

Preliminary Ecological Appraisal

Denhams, Andrews Hill, Billingshurst, West Sussex

May 2025

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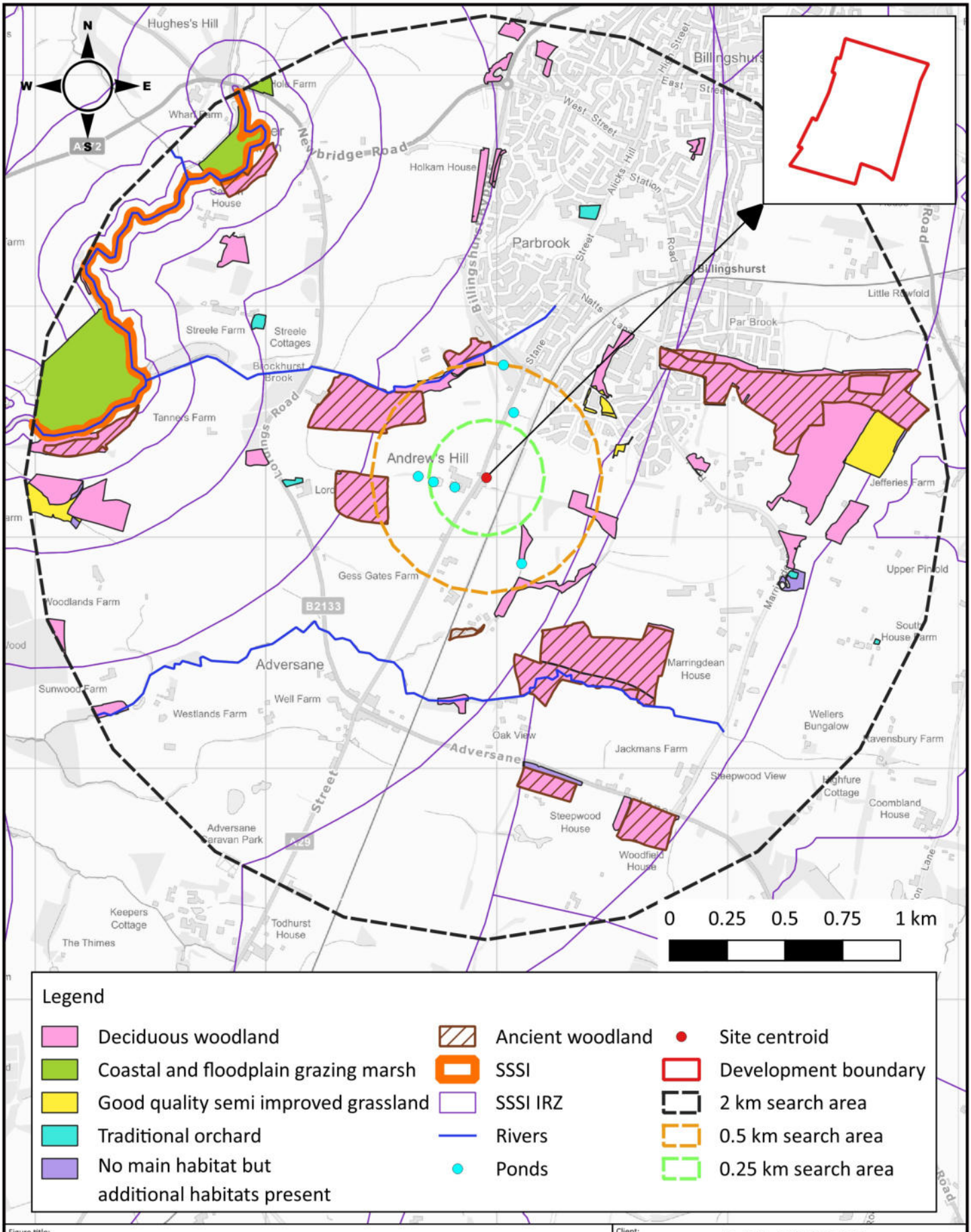

Figure title: Site Location and Desk Study Results		Client: D-WIL-001-001-001 Chris Williamson
Site location: Denhams, Andrews Hill, Billingshurst, West Sussex, RH14 9JT		
Figure number: 1	Date drawn: 30/04/2025	Scale at A4: 1:22000
Revision: 1	Cartographer: AO	Approver: JB

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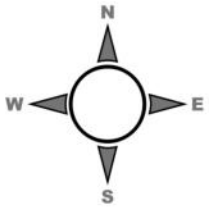



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Legend

Development boundary

UK Hab Classification

g4 - Modified grassland

u1b - Developed land, sealed surface

u1b5 - Developed land, sealed surface - building

h3d - Bramble scrub

847 - Introduced shrub

Trees

Figure Title: UK Habitat Classification Survey Results		
Client/ Project Reference: D-WIL-001-001-001 Chris Williamson		
Figure number: 2	Revision: 1	Scale at A4: 1:500
Cartographer: AO	Date drawn: 30/04/2025	Approver: HB

Photo 1: Displaying modified grassland within the development boundary.



Photo 2: Displaying a shed within the development boundary.



Photo 3: Displaying modified grassland within the development boundary.



Photo 4: Displaying modified grassland within the development boundary.



Photo 5: Displaying cleared bramble scrub within the wider site ownership boundary.



Photo 6: Displaying cleared bramble scrub within the wider site ownership boundary.



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Site Location: Denhams, Andrews Hill, Billingshurst, West Sussex, RH14 9JT			Client: Chris Williamson
Figure Title: Preliminary Ecological Appraisal - Photographs			Report reference: D-WIL-001-001-001
Figure no: 3	Revision no: 1	Scale: n/a	arun ecology
Cartographer: AO	Date Drawn: 30/04/2025	Reviewed by: JB	enquiries@arunecology.com www.arunecology.com

1. Summary and Recommendations

Proposals	• Chris and Rona Williamson are proposing a development at Denhams, Andrews Hill, Billingshurst, West Sussex, RH14 9JT (Grid reference: TQ 07959 24256). • The proposals include the construction of three residential dwellings, three cycle storage units, a parking area and associated landscaping within the development boundary.
Surveys	• A desk study that included the purchase of records from the Sussex Biodiversity Record Centre. • A site visit was completed that included a UK Habitat Classification Survey (UK Hab, 2023) and an appraisal of habitats within the development boundary to act as ecological receptors.
Impact Assessment	• It is not possible to conclude that there will be no adverse impacts on the Arun Valley RAMSAR/SPA/SAC arising from the development in line with Natural England's standing guidance for any new development that requires a public water supply within the Sussex North Water Resource Zone. • Mitigation will be required within the design of the development to ensure there are no adverse impacts that arise from light pollution on bat flightlines, that fall within the 12 km impact risk zone of The Mens SAC or the Ebernoe Common SAC. • No ancient woodland or Habitats of Principle Importance (HPI) will be adversely impacted as a result of the development. • Based on the desk study results, the habitats recorded within the development boundary, and the development proposals, badger and other mammal burrows, nesting birds, bats and hedgehogs are a material consideration for the development. • It is not anticipated that the development will generate significant levels of pollution due to its small scale, extent and magnitude, however, mitigation will be required during the construction phase of the development to ensure there is not any on-site or off-site pollution to habitats. • The development will be required to achieve a measurable net gain for biodiversity as defined under the mandatory requirements of The Environment Act, 2021 as well as incorporate ecological enhancements into the design.
Recommendations	**A summary of recommendation is provided below. The full recommendations are provided in section 6 of this report and should be used in reference to this report.** **Further Assessments, Surveys and Consultations** • To ensure there are no adverse impacts on the Arun Valley RAMSAR/SAC/SPA, a water neutrality statement that demonstrates how the proposed development will not increase the total water abstraction for drinking water supplies above existing levels within the Sussex North Water Resource Zone should be submitted with the planning application.

	• A Biodiversity Net Gain (BNG) assessment should be carried out for the development and submitted with the planning application. A condition assessment, BNG Gain Plan and Habitat Management and Monitoring Plan (where applicable) will also be required to demonstrate how BNG will be secured through the development. **Mitigation** • To ensure there is no severance of flightlines within The Mens SAC or Ebernoe Common SAC zone of influence as a result of accumulative illumination ('light pollution') of flightlines, 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 GN08/23 Bats and Artificial Lighting at Night (BCT & ILP 2023). • The mitigation measures outlined in this report for badger and other mammal burrows, nesting birds, bats, hedgehogs and pollution prevention should be followed during the construction phases of the development. **Ecological Enhancements** • The ecological enhancements outlined within this report should be incorporated into the design of the development.

2. Introduction

2.1 Development Location

2.1.1 Chris and Rona Williamson are proposing a development (grid reference: TQ 07959 24256) at Denhams, Andrews Hill, Billingshurst, West Sussex, RH14 9JT (see Figure 1). The above address is hereafter referred to as 'the site' and Chris and Rona Williamson as the 'applicant'.

2.1.2 The local planning authority for the site's location is Horsham District Council. The applicant has informed Arun Ecology Ltd that they intend to submit a planning application to Horsham District Council in 2025.

2.2 Development Proposals

2.2.1 The applicant seeks planning consent for a development (as per Folkes Architects - Drawing reference: 20081: 2.01) that includes:

- Construction of three residential dwellings;
- Construction of three cycle storage units;
- Construction of an eight-bay parking area and driveway; and
- Associated landscaping within the development boundary.

2.2.2 The proposals above are hereafter referred to collectively as 'the development' in this report. The location of the development within the site is hereafter referred to as the 'development boundary'.

2.3 Ecology Background

2.3.1 No previous ecology reports for the development boundary were provided to Arun Ecology Ltd by the applicant prior to this report.

2.4 Brief and Objectives

2.4.1 Arun Ecology Ltd were commissioned by the applicant to undertake a Preliminary Ecological Appraisal (PEA) within the development boundary.

2.4.2 The key objectives of a PEA, as per CIEEM guidance (CIEEM, 2017), are as follows:

- Identify the likely ecological constraints associated with the development;
- Identify any mitigation measures likely to be required, following the 'mitigation hierarchy', as per BS42020:2013 Clause 5:2 (BSI, 2013);

- Identify any additional surveys that may be required to inform the need for an Ecological Impact Assessment (ECiA); and

- Identify the opportunities offered by the development to deliver ecological enhancements and net gains for biodiversity.

2.4.3 The brief agreed with the applicant included:

- The undertaking of a desk study search obtaining records of designated sites, Habitats of Principle Importance (HPI) and ancient woodland as well as purchasing records of protected species and species of conservation concern;

- Undertake a UK Habitat Classification Survey (hereafter referred to as UK Hab Survey) to record the habitats within the development boundary, assess their conservation value and suitability to act as ecological receptors for protected species and species of conservation concern, including a detailed assessment of the suitability of structures and trees to support roosting bats; and

- Provide a PEA report supported by digitized mapping that presents the methods and results of the desk study and the UK Hab Survey within the development boundary. The report will also include an initial impact assessment of the development and any recommendations, including opportunities for ecological enhancement and net gains for biodiversity.

3. Method

3.1 Preliminary Ecological Appraisal

General Approach

3.1.1 The PEA was carried out in accordance with the CIEEM Guidelines for Preliminary Ecological Appraisal (CIEEM, 2017) and the CIEEM Guidelines for Ecological Impact Assessment (CIEEM, 2018).

3.2 Desk Study

3.2.1 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 *'the area over which ecological features may be affected by biophysical changes as a result of the proposed project and associated activities'* (CIEEM, 2018).

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

- RAMSAR, Special Conservation Areas (SACs) and Special Protection Areas (SPAs), (including potentially designated sites), Sites of Specific Scientific Interest (SSSI) and locally designated sites – 2 km;
- All other non-statutory designated sites – 1 km;
- Habitats of Principle Importance (HPI) – 2 km;
- Ancient woodland – 2 km;
- Rivers – 2 km;
- Ponds – 0.5 km; and
- Protected Species, Species of Principle Importance (SPI) and other species of conservation concern – 1 km.

3.2.3 Sources of information within the study area for the desk study were as follows;

- The Multi-Agency Geographical Information for the Countryside (MAGIC);
- Government open-source GIS datasets;
- Horsham District Council Local Plan (2015);
- Satellite images (powered by google via QGIS 3.38); and

- Purchased records from Sussex Biodiversity Record Centre.

3.3 Field Habitat Survey

UK Habitat Classification Survey

3.3.1 The field survey was undertaken using the UK Hab Survey methodology (UK Hab, 2023a) to record the habitat types within the development boundary. The study area for the UK Hab Survey was defined as all of the land within the development boundary (see Figure 2).

3.3.2 The UK Hab Survey has 5 hierarchical levels of habitat classification that aligns with those outlined under national legislation and planning policy. Habitats were mapped in the field using the primary habitat codes described in the UK Hab Survey Professional Edition to levels 3, 4 or 5 (UK Hab, 2023b).

3.3.3 Secondary habitat codes and target notes were assigned along with primary habitat codes to provide additional context where the habitat contained additional features that deviate from the primary classification.

3.3.4 To identify each habitat, the dominant plant and other readily identified species were recorded and their abundance within the development boundary was measured using the DAFOR scale (Stace, 2019).

3.4 Site Habitat Suitability Assessment

General Approach

3.4.1 The site was appraised for its suitability to support protected species and species of conservation concern at the time of the field habitat survey with regard to the Guidelines for Preliminary Ecological Appraisal (CIEEM, 2017) and BS42020:2013 Biodiversity – Code of Practice for Planning and Development (BSI, 2013). The species-specific guidance and references used in the appraisal are outlined in Table 1 below.

Table 1 – References used to assess the suitability of habitat within the development boundary to support protected species and species of conservation concern.

Group/ taxa	Habitat Appraisal References
Amphibians/ GCN	• GCN Habitat Suitability Index (Oldham et al. 2010); and • Great Crested Newt Conservation Handbook (Langton et al, 2001).
Bats	• Bat Conservation Trust Good Practice Guidelines (Collins, 2023).
Birds	• A Field Guide to Monitoring Nests (Ferguson-Lees et al, 2011); and • Barn Owl Tyto alba Survey Methodology and Techniques for use in Ecological Assessment (Shawyer, 2011).
Mammals	[redacted] • The Dormouse Conservation Handbook (Bright et al, 2006); • UK BAP Mammals Interim Guidance for Survey Methodologies, Impact Assessment and Mitigation (Cresswell, et al, 2012); • Otter (Woodroofe, 2007), Hedgehog (Morris, 2011); Water shrew (Carter, 2006) - Mammal Society Species Series; and • Water Vole Field Signs and Habitat assessment (Dean, 2022) and Water Vole Mitigation Handbook (Dean et al, 2016).
Reptiles	• Herpetofauna Workers' Manual (Gent & Gibson, 2003); and • Reptile Habitat Management Handbook (Edgar, 2010)
Invertebrates	• Good Planning Practice for Invertebrates (Buglife, 2015); and • Organising Surveys to Determine Site Quality for Invertebrates (English Nature, 2005).

Bats – Preliminary Roost Assessment

3.4.2 A bat preliminary roost assessment (PRA) of structures and trees as well as an assessment of the habitat within the development boundary for bats was carried out in accordance with the Bat Conservation Trust Good Practice Guidelines for Ecologists (Collins, 2023).

3.4.3 A ground level inspection of the exterior of any structures and trees within the development boundary 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.

3.4.4 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 each structure or tree. This included an internal inspection of roof voids at structures and the use of an endoscope to inspect any accessible bat PRFs.

3.4.5 A classification based upon the roosting suitability for bats was assigned for each structure and tree that was inspected within the development boundary as well as

the overall suitability of habitat. The classification descriptions are detailed below in Table 2 for structures and Table 3 for trees.

Table 2 – 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.

Table 3 – Guidelines for assessing the suitability of trees for bats, adapted from BCT Good Practice Guidelines (Collins, 2023).

Suitability	Definition
None	Either no PRFs in the tree or highly unlikely to be any present.
FAR	Further assessment required to establish if PRFs are present in the tree.
PRF	A tree with a least one PRF present.

3.5 Survey Dates, Conditions and Surveyors

3.5.1 Details on the date, timing and weather conditions recorded during the surveys are provided below in Table 4.

Table 4 – Field Survey Information.

Date	Survey Type	Survey Timings		Temperature (°C)		Rain	Wind (Beaufort scale)
		Start	Finish	Start	Finish		
14/03/2025	UK Habitat Classification	11:15	13:30	8	8	None	2

3.5.2 A summary of the survey team for the survey conducted is outlined below in Table 5.

Table 5 – Surveyor details and credentials.

Surveyor Name	Job Title and Credentials	Surveys Completed
Joseph Baker	• BSc (Hons) – Director (Principal Ecologist); and • Registered to use the Level 2 Class Licence to Survey Bats.	• UK Habitat Classification Survey.
Amy Oldham	• BSc (Hons) - Assistant Ecologist.	• UK Habitat Classification Survey.

3.6 Limitations

3.6.1 No survey limitations were recorded during the UK Hab Survey.

4. Results

4.1 Desk Study

Designated Sites

4.1.1 The results of the desk study search for statutory and non-statutory designated sites are detailed below in Table 6 (see Figure 1).

Table 6 - 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**
RAMSAR/ SAC/SPA	Arun Valley	Within Sussex North Water Resource Zone. Nearest boundary within 2 km.	This site covers an area of approximately 487 ha – 553 ha in size (that includes the Pulborough Brooks, Amberley Wild Brooks and Waltham Brooks SSSI). Designated primarily for Ramshorn Snail, Bewick Swan and its bird assemblages. There are also 14 other qualifying features for the designations.
SAC/SSSI	The Mens	Within The Mens 6.5 km 'key conservation area'. Nearest boundary 4.6 km west.	Designated due to its Lowland broadleaved, mixed and yew woodland, and its assemblages of invertebrates and breeding birds. Another qualifying feature of the SAC is barbastelle bat.
SAC/SSSI/NNR	Ebernoe Common	Within outer section of the 12 km impact risk zone. Nearest boundary 9.5 km west.	Ebernoe Common SAC, SSSI and NNR covers approximately 233 ha. Ebernoe Common is designated for its beech forests, maternity colonies of Barbastelle, (*Barbastella barbastellus)* and Bechstein's bat (*Myotis bechsteinii*).

Habitats of Principle Importance

4.1.2 Details on the number of HPI, the habitat type and the distance from the development boundary of the closest HPI parcel are detailed in Table 7 (see Figure 1).

Table 7 - Habitats of Principle Importance returned from the desk study search.

Habitats of Principle Importance		
Habitat Type	**Number of HPI parcels within 2 km**	**Distance and direction of nearest HPI parcel and other notable parcels**
Deciduous woodland	38	• The closest deciduous woodland parcel is 0.25 km southeast of the development boundary.
Traditional orchard	5	• The nearest traditional orchard parcel is 0.80 km west of the development boundary.
Coastal and floodplain grazing marsh	3	• The nearest coastal and floodplain grazing marsh is 1.54 km west of the development boundary.
Good quality semi-improved grassland	10	• The nearest parcel of good quality semi-improved grassland is 0.51 km northeast of the development boundary.
No main habitat but additional habitats present	5	• The nearest parcel is a traditional orchard 1.34 km east of the development boundary.

4.1.3 Two ponds were recorded within 0.25 km of the development boundary. There were also four further ponds within 0.5 km of the development boundary. The nearest pond was 0.11 km southwest of the development boundary.

4.1.4 Seven main river parcels were returned within 2 km of the development boundary (see Figure 1). None of the main river parcels returned were classified as priority river habitats. The closest river parcel was 0.47 km northwest of the development boundary.

Ancient Woodland

4.1.5 There were 11 ancient woodland parcels returned within 2 km of the development boundary (see Figure 1). The nearest ancient woodland parcel was 0.36 km northwest of the development boundary.

Protected Species and Other Species of Conservation Concern

4.1.6 Sixty species of conservation concern that broadly could be relevant to the development were identified from the records returned by the Sussex Biodiversity Record Centre within 1 km of the development boundary. The above species included 5 amphibians, 6 bats, 1 higher plant, 10 invasive non-natives, 2 invertebrates, 3 reptiles, 29 birds, and 4 mammals (excluding bats) (see Table 12, Appendix I).

4.1.7 One EPSL has been granted within 1 km of the site. Information on the EPSL granted within 1 km of the site is provided below in Table 8.

Table 8 - Information of EPSL licence granted within 1 km of the site.

Licence Number	Species	Grid Reference	Distance from Site	Summary of Activities
2016-27022-EPS-MIT	Great crested newt	TQ08572429	0.63 km east	Licence allowed the damage and destruction of a resting place.

4.1.8 The site appears to fall within the Horsham GCN DLL – Red Risk Zone (based on maps provided by NatureSpace).

4.2 UK Habitat Classification Survey Results

4.2.1 The habitats recorded during the UK Hab Survey within the development boundary are described below in Table 9 (see Figure 2 and Figure 3).

Table 9 – Habitats recorded within the main development boundary during the UK Hab Survey.

Habitat Reference (Figure 2)	UK Hab Survey Classification Code	Approx. Area sqm	Summary and Species List
Grassland			
1	**Primary:** Modified grassland **Secondary:** Introduced shrub **Code:** g4 847	1145	The majority of the habitat within the development boundary is modified grassland. The modified grassland was well-cropped with a short sward height of < 100 mm reflecting regular mowing for amenity use as part of a residential property. The modified grassland was dominated by grasses (75% cover), with low forb coverage (5%) and had a species composition indicative of improvement. The modified grassland was species poor with 4-5 species per meter squared recorded. Within the modified grassland parcel, there were several individual trees and an area of introduced shrub. **Species recorded:** **Grasses:** Perennial rye grass (A), Yorkshire fog (F), common bent (F), annual meadow (F). **Forbs:** Creeping buttercup (F), dandelion (F), common nettle (O), ribwort plantain (O), spear thistle (R), cleavers (R), wood avens (R), lords and ladies (R), purple dead nettle (R), sweet violet (R). **Trees:** Ash (O), yew (R), mulberry (R), cherry (R), silver birch (R), sycamore (R), plum (O), hazel (O). **Introduced shrub:** Mediterranean spurge, rock rose, hypericum sp., wisteria, bigleaf periwinkle, viburnum sp., boxleaved honeysuckle.
Heathland and Shrub			

2	**Primary:** bramble scrub **Code:** h3d	22	There was a small area of bramble scrub along the western development boundary. **Species recorded:** Bramble (D), common nettle (O), cleavers (O).
Urban			
3 and 4	**Primary:** Developed land, sealed surface - building **Code:** u1b5	175 and 9	There was one residential dwelling (B1) within the northern section of the development boundary. This building will not be impacted by the development proposals. There was also a small shed within the residential garden (B2) that will be removed as part of the development.
5	**Primary:** Developed land, sealed surface **Code:** u1b	452	There was an area of developed land, sealed surface in the northern section of the development boundary that is used as a driveway.

4.3 Site Habitat Suitability Assessment

4.3.1 An assessment of habitat within the development boundary to act as an ecological receptor for protected species and species of conservation concern based upon the desk study results and the habitats recorded during the UK Hab Survey is provided below in Table 10.

Table 10 – Site habitat assessment for protected species and species of conservation concern.

Species/group	Site Assessment and Rationale
GCN and Other Amphibians	• Records of GCN were returned from the desk study search within 1 km of the development boundary. The development boundary appears to fall within the Horsham GCN DLL – Red Risk Zone (based on maps provided by NatureSpace). Six ponds were recorded within 0.5 km of the development boundary, two of which were within 0.25 km. Both ponds within 0.25 km of the development boundary were on the opposite side of a major road (A29) to the development boundary. • No GCN breeding habitat was recorded within the development boundary. The majority of habitat within the development boundary consists of short, modified grassland (subject to regular mowing) and developed land, sealed surface, which is unsuitable terrestrial habitat for GCN. There is a small section of bramble scrub within the development boundary which is a suitable habitat type for GCN to use as a permanent resting place, however, this habitat parcel is small and is isolated within the development boundary, lacking connectivity to other suitable terrestrial GCN habitat. • Based on the above points, in particular the lack of connectivity to ponds within 0.25 km of the development boundary due to the presence of a major barrier to GCN dispersal (A29), GCN are reasonably unlikely to be encountered within the development boundary and the site habitat is reasonably unlikely to form part of any terrestrial habitat for GCN.
Bats	• Several records of bats were returned from the desk study search within 1 km of the development boundary. • No buildings or trees with suitability for roosting bats will be adversely impacted by the development. Building B2 will be removed as part of the development proposals, however, this building was classified as having negligible suitability for roosting bats. • The habitat within the development boundary includes modified grassland, bramble scrub and individual trees which provide suitable foraging and commuting habitat (flightlines) for bats. There is also a woodland – line of trees adjacent to the development boundary which provides suitable bat flightlines. The habitat within the development boundary was assessed as having moderate suitability for

	bats, in-line with BCT Good Practice Guidelines (Collins, 2023). As such, commuting and foraging bats could be encountered within the development boundary.
Birds	• Records of common bird species, as well as species of conservation concern, were returned from the desk study within 1 km of the development boundary. • The habitat within the development boundary includes bramble scrub and individual trees that provides suitable habitat for nesting and foraging birds. Additionally, there was one structure (building B2) within the development boundary that could provide suitable habitat for nesting birds. No evidence of nesting birds was recorded during the UK Hab survey. The modified grassland habitat within the development boundary had a short sward height at the time of the UK Hab survey and is reasonably unlikely to provide suitable habitat for ground nesting birds. • The overall quantity and quality of available habitat for nesting birds within the footprint of the development is insufficient to support important bird assemblages and populations of conservation concern.
Terrestrial mammals (non-bats)	• [redacted] • **Hazel dormice:** Records of hazel dormice were returned from the desk study search within 1 km of the development boundary. The habitat within the development boundary includes bramble scrub which is a habitat that can typically be associated with hazel dormice. The bramble scrub had sub-optimal structure for hazel dormice and lacked direct connectivity to other typical hazel dormice habitats due to driveways and nearby road networks. The other habitats within the immediate footprint of the development consist of well cropped modified grassland and developed land, sealed surface with no suitability for hazel dormice. • **Hedgehogs**: Records of hedgehogs were returned from the desk study search within 1 km of the development boundary. The bramble scrub habitat along the western development boundary provides suitable foraging and resting places for hedgehogs. The modified grassland within the development boundary also provides suitable foraging habitat and it is possible that building materials stored within the development boundary during construction could provide resting places for hedgehogs. As such, it is reasonably likely that hedgehogs could be encountered within the development boundary. • **Other mammal burrows:** No mammal burrows were recorded within the development boundary at the time of the UK Hab Survey. Habitats recorded within the development boundary such as bramble scrub could conceal such burrows. Based on the rural location of

	the development boundary, it is possible burrowing mammals such as fox and rabbit could be encountered near to the development boundary. As such, it is possible the above species could be found in or near to the main footprint of the development prior to its commencement. • **Otters and water voles:** No records of otters or water vole were returned from the desk study search within 1 km of the development boundary. The nearest water body was located 0.65 km from the development boundary and is separated by a network of roads. Based on the habitats recorded within the development boundary and the connectivity and distance of these habitat to the nearest waterbody, it is reasonably unlikely otter or water vole will be encountered within the development boundary or that the habitat will be associated with any population of these species.
Reptiles	• Records of common reptiles were returned from the desk study search within 1 km of the development boundary. • The main extent of habitat within the development boundary was formed of modified grassland with a short sward height which provided insufficient structure and cover to support a permanent reptile population. The structure of the grassland parcel also resulted in a poor interface between other habitats such as bramble scrub and an adjacent woodland – line of trees. There is a small section of bramble scrub within the development boundary which is a suitable habitat type for reptiles, however, this habitat parcel is small and is isolated within the development boundary, lacking connectivity to other suitable reptile habitat. All other habitats within the main footprint of the development including developed land, sealed surface and buildings provided unsuitable habitat for reptiles.
Invertebrates	• Invertebrates of conservation concern including SPI were returned from the desk study search. The habitat recorded within the development boundary included individual trees which provide habitat of value for invertebrates. The habitat within the main footprint of the development included modified grassland that lacks botanical diversity and environmental heterogeneity, buildings and developed land, sealed surface that provide habitats of limited value for invertebrates and are reasonably unlikely to support species or assemblages of conservation concern. • No water bodies were recorded within or nearby to the development boundary and as such, aquatic favouring species of conservation concern are unlikely to be encountered within the development boundary.
Plants, Fungi, Lichen	• The modified grassland recorded within the development boundary was species poor and of low distinctiveness. No protected plants or species of conservation concern were recorded within the development boundary at the time of the UK Hab Survey, and based upon the habitats present, it is reasonably unlikely such species, or any fungi or lichens species of conservation concern will be present within the development boundary.

Non-native and Invasive Species	• Non-native plant species were recorded within the development, however, no invasive non-native species listed under schedule 9 of the Wildlife & Countryside Act, 1981 and the Invasive Alien Species Order, 2019 were recorded within the development boundary at the time of the UK Hab Survey.

5. Legislation and Planning Policy

5.1.1 A summary of the relevant legislation and planning policy that could be a material consideration to the development is provided below in Table 11. Further details of the UK legislation and planning policy relevant to the qualifying features in this section are detailed in Appendix II.

Table 11 – Legislation and planning policy evaluation of the development.

Ecological Feature	Relevant Legislation & Planning policy	Impact Assessment and Legal Compliance	Rationale and Comments
Designated sites			
Arun Valley RAMSAR/SAC/ SPA	• Conservation of Habitat & Species Regulations, 2017; • National Planning Policy Framework, 2024; and • HDC Local Plan – Policy 25 and 31.	Further consultation/ assessment required	• In-line with Natural England's standing advice, no adverse impacts on the Arun Valley RAMSAR/SAC/SPA can be concluded for any new development that requires a public water supply that is located within the SNWRZ. • Due to the small scale, extent and magnitude of the development as well as it's distance to the designation, there will be no direct loss of area within the designation, and it is reasonably unlikely that there will be any adverse impacts due to degradation that might arise from increased recreational pressure or pollution. • The recommendations outlined in section 6.2 of this report should be followed to ensure the development proceeds lawfully.
The Mens SAC/SSSI	• Conservation of Habitat & Species Regulations, 2017; • National Planning Policy Framework, 2024; and • HDC Local Plan – Policy 25 and 31.	Mitigation required	• The development boundary falls within the 6.5 km zone of influence for The Mens SAC. • The development: ○ Will not result in the loss of any area of habitat within the SAC as it is located outside of the SAC boundary; and

			○ Will not directly remove any habitat within the development boundary that could provide a suitable flightline for a qualifying feature of the SAC (barbastelle bat). • While it is reasonably unlikely alone to adversely impact the qualifying features of the designation, the artificial lighting of important flightlines within and adjacent to the development boundary could have an accumulative adverse impact locally on the available flightlines for barbastelle bats within the zone of influence of the SAC. • The recommendations outlined in section 6.2 should be followed to ensure the development proceeds lawfully.
Ebernoe Common SAC/SSSI/NNR	• Conservation of Habitat & Species Regulations, 2017; • National Planning Policy Framework, 2024; and • HDC Local Plan – Policy 25 and 31.	Mitigation required	• The development boundary falls within the outer section of the 12 km zone of influence for Ebernoe Common. • The qualifying features of Ebernoe Common SAC include Barbastelle, (*Barbastella barbastellus)* and Bechstein's bat (*Myotis bechsteinii*). • For the reasons outlined above for The Mens SAC it is reasonably unlikely that the development will result in any adverse impacts on Ebernoe Common SAC.
Habitats			
Irreplaceable habitat	• National Planning Policy Framework, 2024.	Compliant/ adverse impacts reasonably unlikely	• No ancient woodland parcels or any other type of irreplaceable habitat are located within the development boundary or will be directly lost as part of the development. • Based upon the scale, extent and magnitude of the development it is reasonably unlikely that there will be any adverse impacts as a result of degradation from increased recreational pressure or construction related pollution.
Habitats of Principle Importance	• Natural Environment & Rural Communities Act, 2006 – Section 40/41;	Compliant/ adverse impacts reasonably unlikely	• No HPI were recorded within or adjacent to the development boundary. As a result, it is not foreseen that the development will have any adverse impacts on any HPI.

	• National Planning Policy Framework, 2024; and • HDC Local Plan – Policy 25 and 31.		
Biodiversity Net Gain and Ecological Enhancements			
Biodiversity Net Gain	• The Environment Act, 2021; and • National Planning Policy Framework, 2024.	Further assessment required	• The development will be required to achieve measurable net gains for biodiversity as defined by The Environment Act, 2021. • The recommendations outlined in section 6.3 with respect to Biodiversity Net Gain (BNG) should be followed to ensure the development proceeds lawfully.
Ecological Enhancement	• National Planning Policy Framework, 2024; and • HDC Local Plan – Policy 25 and 31.	Further action required.	• The development will be required to implement ecological enhancements into the design of the development to ensure it is compliant with national and local planning policy. • The recommendations outlined in section 6.3 should be followed to ensure the development is compliant with national and local planning policy.
Pollution Prevention	• National Planning Policy Framework, 2024; and • Environmental Protection Act, 1990.	Mitigation required	• The level of pollution generated from the development is anticipated to be low due to the small scale of the development, however, pollution prevention measures should be incorporated into the construction phase of the development to avoid onsite and offsite pollution to habitats and the nearby waterbodies. • Mitigation measures will be required within the design of the development to ensure that there are no significant increases in the levels of light pollution as a result of the installation of artificial lighting as part of the development. • The recommendations outlined in section 6.4 and 6.5 (see 6.5 bats) should be followed to ensure the development proceeds lawfully.

Protected Species and Species of Conservation Concern			
[redacted]	[redacted]	[redacted]	[redacted]
Bats	• Conservation of Habitat & Species Regulation, 2017; • Wildlife & Countryside Act, 1981 – schedule 5; • Natural Environment & Rural Communities Act, 2006 – Section 40/41; and • HDC Local Plan – Policy 25 and 31.	Mitigation required	• No structures or trees with suitability for roosting bats will be impacted by the development and as such, roosting bats will not be adversely impacted by the development. • As outlined above for The Mens and Ebernoe Common SAC, mitigation will be required within the design of the development to ensure there are no adverse impacts on bat flightlines as part of the development. • The development will result in the loss of a small amount of modified grassland and a small number of trees within the development boundary that provide low quality foraging habitat for bats. Despite this, it can be reasonably predicted that the favourable conservation status of bats will not be adversely impacted by such actions without the need for further bat activity surveys, as the area of habitat loss will be small and due to the quality and quantity of habitat available adjacent to the development boundary. • The recommendations outlined in section 6.2 should be followed to ensure the development proceeds lawfully.
Birds	• Wildlife & Countryside Act, 1981 – Section 1 and schedule 1;	Mitigation required	• The development will include works to building B2, trees and bramble scrub that have suitability to support nesting birds. It is, therefore, possible that nesting birds could be adversely impacted during the construction phase of the development without appropriate mitigation.

	• Natural Environment & Rural Communities Act, 2006 – Section 40/41; and • HDC Local Plan – Policy 25 and 31.		• Based on the available habitat within the development boundary, it is reasonably unlikely that important assemblages or populations of birds of conservation concern will be adversely impacted by the development. • The recommendations outlined in section 6.5 of this report should be followed to ensure the development proceeds lawfully.
Great crested newts	• Conservation of Habitat & Species Regulations, 2017; • Wildlife & Countryside Act, 1981 – schedule 5; and • Natural Environment & Rural Communities Act, 2006 – Section 40/41.	Compliant/ adverse impacts reasonably unlikely	• It is reasonably unlikely that the development will result in harm to individual GCN or adversely impact any breeding or terrestrial habitat associated with any GCN population given the absence of connectivity to potential GCN breeding habitat within 250 m of the development boundary.
Hazel dormice	• Conservation of Habitat & Species Regulations, 2017; • Wildlife & Countryside Act, 1981 – schedule 5; and • Natural Environment & Rural Communities Act, 2006 – Section 40/41.	Compliant/ adverse impacts reasonably unlikely	• The development is reasonably unlikely to result in harm to individual hazel dormice or adversely impact any habitat associated with any hazel dormouse populations.
Hedgehogs	• Natural Environment & Rural Communities Act, 2006 - Section 40/41; and • Wild Mammals (Protection) Act, 1996.	Mitigation required.	• It is reasonably likely that individual hedgehogs could be encountered and inadvertently killed with methods prohibited under the Wild Mammals (Protection) Act, 1996 without appropriate mitigation. • It is, however, reasonably unlikely that a significant population of hedgehogs will be impacted by the development. • The recommendations outlined in section 6.5 should be followed to ensure the development proceeds lawfully.

Reptiles	• Conservation of Habitat & Species Regulations, 2017 (sand lizard and smooth snake only); • Wildlife & Countryside Act, 1981 – Schedule 5; and • Natural Environment & Rural Communities Act, 2006 – Section 40/41.	Adverse impacts/ offence reasonably unlikely	• The development is reasonably unlikely to result in harm to individual reptiles and will not result in the loss of any habitat with suitability to support a permanent reptile population.
Invasive non-native species	• Wildlife & Countryside Act, 1981 – Schedule 9; and • Invasive Alien Species Order, 2019.	Compliant/ adverse impacts reasonably unlikely	• The development is reasonably unlikely to result in an act that would constitute an offence for a species listed under Schedule 9 of the Wildlife & Countryside Act, 1981 or Invasive Alien Species Order, 2019 (i.e. intentional release or spreading).
Invertebrates	• Conservation of Habitat & Species Regulations, 2017 – Schedule 2; • Wildlife & Countryside Act, 1981 – Schedule 5; and Natural Environment & Rural Communities Act, 2006 – Section 40/41.	Compliant/ adverse impacts reasonably unlikely	• The development is reasonably unlikely to result in impacts to any European protected invertebrates, nationally protected species, important populations of SPI or nationally or locally important assemblages of conservation value.
Protected plants, fungi and lichens	• Conservation of Habitat & Species Regulations, 2017 – Schedule 5; • Wildlife & Countryside Act, 1981 - Schedule 8; and • Natural Environment & Rural Communities Act, 2006 – Section 40/41.	Compliant/ adverse impacts reasonably unlikely	• The development is reasonably unlikely to result in intentional picking, uprooting, destruction, or intentional clearance of any wild plant including European protected plants, nationally protected plants, SPI or those of national or local conservation concern.

Other mammal burrows	• Wild Mammals Protection Act, 1996.	Mitigation required	• Based on the location of the site and the habitats present within the development boundary, it is possible that mammal burrows could be encountered within the development boundary prior to the commencement of the development. • As such, it is possible that mammals could be inadvertently harmed with methods prohibited under the Wild Mammals Act, 1996 whilst inhabiting their burrows without appropriate mitigation. • To ensure the development proceeds lawfully the mitigation outlined in section 6.5 should be followed.
Otter	• Conservation of Habitat & Species Regulation, 2017; • Wildlife & Countryside Act, 1981 – schedule 5; and • Natural Environment & Rural Communities Act, 2006 – Section 40/41.	Compliant/ adverse impacts reasonably unlikely	• The development is reasonably unlikely to result in harm to individual otters or adversely impact their breeding and resting places. Therefore, the conservation status of otter will not be adversely impacted by the development.
Water vole	• Wildlife & Countryside Act, 1981 – schedule 5; and • Natural Environment & Rural Communities Act, 2006 – Section 40/41.	Compliant/ adverse impacts reasonably unlikely	• The development is reasonably unlikely to result in harm to individual water voles or adversely impact any burrows or habitat associated with water vole populations.

6. Requirements and Recommendations

6.1 Background

6.1.1 The recommendations included in this section are based upon the mitigation hierarchy (avoidance, mitigation, and compensation; BSI, 2013) and takes consideration of government circular: Biodiversity and Geological Conservation Circular 06/2005.

6.1.2 Mitigation is not discussed where further surveys are required to inform such mitigation or compensation, unless in our professional judgement it would not be proportionate to request further surveys as the risk of a legal offence being committed as a result of the development is acceptably low.

6.2 Designated Sites

Arun Valley RAMSAR/SAC/SPA

6.2.1 To ensure the development is compliant with the legislation and planning policy relevant to the Arun Valley RAMSAR/SAC/SPA, HDC should be consulted on any potential adverse impacts resulting from water abstraction as part of the development, as it includes a new residential property. As such, a water neutrality statement is likely to be required for a development of this scale to demonstrate that the proposed development does not increase the total water abstraction within the Sussex North Water Resource Zone.

6.2.2 In our professional opinion it is reasonably unlikely that a shadow Habitat Regulations Assessment will be required for a development of this scale and the above recommendation is proportionate to determine the impacts of the development on the Arun Valley RAMSAR/SAC/SPA.

The Mens SAC and Ebernoe Common SAC

6.2.3 To ensure the development avoids adverse impacts on bat foraging and commuting habitats that are located within the development boundary, immediately adjacent to the site and that fall within The Mens SAC or Ebernoe Common SAC 12 km zone of influence, 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).

6.2.4 To ensure that the development avoids adverse impacts on bat flightlines habitats within the development boundary, 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 GN08/23 Bats and Artificial Lighting At Night (BCT & ILP 2023).

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

- Avoid illumination of the woodland – line of trees that is adjacent to the development boundary; and
- Minimise the overall levels of light pollution within the site 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 or lower);
    - 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 landscaping plans to break up artificial light where light spill cannot be avoided.

6.3 Biodiversity Net Gain and Ecological Enhancements

Biodiversity Net Gain

6.3.1 A BNG assessment for the development should be undertaken within the development boundary to ensure the development is compliant with the legislation and national planning policy requirements.

6.3.2 The BNG assessment should follow industry good practice guidelines and the principles of BNG (Baker et al, 2019 and CIEEM, 2021) and be calculated based upon the final landscaping plans using the latest edition of the Statutory Biodiversity Metric Tool.

6.3.3 The BNG assessment should be accompanied by a BNG Gain Plan and Habitat Management and Monitoring Plan (where appropriate) and should outline the strategy for achieving biodiversity net gain over a defined 30-year period.

Ecological Enhancement

6.3.4 The following ecological enhancements relevant to the development are recommended:

- Two solitary bee boxes to be installed within a sunny grassland location within the development boundary;
- One integrated house sparrow nest box to be mounted on each of the new units within the development boundary; and
- Planting of native trees within the development boundary.

6.4 Habitat Mitigation

Pollution Prevention

6.4.1 The following pollution prevention measures should be incorporated during the construction phase of the development to ensure that there is not any on-site or offsite pollution:

- Safe storage of fuels, oil and chemicals within the construction site with appropriate spill kits (for the scale of activities) available on-site at all times;
- Safe disposal of any contaminated water or soil and general waste within the construction site or with appropriate offsite management;
- Appropriate monitoring and prevention of water and silt run-off from construction areas; and
- Where possible the use of fertiliser and herbicides should be minimised as part of on-going site management.

6.5 Protected Species Mitigation

[redacted]

[redacted]

[redacted]

[redacted]

Bats

6.5.3 To ensure that the development avoids adverse impacts on bat foraging and commuting habitats within the development boundary, 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 GN08/23 Bats and Artificial Lighting At Night (BCT & ILP 2023).

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

- Avoid illumination of the woodland – line of trees that is adjacent to the development boundary; and
- Minimise the overall levels of light pollution within the site 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 or lower);
    - 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;
    - Providing natural screens in landscaping plans to break up artificial light where light spill cannot be avoided.

Hedgehog

6.5.5 Where reasonably practical, measures should be taken to avoid the unnecessary killing or injuring (that could result in undue suffering and harm) of hedgehog as a result of the developments construction-based activities. Stakeholders and contractors should remain vigilant for the presence of hedgehogs around any vegetation, debris or stored materials. A reasonable action would be to move an individual to a safe location either within retained habitat on-site or off-site. During the construction phase of the development, any excavations on site should be covered nightly or include a suitable escape ramp to prevent nocturnal mammals (including hedgehog) from becoming trapped.

Nesting birds

6.5.6 To ensure that the development is compliant with the legislation and planning policy relating to nesting birds, works impacting the bramble scrub, trees or building B2 within the development boundary should ideally be scheduled outside of the breeding bird season (typically March – September). A pre-works inspection by an appropriately qualified ecologist should be undertaken where it is not possible to avoid works during the breeding bird season. The inspection should cover all suitable habitat for nesting birds that could conceal a bird nest and that will be impacted by the development.

6.5.7 If an active bird nest or nesting activity is recorded onsite during the pre-works inspection or at any other time during the development (such as the storage of building materials), the nest should be protected from damage and destruction (including disturbance that may cause the nest to be abandoned). An exclusion area should be implemented around any active nests and works in and around these areas should be controlled or delayed until the chicks have fledged.

7. Conclusion

7.1.1 The development will require further assessment to ensure it proceeds lawfully. Mitigation will also be required within the design of the development and the construction phase of the development with respect to species of conservation concern. The development will be required to achieve measurable net gains for biodiversity as defined under national planning guidance and The Environment Act, 2021. Furthermore, ecological enhancements will be required within the design of the development to meet national and local planning policy requirements.

7.1.2 The recommendations outlined in this report demonstrate how the above can be achieved as part of the development.

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Appendix I – Desk Study Protected Species and Species of Conservation Concern Records

Table 12 – Records returned from the desk study search within 1 km of the development boundary (SxBRC, 2025).

Species		HSR[1]	W&C Act[2]	SPI[3]	BOCC[4]	IUCN Red List[5]	Other[6,7,8]
Common name	**Latin name**						
Amphibians							
Common frog	*Rana temporaria*		✓ (sale only)				
Common toad	*Bufo bufo*		✓ (sale only)	✓			
Great crested newt	*Triturus cristatus*	✓	✓ (5)	✓			
Palmate newt	*Lissotriton helveticus*		✓ (sale only)	✓			
Smooth newt	*Lissotriton vulgaris*		✓ (sale only)				
Bats							
Myotis	*Myotis sp.*	✓	✓ (5)				
Noctule	*Nyctalus noctula*	✓	✓ (5)	✓			
Common pipistrelle	*Pipistrellus pipistrellus*	✓	✓ (5)				
Soprano pipistrelle	*Pipistrellus pygmaeus*	✓	✓ (5)	✓			
Brown long eared	*Plecotus auritus*	✓	✓ (5)	✓			
Long-eared	*Plecotus sp.*	✓	✓ (5)				
Higher plants							
Bluebell	*Hyacinthoides non-scripta*		✓ (8) (sale only)				
Invertebrates							
Brown Hairstreak	*Thecla betulae*		✓ (5) (sale only)	✓		GB post2001 NT	
Garden Tiger	*Arctia caja*			✓			
Invasive Non-native Species							
Mandarin Duck	*Aix galericulata*		✓ (9)				
Canada Goose	*Branta canadensis*		✓ (9)				
Montbretia	*Crocosmia pottsii x aurea = C. x crocosmiiflora*		✓ (9)				
Japanese Knotweed	*Fallopia japonica*		✓ (9)				
Himalayan Balsam	*Impatiens glandulifera*		✓ (9)				

Species		HSR[1]	W&C Act[2]	SPI[3]	BOCC[4]	IUCN Red List[5]	Other[6,7,8]
Common name	**Latin name**						
A Flowering Plant	*Lamiastrum galeobdolon subsp. argentatum*		✓ (9)				
American Mink	*Neovison vison*		✓ (9)				
Eastern Grey Squirrel	*Sciurus carolinensis*		✓ (9)				
Virginia-creeper	*Parthenocissus quinquefolia*		✓ (9)				
Water Fern	*Azolla filiculoides*		✓ (9)				
Mammals - Terrestrial (excl. bats)							
European Water Vole	*Arvicola amphibius*		✓ (5)	✓		GB post 2001	WMA 2006[8]
West European Hedgehog	*Erinaceus europaeus*			✓		GB post 2001	WMA 2006[8]
Hazel Dormouse	*Muscardinus avellanarius*	✓	✓ (5)			GB post 2001	WMA 2006[8] Habitats Directive - Annex IV
European rabbit	*Oryctolagus cuniculus*					Global post 2001 NT	WMA 2006[8]
Reptiles							
Common lizard	*Zootoca vivipara*		✓ (5)	✓			
Grass snake	*Natrix helvetica*		✓ (5)	✓			
Slow worm	*Anguis fragilis*		✓ (5)	✓			
Birds							
Barn Owl	*Tyto alba*		✓ (1)				
Bullfinch	*Pyrrhula pyrrhula*		✓	✓	Amber		
Cuckoo	*Cuculus canorus*		✓	✓	Red		
Dunnock	*Prunella modularis*		✓	✓	Amber		
Green Woodpecker	*Picus viridis*		✓				
Grey Wagtail	*Motacilla cinerea*		✓		Amber		
Hobby	*Falco subbuteo*		✓ (1)				
House martin	*Delichon urbicum*		✓		Red		
House Sparrow	*Passer domesticus*		✓	✓	Red		
Kestrel	*Falco tinnunculus*		✓		Amber		
Kingfisher	*Alcedo atthis*		✓ (1)				Birds Directive
Linnet	*Linaria cannabina*		✓	✓	Red		
Mallard	*Anas platyrhynchos*		✓		Amber		

Species		HSR[1]	W&C Act[2]	SPI[3]	BOCC[4]	IUCN Red List[5]	Other[6,7,8]
Common name	**Latin name**						
Marsh tit	*Poecile palustris*		✓	✓	Red		
Mistle thrush	*Turdus viscivorus*		✓		Red		
Mute Swan	*Cygnus olor*		✓				
Nightingale	*Luscinia megarhynchos*		✓		Red		
Red kite	*Milvus milvus*		✓ (1)		Red	Global post2001 NT	Birds Directive
Reed bunting	*Emberiza schoeniclus*		✓	✓	Amber		
Skylark	*Alauda arvensis*		✓	✓	Red		
Song Thrush	*Turdus philomelos*		✓				
Spotted Flycatcher	*Muscicapa striata*		✓	✓	Red		
Starling	*Sturnus vulgaris*		✓	✓	Red		
Stock dove	*Columba oenas*		✓		Amber		
Swallow	*Hirundo rustica*		✓				
Swift	*Apus apus*		✓		Red		
Tawny Owl	*Strix aluco*		✓		Amber		
Willow Warbler	*Phylloscopus trochilus*		✓		Amber		
Yellowhammer	*Emberiza citronella*		✓	✓	Red		

[1] Conservation of Habitat and Species Regulation, 2017.

[2] Wildlife & Countryside Act, 1981 (Schedules – 1, 4. 8 and 9).

[3] Species of Principle importance listed under the Natural Environment & Rural Communities Act, 2006.

[4] Birds of Conservation Concern – RSPB

[5] Species listed on the Global and National IUCN Red data list (EX – Extinct, Extinct in wild, CE - Critically Endangered, Endangered, VU - Vulnerable, NR - Near Threatened, LC – Least Concern, Data Deficient. GB Red Data Book: Under IUCN Criteria Includes Nationally Rare, Nationally Rare Marine, Nationally Scarce

[6] EC Habitat Directive

[7] EC Bird Directive

[8] Wild Mammals (Protection Act, 1996)

Appendix II – 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, 2024) 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 specified 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.

Protection of Plants

8.5.4 Part 1 – Section 13 includes certain prohibitions for the protection of certain wild plants named in schedule 8. In summary offences include if any person:

- Intentionally picks, uproots or destroys any wild plant included in schedule 8, or not being an authorised person, intentionally uproots any wild plants not included in that schedule;

- Sells, offers or exposes for sale, or has in their possession or transports for the purpose of sale, any live or dead wild plant included in schedule 8, or any part of, or anything derived from, such a plant; 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.

Invasive Species

8.5.5 Part 1 – Section 14 includes certain prohibitions for the introduction of certain invasive species named in schedule 9 of the act. In summary offences include if any person:

- Subject to the provisions of this part, (a) if any person releases or allows to escape into the wild any animal which is of a kind which is not ordinarily resident in and is not a regular visitor to Great Britain in a wild state; or (b) is included in Part of Schedule 9; and/ or

- Subject to the provisions of this part, any person who plants, or otherwise causes to grow, any plant in the wild at a place outside of its native range is guilty of an offence.

Sites of Specific Scientific Interest

8.5.6 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.

8.5.7 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 the 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

8.5.8 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.

8.5.9 The Countryside Right of Ways Act, 2000 (CRoW Act, 2000) makes provisions for public access, amends the law for public rights of ways and amends existing law on nature conservation and the protection of wildlife as well as makes further provisions for Areas of Outstanding Natural Beauty.

Wildlife Legislation

8.5.10 Part III of the CRoW Act, 2000 includes provisions for wildlife protection and nature conservation and includes amendments to the Wildlife & Countryside Act, 1981.

8.5.11 Schedule 9 of the CRoW Act, 2000 increases powers for the protection and management of SSSI. There are increased powers for appropriate authorities to secure management agreements for SSSI. A duty is placed on public bodies to have regard for the continued conservation and enhancement of SSSI. Furthermore, there are increased penalties for the prosecution of wildlife crime, including for third parties that damage SSSI.

8.5.12 Schedule 12 of the CRoW Act, 2000 makes certain offences under the provision of the Wildlife and Countryside Act, 1981 arrestable. Greater powers are given to police and appointed wildlife inspectors under the CRoW Act, 2000 and enables heavier penalties for the prosecution of wildlife crime.

8.6 National Parks and Access to the Countryside Act, 1949

8.6.1 This act makes provisions for National Parks and the establishment of a National Parks Commission; to confer on the Nature Conservancy and local authorities' powers for the establishment and maintenance of nature reserves. Part III of the act specifically outlines provisions for the designation of nature reserves.

8.7 Natural Environment & Rural Communities Act, 2006

8.7.1 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

8.7.2 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.

8.7.3 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

8.7.4 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.

8.7.5 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 others of such steps.

8.7.6 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.

[redacted]

8.9 Wild Mammals (Protection) Act, 1996.

8.9.1 The Wild Mammals (Protection) Act, 1996 makes provision for the protection of wild mammals from certain cruel acts, and for connected purposes. It would be an offence for any person that mutilates, kicks, beats, nails or otherwise impales, stabs, burns, stones, crushes, drowns, drags or asphyxiates any wild animal with intent to inflict unnecessary suffering.

8.10 The Environment Act, 2021

8.10.1 The Environment Act, 2021 gained royal ascent on the 9th November, 2021. The act is wide ranging and broadly has the following aim:

'a bill to make provision about targets, plans and policies for improving the natural environment, for statements and reports about environmental protection; for the office of environmental protection; about waste and resource efficiency; about air quality; for the recall of products that fail to meet environmental standards, about water, about nature and biodiversity; for conservation covenants; about the regulation of chemicals, and for connected purposes'.

Nature and Biodiversity

8.10.2 Part 6 – Sections 98 - 101 of the act outlines provisions for biodiversity gain in planning.

8.10.3 Schedule 14 makes provision for biodiversity gain to be a condition of planning permission in England.

8.10.4 Schedule 14 states that, the biodiversity gain objective is met in relation to development for which planning permission is granted if the biodiversity value attributable to the development exceeds the pre-development biodiversity value of the on-site habitat by at least the relevant percentage.

8.10.5 It goes on to state that the biodiversity value attributable to the development is the total of:

- The post development biodiversity value of the on-site habitat;
- The biodiversity value, in relation to the development, of any registered offsite biodiversity gain allocated to the development; and
- The biodiversity value of any biodiversity credits purchased for the development.

8.10.6 The relevant percentage is set at 10% for biodiversity gain.

8.10.7 Part 6 – Section 100 of the act outlines provisions by regulation for the secretary of a register of biodiversity gain sites (known as the biodiversity gain site register).

8.10.8 A biodiversity gain site is land where:

- A person is required under the conservation covenant or planning obligation to carry out works for the purpose of habitat enhancement;
- Them or another person is required to maintain the enhancement for at least 30 years after the completion of the works; and
- For the purpose of schedule 7A to the Town and Country Planning Act, 1990 the enhancement is made available to be allocated (conditionally or unconditionally, and whether for consideration or otherwise) in accordance with the terms of the covenant or obligation to one or more developments for which planning permission is granted.

8.10.9 Part 6 – Section 101 states that the secretary of state may make arrangements under which a person who is entitled to carry out the development of any land may purchase a credit from the secretary of state for the purpose of meeting the biodiversity gain objective referred to in schedule 7A to the Town and Country Planning Act, 1990 and Schedule 2A of the Planning Act, 2008.

8.10.10 A credit is to be regarded for the purpose of that schedule as having such biodiversity value as is determined under the arrangements.

8.10.11 The arrangements may in particular include arrangements relating to:

- Applications to purchase credits;
- The amount payable in respect of a credit of a given value;
- Proof of purchase; and
- Reimbursement for credits purchased for development which is not carried out.

8.11 National Planning Policy Framework (2024)

8.11.1 The National Planning Policy Framework (NPPF, Ministry of Housing Communities and Local Government, 2024) sets out the Governments planning policies for England and how these should be applied. It provides a framework from which locally prepared plans for housing and other developments can be produced.

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

Conserving and Enhancing the Natural Environment

8.11.3 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.

8.11.4 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

8.11.5 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.

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

- 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.

8.11.7 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. 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.

8.11.8 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.

8.12 Biodiversity and Geological Conservation Circular 06/2005

8.12.1 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, 2024 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.

8.12.2 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

8.12.3 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'.

8.12.4 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.

8.12.5 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.'

8.13 Horsham District Council Adopted Local Plan (2015)

8.13.1 This section includes the deliberate inclusion of revisions made to Policy 31 outlined below under the draft HDC Local Plan (2020). This has been undertaken in view of recent legislative changes in the UK and additional local requirements that are reasonably likely to be considered at determination for this planning application.

Policy 25

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

8.13.3 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:

8.13.4 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.

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

8.13.6 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.

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

Policy 31

8.13.8 Development will be supported where it can demonstrate that it maintains and enhances the existing network of green infrastructure, the Nature Recovery Network, natural capital and biodiversity. Proposals that would result in the loss of existing green infrastructure or part of the Nature Recovery Network 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.

8.13.9 Proposals will be expected to retain and enhance existing freshwater features, hedgerows, trees and deciduous woodland and the provision of additional hedgerow and tree planting will be sought subject to appropriate consideration of local and wider context, habitats and species.

8.13.10 Where the felling of a tree is necessary, for example due to disease, replacement planting with a suitable species and location to retain the link with the wider network of habitats and Green Infrastructure, will be required.

8.13.11 Development proposals will be expected to remove invasive species and will be required to contribute to the enhancement of existing biodiversity and deliver, as a minimum, a 10% net gain through the delivery of appropriate on-site biodiversity net gain or, where this is not practicable, to off-set the delivery to the Nature Recovery Network.

8.13.12 Proposals should create and manage appropriate new habitats, taking into account pollination, where practicable. 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, and where appropriate the Nature Recovery Network, through the creation of green spaces, and linkages between habitats to create local and regional ecological networks and allow the movement of wildlife through development sites.

8.13.13 Particular consideration will be given to the hierarchy of sites and habitats in the District as follows:

- Special Protection Area (SPA) and Special Areas of Conservation (SAC);
- Sites of Special Scientific Interest (SSSI) and National Nature Reserves (NNRs);

- Local Wildlife Sites (LWS), Local Nature Reserves (LNRs) and any areas of Ancient Woodland, traditional orchards, local geodiversity or other irreplaceable habitats not already identified in a & b above.

8.13.14 Where development is anticipated to have a direct or indirect adverse impact on sites or features of importance to nature conservation, development will be refused unless it can be demonstrated that:

- The objectives of a site's designation, where applicable, and integrity of the area will not be undermined;
- 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.

8.13.15 Any development with the potential to impact Arun Valley SPA or the Mens SAC will be subject to a Habitats Regulation Assessment 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.

8.14 Birds of Conservation Concern

8.14.1 Birds of Conservation Concern is a report compiled by a coalition of the UK's leading bird conservation and monitoring organisations and reviews the conservation status of all regularly occurring birds in the UK, Channel Islands and Isle of Man. The report was first released in 1996 and is currently in its 5th edition, released in 2021.

8.14.2 The bird species that breed and overwinter in the UK are assessed against a set of objective criteria and placed on the Green, Amber or Red lists that indicate the levels of conservation concern. The quantitative criteria collected is assessed against the historical decline, recent trends in population and range, population size, localisation, and the level of international importance of each species, as well as its global and European threat status.

8.15 IUCN Red List

8.15.1 The international Union for Conservation of Nature (IUCN) Red List of Threatened Species (also known as the IUCN Red List or Red Data Book) is an inventory of the global conservation status of biological species. The inventory is based upon internationally accepted criteria that evaluates the extinction risk of species in all regions of the world. There are two types of red list, the global and national lists. In the UK the IUCN Red List is overseen by an interagency working group that is coordinated by the Joint Nature Conservation Commission.

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