual appearance, roosting location and the time of emergence, it was likely to be a pipistrelle species.

3.4 Bat Roost Characterisation

3.4.1 A summary of the bat roost characterisation for the bat roost recorded at building B1 is provided in Table 9 Appendix II.

Roost 1 – Common pipistrelle

3.4.2 Roost 1 has been characterised as a common pipistrelle day (summer) roost based upon the timing of the bat emergence surveys and the relatively low number of bats recorded using the roost (singular). As such, a common pipistrelle maternity (breeding) roost is considered likely absent from Roost 1. The identification of the emerging bat was confirmed as common pipistrelle via sound analysis of the echolocation call recorded at the time of the emergence.

Roost 2 – Pipistrelle sp.

3.4.3 Roost 2 has been characterised as a day (summer) roost based upon the timing of the bat emergence surveys and the single bat recorded using the roost. As such, a pipistrelle maternity roost is considered likely absent from Roost 2. No echolocation call was recorded for the emergence so species identification could not be confirmed. A pipistrelle sp. bat is suspected, as the bat was small and common pipistrelle had previously been recorded roosting at building B1.

4. Legislation and Planning Policy

4.1 Background

4.1.1 The purpose of this section is to evaluate the legislation and planning policy that we know are relevant to the development based upon the desk study survey and the field survey results. This section does not include legislation or policy at this time that would require further actions to determine if it is relevant to the development (such as further bat surveys or mitigation).

4.2 Bats

4.2.1 As set out in Appendix III, all bats and their roosts are protected, and the following legislation and planning policy is relevant to bats:

- Conservation of Habitats and Species Regulation 2017;
- Wildlife & Countryside Act, 1981 (as amended);
- Natural Environment & Rural Communities (NERC), Act 2006;
- Countryside Right of Ways Act, 2000;
- National Planning Policy Framework, 2023; and
- Horsham District Council Adopted Local Plan, 2015.

4.2.2 In addition to the above government circular 06/2005 is also relevant to the development as outlined in Appendix III.

Designated Sites

4.2.3 The site falls within the outer zone of influence for The Mens SAC, of which, barbastelle bat forms one of the qualifying features of the SAC.

4.2.4 Based upon the proposal of the development, it is reasonably unlikely that the qualifying features of the SAC will be impacted and the law and planning policy outlining its protection contravened, as:

- It will not include the removal of any bat flightlines or significantly increase the level of light pollution on any bat flight lines; and
- No barbastelle bat roosts will be adversely impacted by the development.

Building B1

4.2.5 The development will contravene the legislation and planning policy outlining the protection of bats and their roosts for the following reasons:

- The development will result in the permanent destruction of a common pipistrelle day (summer) roost and pipistrelle sp. day (summer) roost; and
- The development could result in harm (through killing or injuring) to individual bats during the construction phase of the development.

4.2.6 Recommendations are outlined in section 5.2 of this report to ensure the development is compliant with the legislation and planning policy relevant to bats and is able to proceed lawfully.

4.3 Barn Owls

4.3.1 As set out in Appendix III, barn owls are protected under the following legislation and planning policy:

- Wildlife & Countryside Act, 1981 (as amended);
- Countryside Right of Ways Act, 2000;
- National Planning Policy Framework, 2023; and
- Horsham District Council Adopted Local Plan, 2015.

4.3.2 There has been a historic loss of a barn owl roost/nest site within building B1. The applicant has informed Arun Ecology Ltd that access to the nest/roost site was blocked in December 2023 (as part of building maintenance works), which is outside of the typical breeding season for barn owl. Based on this information, it is reasonably unlikely that this act would have resulted in an offence being committed. As access to the barn owl nest/roost remains blocked and will not be occupied again, no offence is likely to be committed as part of the development.

4.3.3 To ensure there is no loss of barn owl nesting/roosting provisions within the local landscape and to enhance biodiversity, the ecological enhancements outlined in section 5.3 should be followed.

5. Recommendations

5.1 Background

5.1.1 This section is based upon the results of all bat surveys undertaken to date and includes recommendations following the mitigation hierarchy (avoidance, mitigation and compensation; BSI, 2013) on how the development can proceed lawfully with respect to bats.

5.2 Bats

Mitigation - Roosting Bats

5.2.1 Bats are confirmed to be roosting at building B1. Ideally, impacts to bats should be avoided wherever possible and bat access/egress points and known roosting locations integrated into the design of the development. However, the development includes proposals that cannot avoid impacts to bats and their roosts.

5.2.2 As the development will result in adverse impact to bats and their roosts it will require approval under the licensing system administered by Natural England to proceed lawfully. The bat species, types of roost present and number of bats confirmed as present at building B1 would meet the criteria for registration of the site under Annex B of Natural England's Bat Mitigation Class Licence (BMCL).

5.2.3 The BMCL is specifically for developments which will have a low or temporary effect on bats or their roosts. The BMCL permits the disturbance and capture of bats and/ or damage / destruction of roost(s) of no more than three low conservation significance roosts, affecting no more than three of the more common species of bat present in small numbers.

5.2.4 A mitigation strategy that outlines how the development will meet the above criteria is provided in section 7 of this report.

Survey Validity

5.2.5 Bat emergence survey data used to inform planning applications and bat mitigation licence requirements should be collected in the most recent bat survey season (typically April-September). As such, if sufficient time should pass (i.e. more than one bat survey season) before the bat survey data is assessed or the site is registered under the BMCL, the surveys may need to be repeated.

5.3 Ecological Enhancements

5.3.1 In line with the NPPF (2023) all developments should incorporate ecological enhancements for the benefits of biodiversity into the design. Enhancements should be separate to any compensation or mitigation that might be required for bats or other protected species.

5.3.2 The proposed ecological enhancements outlined within the PEA report (Phlorum Limited 2022) are proportionate to the size and scale of the development and should be incorporated into its design.

Barn Owl

5.3.3 In addition to the ecological enhancements outlined within the PEA report (Phlorum Limited, 2022), to promote the conservation and enhancement of biodiversity as part of the development, a new artificial nesting/ roosting provision for barn owls should be included within the site as part of the development.

5.3.4 A barn owl nestbox should be erected on a mature tree along the woodland edge, within the site. The tree should have a thick trunk, with a high canopy and have few or no low branches. The barn owl box should be erected as soon as possible to compensate for the loss of the existing site.

5.3.5 The nest box should be placed at least 3 meters above the ground and the access hole should be visible to a passing barn owl (even when the tree is in full leaf). The access hole should be pointed towards open ground but avoiding prevailing weather (if possible).

5.3.6 The barn owl nest box can be purchased from the Barn Owl Trust. If the nest box is purchased from another supplier, the applicant should ensure that the box adheres to nest box design guidance available on the Barn Owl Trust website.

5.3.7 If the box is only used by breeding barn owls, it should be cleaned out every 2-3 years between the months of November and January. If jackdaws use the box, it should be cleaned out every year.

6. Conclusion

6.1.1 The development will contravene the legislation and planning policy relevant to bats without appropriate licencing and mitigation as it could result in the destruction of bat roosts and could harm individual bats. Ecological enhancements are also outlined within this report for barn, to provide new nesting/roosting provisions due to the loss of a historic nest/roost within building B1.

7. Bat Outline Mitigation Strategy

7.1 General Approach

7.1.1 The following mitigation strategy reflects the combined results of all bat survey work undertaken and will form part of the proposed registration of the site under the BMCL. Where possible, mitigation has been proposed in-line with or adapted from the principles of the bat mitigation guidelines (CIEEM, 2023).

7.1.2 The proposed registration of the site under the BMCL follows the criteria set out in Annex B. This will include one common pipistrelle day (summer) roost and one pipistrelle sp. day roost.

7.1.3 Under licence, the objectives of the mitigation will be to:

- Avoid the killing or injury of bats by the appropriate supervision of works; and
- To minimise the potential for any accumulation of effects on bats locally, by voluntarily offering a suitable alternative roosting opportunity (although this is not a mandatory requirement under the BMCL for the species and roost types recorded during the surveys).

7.1.4 This outline mitigation statement is based on the assumption that the proposed development is safely delivered. Arun Ecology Ltd reserve the right to amend this statement should the proposed action be deemed unsafe to complete.

7.2 Bat Mitigation Class Licence (BMCL) Registration

7.2.1 Registration of the site under the BMCL (subject to approval by Natural England) will be undertaken once planning permission has been granted for the proposed development and any relevant planning conditions relating to bats have been discharged, if able.

7.2.2 Registration will be undertaken on behalf of the client by a 'registered ecological consultant' (hereafter the registered consultant) who is approved by Natural England to register sites and works under Annex B of the BMCL.

7.2.3 The Registered Consultant must register the site with Natural England a minimum of three weeks and no more than a maximum of twelve weeks prior to undertaking any licensable works under the BMCL. The BMCL will be granted for the period of the licensable works. The works must normally be completed within 6 months of the licence being granted.

7.2.4 A site visit will be required and will be undertaken by the registered consultant within 3 months prior to the licence application submission. The purpose of the visit will be

to ensure that site conditions have not significantly changed, prior to registration under the BMCL.

7.2.5 The BMCL registration should be informed by a proportionate surveying effort that has been undertaken in the most recent bat season. Further bat surveys may need to be factored into the schedule of the development and registration of the site should this not be the case.

7.3 Safeguarding of Bats

Avoiding the Killing or Injuring of Bats

7.3.1 The registered consultant or an accredited agent will give a toolbox talk to all contractors involved in the removal of the roost features and the subsequent roof removal. The toolbox talk will cover the following points:

- Introduction to identify the registered consultant or an accredited agent to other stakeholders and contractors;
- Explanation of why a watching brief is necessary, including legal protection of bats (to include any other ecological constraints);
- What to look for, the working approach and the procedure to follow should a bat be encountered; and
- It will be explained that a copy of the mitigation strategy must remain available on site at all times.

7.3.2 Immediately prior to any works on site, the known roosting locations and any other accessible bat PRFs on building B1 will be inspected by the registered consultant under the bat BMCL or an accredited agent. If a bat is found, it will be removed using the methodology outlined in section 7.3.5 and 7.3.6.

7.3.3 Following the toolbox talk, soft demolition of the confirmed roosting location will be undertaken by hand, under close supervision of the registered consultant or accredited agent.

7.3.4 Other features suitable for bats should also be removed by hand / soft stripped under supervision of the registered consultant or accredited agent. Close supervision may require the ecologist to be present on scaffolding or mechanical lifting equipment being used to strip the roof, cladding or other building features which bats might use, as far as it is safe to do so.

7.3.5 If a bat is found roosting in the building during the works, all works will stop momentarily, and the bat will be caught (either by hand wearing suitable gloves or

using a static hand-net) and removed (using a cotton holding bag) by the licenced registered consultant or accredited agent. The bat will then be transferred into an appropriate bat box for the species found. Works can commence again once confirmed by the registered consultant or accredited agent.

7.3.6 If it is not possible to capture and remove a bat to safety using the above methods, a one-way excluder (such as a pro-cone square bat excluder) will be fitted in conjunction with flange-wire mesh or clear PVC sheet (suitable for bats) to the roosting feature. The roosting feature will then be inspected the following morning to ensure the bat has left before the feature is dismantled. Alternatively, if it is not possible to fit a one-way excluder to the roosting feature (due to size and shape of the access egress point or if harm might come to the bat) the bat will be left in-situ and a check completed the following morning to see if the bat has left the roosting feature.

7.4 Compensation For Bat Roosting Features

Bat Roosting Features

7.4.1 Under the BMCL, no compensation is specifically required for the loss of Roost 1 or Roost 2. However, the applicant has voluntarily agreed to incorporate new roosting provisions as ecological enhancements within the design of the development.

7.4.2 To compensate for the loss of Roost 1, one externally mounted bat box suitable for crevice dwelling bats (Schwegler 1FF Bat Box) will be mounted on the north-western aspect of building B1. Ideally, the bat box will be installed under or next to the window on the north-western aspect, replicating the location of Roost 1 (see Figure 4). Alternatively, the bat box could be mounted under the eaves on the northern and southern aspect of building B1, which provide suitable locations for the mounting of the bat box for roosting bats.

7.4.3 To compensate for the loss of Roost 2, two specialist bat tiles will be incorporated into the new roof on the south-eastern aspect of building B1. Alternatively, this can be achieved by raising standard tiles with wooden battens to create an access/egress point for bats.

Additional Ecological Enhancements for bats

7.4.4 Two additional specialist bat roof tiles will be installed on the northern aspect of building B1 to provide new PRFs for bats.

7.4.5 Two new access/ egress points will be created under the end ridge tile located at the apex of each existing gable end of building B1. This will consist of 5cm x 2cm gaps created within the mortar under the end ridge tile. This can be achieved by using a

small piece of wood or a mould that is placed in the mortar when wet, and that is removed prior to the mortar setting, leaving a small gap in the mortar.

7.4.6 A bat box suitable for crevice dwelling bats will be required during the construction phase of the development to move any bats encountered to. The bat box will be installed on a nearby tree and will remain in-situ permanently to provide an additional roosting feature for bats within the site.

Lighting Design Strategy

7.4.7 To ensure the development avoids adverse impacts on the newly created roosting features and bat commuting flightlines and foraging habitat within and adjacent to the site, any lighting as part of the proposed development should be installed in line with current guidance issued by the Bat Conservation Trust and Institute of Lighting Professionals: Guidance Note 08/23: Bats and Artificial lighting in the UK (BCT & ILP 2023).

7.4.8 The lighting strategy for the site as a minimum should aim to:

- Avoid illumination of newly created bat roosting features and any nearby habitats of value for commuting bats; and
- Minimise the overall level of light pollution within site and overspill as a result of the development by:
    - Selecting appropriate lighting sources such as LED lighting that lack UV components, have peak wavelengths higher than 550 nm and that have a warm white light (<2,700 kelvin);
    - Appropriate fitting of lighting to include horizontal mounting with no light output above 90° and/or no upward tilt, or as a last resort the use of baffles, hoods or louvres to reduce light spill and direct lighting to only where it is needed;
    - Using light only when necessary, within the site, by using timers and motion sensors; and
    - Providing natural screens in the landscaping plans of the development to break up artificial light where light spill cannot be avoided.

7.5 Monitoring and Reporting

7.5.1 No post works monitoring is proposed or required for the compensation and mitigation of bat roosting features under the BMCL.

7.5.2 The registered consultant will report the actions taken under the BMCL to Natural England on completion of the works.

7.6 Schedule of Works

7.6.1 At present the commencement date of the project is pending the approval of planning permission. Once planning permission is finalised the start dates in the schedule outlined below can be confirmed. An indicative schedule of early 2025 (outside of the bat hibernation period) for the project to commence has been given by the applicant.

Table 8 – Proposed schedule of bat licenced activities and ecological enhancements.

Proposed action	Task		Proposed Timings	
	Description	Undertaker	Duration	Start Date
Updated site visit	Site visit undertaken within three months prior to site registration under BMCL.	Registered consultant	1 day	Early 2025
Licence Registration	Registration of building B1 under the BMCL.	Registered Consultant to use BMCL (Annex B).	6 Months	Early 2025
Pre-works inspection	Inspection of the known roosting locations and any other PRF's on building B1. Installation of bat box for relocating bats during works.	Registered Ecologist to use BMCL or an Accredited agent.	1 day	Early 2025
Supervision of construction works	Features suitable for bats should be removed by hand / soft stripped under supervision.	Accredited agent	2 days	Early 2025

Reporting of actions taken	The report of actions taken under the BMCL to Natural England	Registered Consultant to use BMCL.	1 day	2025 TBC
Installation roost features	Installation of one bat box and two specialist bat roof tiles.	Appointed contractor	1 day	TBC (Pre-occupation)
Installation of ecological enhancement	Installation of two bat roof tiles and two gable end ridge tile gaps.	Appointed contractor	1 day	TBC (Pre-occupation)

8. Bibliography

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8.1.3 CIEEM (2022) Code of conduct. Chartered Institute of Ecology and Environmental Management, Winchester.

8.1.4 Collins, J. (ed) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edn). The Bat Conservation Trust, London. ISBN – 13 978-1-872745- 96-1

8.1.5 CIEEM (2016) Biodiversity Net Gain Good Practice Principles for Development. CIRIA, CIEEM and IEMA.

8.1.6 Cresswell, W.J., et al, (2012) UK BAP Mammals. Interim Guidance for Survey Methodologies, Impact Assessment and Mitigation. The Mammal Society. Southampton.

Appendix I - Bat Preliminary Roost Assessment Results

Table 8 - Preliminary Roost Assessment Results.

Building no.	Description	External inspection	Internal inspection	Evidence of bats recorded	Bat roost potential	Rational and potential roosting features recorded
B1	Building B1 is a traditional Sussex barn composed of timber framing, brick, partial exterior wooden cladding and clay pitched roof tiling.	Yes	Yes	None	Moderate	Several bat PRFs and potential access/egress points were recorded on the exterior of building B1 (see Figure 2) including: • Missing mortar; • Raised lead flashing; • Lifted and broken roof tiles; • Gaps under wooden cladding; • Ventilation entry points within eaves. None of the bat PRFs recorded were reasonably likely to support large numbers of bats given their small size and structure. It is possible that hibernating bats could use bat PRFs recorded on building B1, however, the features were of lower suitability for hibernating bats. This is based on the likelihood of the features supporting the stable and cool conditions typically required by hibernating bats.

Appendix II - Bat Roost Classification Summary

Table 9 – Classification of bat roosts recorded at building B1.

Roost ID	Species	Confirmed roost feature	Access/ egress point	Access/ egress dimensions	Aspect	Internal void dimensions	Lighting present	Roost type confirmed	Evaluation and notes on other possible roosts.
Building B1									
Roost 1	Common pipistrelle	Gap under lifted wooden cladding	Same as roosting feature	100 cm x 2 cm	Northwest	50 cm x 5cm	None	Day (Summer) roost	• One bat recorded emerging from Roost 1. • Feature reasonably unlikely to support large number of bats due to small internal void dimensions.
Roost 2	Pipistrelle sp.	Gap under lifted roof tile	Same as roosting feature	10 cm x 2 cm	Southeast	20cm x 10cm	None	Day (Summer) roost	• One bat recorded emerging from Roost 2. • Feature reasonably unlikely to support large number of bats given the small internal void dimensions.

Appendix III – Legislation & Planning Policy

8.2 Background

8.2.1 This section provides a summary of the legislation and planning policy that could be relevant to the development. Where possible we have limited this section to the areas relevant to this report. This means the legislation and planning policy outlined below is not included in its entirety.

8.2.2 This section does not constitute legal advice, and only, represents the interpretation and professional judgement of the ecologists named in this report, on the legislation and planning policy deemed relevant to the development.

8.3 RAMSAR Convention

8.3.1 RAMSAR sites are wetlands of international importance that have been designated under the criteria of the RAMSAR Convention on Wetlands for containing representative, rare or unique wetland types or for their importance in conserving biological biodiversity (JNCC, 2019).

8.3.2 The National Planning Policy Framework (NPPF, 2023) outlines the level of consideration that should be given to RAMSAR sites in Planning. Paragraph 187 states that RAMSAR and potential RAMSAR sites should be given the same protection as 'habitat sites' defined as those afforded protection under the Conservation of Habitat and Species Regulations (2017), such as Special Protection Areas or Special Areas of Conservation.

8.4 Conservation of Habitat and Species Regulations, 2017

8.4.1 The Conservation of Habitats and Species Regulations, 2017 transposes the EC Habitats Directive and some elements of the EC Bird Directive into national law in England and Wales. The objective of the Habitats Directive is to protect biodiversity through the conservation of natural habitats and species of wild fauna and flora. The directive lays down rules for the protection, management and exploitation of such habitats and species.

Protected Species

8.4.2 The regulations include provisions that prohibit certain actions from the protection of species listed under Annex II of the Habitat Directive. It is a criminal offence for a person to 'intentionally or recklessly' take the following action:

- Deliberately capture, injure or kill any wild animal of a European Protected Species (EPS);

- Deliberately disturb wild animals of any such species in such a way as to be likely to affect significantly the local distribution or abundance of the species to which they are likely to belong;
- Deliberately take or destroy eggs of any such wild animal;
- Deliberately pick, collect, uproot or destroy a wild plant of an EPS; and
- Keep transport, sell or exchange, or offer for sale or exchange, any live or dead wild animal or plant of an EPS, or any part of or anything derived from such an animal or plant.

8.4.3 The disturbance of such animals includes in particular; any disturbance that is likely to impact their ability;

- To survive, to breed or reproduce, or to rear or nurture their young;
- In case of animals of a hibernating or migratory species, to hibernate or migrate; or
- To affect significantly the local distribution or abundance of the species to which they belong.

Protected Sites

8.4.4 The Conservation of Habitats and Species Regulations, 2017 puts an obligation on the appointed appropriate authority for England & Wales to establish priorities for a network of nationally important sites.

8.4.5 The aforementioned sites, often referred to as European protected sites are formed of two types of sites, Special Protection Areas (sites specifically designated for birds) and Special Areas of Conservation (specifically designated for fauna and flora). The objective is for all species and habitats covered by these sites to contribute towards the maintenance and restoration of their favourable conservation status.

8.4.6 Designation can include but is not limited to the following reasons:

- A natural habitat type specific in Annex I of the Habitat Directive;
- A species specified in Annex II of the Habitats Directive;
- For the coherence of the national network of protected sites; and
- For threats of degradation or destruction to which the sites are exposed.

8.5 Wildlife and Countryside Act, 1981 (as amended)

8.5.1 The Wildlife and Countryside Act, 1981 (as amended) primarily transposes the UK Governments obligations under the Bird Directive and Bern Convention into law. The act outlines provisions for the protection of nationally important sites for nature conservation and provides protection at different levels for certain animals and plants, including certain prohibitions.

Protection of Birds

8.5.2 Part 1 – Section 1 includes certain prohibitions for the protection of birds which make it a criminal offence for a person to:

- Intentionally kill, injure or take any wild bird;
- Intentionally take, damage, or destroy the nest of any wild bird while it is in use or being built;
- Intentionally take or destroy the egg of any wild bird;
- Have in any one's possession or control any egg or part of an egg which has been taken in contravention of the Act or the Protection of Birds Act, 1954;
- Use traps or similar items to kill, injure or take wild birds;
- Have in one's possession or control any bird of a species occurring on schedule 4 of the Act unless registered, and in most cases ringed, in accordance with the secretary of state's regulations; and
- Intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the independent young of such a bird.

Protection of Animals

8.5.3 Part 1 – Section 9 of the act includes certain prohibitions for the protection of certain animals named in schedule 5. In summary offences include:

- If any person intentionally or recklessly kills, injures or takes any wild animal included in schedule 5;
- If any person has in his possession or control any live or dead wild animal included in schedule 5, or any part of, or anything derived from, such an animal;

- If any person intentionally or recklessly damages or destroys, or obstructs access to, any structure or place which any wild animal included in schedule 5 uses for shelter or protection; or

- Disturb any such animal while it is occupying a structure or place which it uses for that purpose; and

- Sells, offers or exposes for sale, or has in their possession or transports for the purpose of sale, any live or dead wild animal included in schedule 5, or any part of, or anything derived from, such an animal, or publishes or causes to be published any advertisement likely to be understood as conveying that they buy or sell, or intends to buy or sell, any of those things.

Sites of Specific Scientific Interest

8.5.4 Part 2 – Sections 28-33 of the act set out the law regarding Sites of Specific Scientific Interest (SSSI) by the conservation bodies in England (Natural England) and Wales (Natural Resource Wales) and outlines the offences with respect to SSSI.

8.5.5 The offences outlined in the act apply to any person(s), public body, landowner or occupier as well as statutory undertakers or permitted developments. Examples of offences include (but are not limited to):

- Any person intentionally or recklessly damaging or destroying any of the features of special interest of an SSSI, or disturbing wildlife for which the site was notified;

- Public bodies are not allowed to carry out damaging operations on an SSSI, except where they notified the relevant conservation agency. It is also an offence for a public body to fail to minimise damage on an SSSI or – if damage occurs – to fail to restore a SSSI to its former state; and

- Statutory bodies have a general duty to take reasonable steps to further to conservation and enhancement of the special feature of SSSI's;

- Where statutory bodies propose to undertake or permit activities that could affect a SSSI they must consult the relevant statutory nature conservation agency. If the activity cannot be avoided it must be undertaken in a way least damaging to the SSSI; and

- If you are the owner or occupier of a SSSI, it is an offence to carry out any activity that may likely damage the SSSI without consent from the relevant conservation agency. The law requires that you inform the conservation agency of any changes in the ownership or occupancy.

Other Protected Areas

8.5.6 Part 2 – Section 34 to 52 of the act deals with other protected areas within the UK such as limestone pavements, national nature reserves and marine nature reserves. The act allows designation of these sites by the appropriate authority for the purpose of conserving flora and fauna or geological or physiological features of specific interest in an area to protect the site. Furthermore, the act prohibits certain actions in National Parks for certain habitats without consent from local authorities.

8.6 Natural Environment & Rural Communities Act, 2006

8.6.1 The Natural Environment and Rural Communities Act (NERC), 2006 is primarily intended to implement key aspects of the governments rural strategy published in July 2004. It also addresses a wider range of issues relating broadly to the natural environment.

Section 40

8.6.2 Section 40 of the NERC Act, 2006, places a duty on any public authority and statutory undertaker to have due regard for the conservation and enhancement of biodiversity when delivering their functions, extending the provisions outlined under section 74 of the CRoW Act, 2000.

8.6.3 The policy goes on to state that conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population of that habitat.

Section 41

8.6.4 Section 41 of the NERC Act, 2006 requires the secretary of state in consultation with Natural England to outline Species of Principle Importance (SPI) and Habitats of Principle Importance (HPI) that in their opinion are important for the conservation of biodiversity.

8.6.5 The secretary of state is required to:

- Take such steps as appear to the secretary of state to be reasonably practicable to further the conservation of the living organisms and types of habitat included in any list published under this section; or
- Promote the taking by other of such steps.

8.6.6 The NERC Act, 2006 also provides some amendments to the Wildlife & Countryside Act, 1981 (as amended) and includes provisions for enforcement powers and the protection of SSSI.

8.7 National Planning Policy Framework (2023)

8.7.1 The National Planning Policy Framework (NPPF, Ministry of Housing Communities and Local Government, 2023) sets out the Governments planning policies for England and how these should be applied. It provides a framework which locally prepared plans for housing and other developments can be produced.

8.7.2 The NPPF supplements Government Circular: Biodiversity and Geological Conservation 06/2005 (Office of the Deputy Prime Minister, 2005).

Conserving and Enhancing the Natural Environment

8.7.3 Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

8.7.4 Paragraph 181 states, that plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of

habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.

Habitats and biodiversity

8.7.5 Paragraph 185 states: To protect and enhance biodiversity and geodiversity, plans should:

- a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national, and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration, or creation; and

- b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

8.7.6 Paragraph 186 states that, when determining planning applications, local planning authorities should apply the following principles:

- a) If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest.

- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists; and

- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this

can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

8.7.7 Paragraph 187 states, the following should be given the same protection as habitats sites:

- a) potential Special Protection Areas and possible Special Areas of Conservation;
- b) listed or proposed RAMSAR sites; and
- c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.
- Paragraph 188 states: The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects) unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

8.8 Biodiversity and Geological Conservation Circular 06/2005

8.8.1 Biodiversity and geological conservation circular 06/2005 provides administrative guidance on the application of the law relating to planning and nature conservation as it applies in England. It complements the national planning policy in the NPPF, 2023 and the Planning Practice Guidance. Broadly the guidance covers designated sites, the conservation of habitats and species, including outside of designated sites, protected species by law and the duties and powers used by planning authorities.

8.8.2 Paragraph 82 of the guidance states that 'in determining the application for development that is covered by up-to-date standing advice, a planning authority must take into account this standing advice'.

Protected Species and Planning

8.8.3 Paragraph 98 of the guidance states 'the presence of a protected species is a material planning consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat'.

8.8.4 Paragraph 98 also states that 'they (the planning authority) should consider attaching appropriate planning conditions or entering into planning obligations under which the developer would take steps to secure the long-term protection of the species'.

8.8.5 Paragraph 99 of the guidance goes on to state: 'it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision'. Paragraph 99 also states that 'this is justified only, where there is a reasonable likelihood of the species being present and affected by the development.'

8.9 Horsham District Council Adopted Local Plan (2015)

Local Plan

8.9.1 Policy 25 sets out Horsham District Councils (HDCs) commitment to protecting the Natural Environment and Landscape Character. Policy 25 states:-

8.9.2 The Natural Environment and landscape character of the District, including the landscape, landform and development pattern, together with protected landscapes and habitats will be protected against inappropriate development. The Council will support development proposals which:

1. Protects, conserves and enhances the landscape and townscape character, taking into account areas identified as being of landscape importance, the individual settlement characteristics, and maintains settlement separation.

2. Maintain and enhances the Green Infrastructure Network and addresses any identified deficiencies in the District.

3. Maintains and enhances the existing network of geological sites and biodiversity, including safeguarding existing designated sites and species, and ensures no net loss of wider biodiversity and provides net gains in biodiversity where possible.

4. Conserve and where possible enhance the setting of the South Downs National Park.

8.9.3 Policy 31 sets out Horsham District Councils (HDCs) commitment to protecting biodiversity in the district. Policy 31 states:

8.9.4 1) Development will be supported where it can demonstrate that it maintains or enhances the existing network of green infrastructure. Proposals that would result in the loss of existing green infrastructure will be resisted unless it can be demonstrated that new opportunities will be provided that mitigates or compensates for this loss, and ensures that the ecosystem services of the area are retained.

8.9.5 2) Development proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate. The Council will support new development which retains and /or enhances significant features of nature

conservation on development sites. The Council will also support development which makes a positive contribution to biodiversity through the creation of green spaces, and linkages between habitats to create local and regional ecological networks.

8.9.6 3) Where felling of protected trees is necessary, replacement planting with a suitable species will be required.

8.9.7 4. a) Particular consideration will be given to the hierarchy of sites and habitats in the district as follows:

- i. Special Protection Area (SPA) and Special Areas of Conservation (SAC)
- ii. Sites of Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs); and
- iii. Sites of Nature Conservation Importance (SNCIs), Local Nature Reserves (LNRs) and any areas of Ancient woodland, local geodiversity or other irreplaceable habitats not already identified in I & II above.

8.9.8 b) Where development is anticipated to have a direct or indirect adverse impact on sites or features for biodiversity, development will be refused unless it can be demonstrated that:

- The reason for the development clearly outweighs the need to protect the value of the site; and
- That appropriate mitigation and compensation measures are provided.

8.9.9 5. Any development with the potential to impact Arun Valley SPA or the Mens SAC will be subject to a HRA to determine the need for an Appropriate Assessment. In addition, development will be required to be in accordance with the necessary mitigation measures for development set out in the HRA of this plan.

8.10 Bibliography – Appendix II

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8.10.4 Natural Environment & Rural Communities Act, 2006. (Online) Accessed January 2024. Available at http://legislation.gov.uk.

8.10.5 ODPM Circular 06/2005. Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and their impact within the Planning System (2005). Norwich: HMSO. Accessed January 2024. Available at http://www.go.uk/goverment/publications/biodiversity-and-geological-conservation-circular-06-2005.

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8.10.7 Wildlife and Countryside Act, 1981 (As amended). (Online) Accessed January 2024. Available at htttp://www.legislation.go.uk.