



**Horsham
District
Council**

Natural England (Bat Consultations)
Consultation Service
Hornbeam House
Electra Way
Crewe Business Park
Crewe
Cheshire
CW1 6GJ

Our ref: DC/26/0685
Your ref: 25069 - 5 Ivy Cottage, Billingshurst
Email: planning@horsham.gov.uk
Direct Line: 01403 215 258
Please ask for: Shazia Penne
Date: 20th August 2026

Dear Sir/Madam,

Erection of a single storey rear extension and refurbishment works throughout the original building. (Householder Application).

Ivy Cottage The Haven Billingshurst West Sussex

**Request for Natural England comments on a Bat Impact Report for the purposes of
Appropriate Assessment**

The above application for planning permission includes a bat impact report and draft appropriate assessment pursuant to s.63 of the Conservation of Habitats and Species Regulations 2017. In accordance with s.63(3) of the Conservation of Habitats and Species Regulations 2017 this Authority is required to consult Natural England as the appropriate nature conservation body and have regard to any representations you make.

Please review the submitted proposals, bat assessment and draft appropriate assessment and advise as to whether you consider there to be sufficient certainty that the proposals will not have an adverse effect on the integrity of The Mens Nature Reserve and Ebernoe Common Nature Reserve. Please provide any response you wish to make within 21 days of the date of this letter.

Details of the application can be viewed through our Public Access webpage at <https://public-access.horsham.gov.uk/public-access/> .

Yours faithfully

Emma Parkes
Head of Development

PUBLIC ACCESS

User Notes

To access the Planning Applications system and locate the planning application you need to view, please follow these simple instructions.

To get to the applications screen within Public Access on the HDC Internet site type in the address <https://public-access.horsham.gov.uk/public-access/>

You can save the Public Access page as a favourite to your PC for future access.

1. Simple Search

- To search for a Planning Application by its reference (e.g. DC/24/1234), type the reference number into the search field and click **Search**
- The details of the application should now appear, from here you can view the documents related to the application by clicking on the **Documents** tab and then clicking on the **View associated documents** link

2. Advanced Search

- To search for a Planning Application by using other information (e.g. Parish or Application Type), type the information into the desired field and click **Search**
- The details of the application should now appear, from here you can view the documents related to the application by clicking on the **Documents** tab and then clicking on the **View associated documents** link

**Horsham District Council
Habitats Regulations Assessment Appropriate Assessment Record**

Plan/project: DC/26/0685 | Erection of a single storey rear extension and refurbishment works throughout the original building. (Householder Application). | Ivy Cottage The Haven Billingshurst West Sussex RH14 9BS

The purpose of this screening record is to assess the need for appropriate assessment in relation to the plan/project detailed above.

The Conservation of Habitats and Species Regulations 2017 (as amended) requires that a Habitats Regulations Assessment screening is carried out in relation to any plan or project which is likely to have a significant effect on Habitats (European) sites, either alone or in combination with other plans or projects. European sites are Special Protection Areas and Special Areas of Conservation. Ramsar sites should also be given the same level of protection, as stated within the National Planning Policy Framework. In line with the Court judgement (CJEU People Over Wind v Coillte Teoranta C-323/17), mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a development is likely to result in significant effects on a Habitats site. HRA screening concluded that it is not possible to rule out likely significant effects without mitigation in place.

This report is therefore an Appropriate Assessment under the Conservation of Habitats and Species Regulations 2017 (as amended).

Where an Appropriate Assessment is carried out a project may only be authorised after having ascertained that it will not adversely affect the integrity of the site(s) concerned.

Table 1: Screening matrix

Stage 1 HRA screening	
Brief description of the Plan/Project	Application: DC/26/0685 Planning Application: Erection of a single storey rear extension and refurbishment works throughout the original building. (Householder Application). Location: Ivy Cottage The Haven Billingshurst West Sussex RH14 9BS
Brief description of the Habitats sites within scope of this assessment	The Mens SAC (Sussex bat SAC) and Ebernoe Common SAC lie within West Sussex and the Impact Risk Zones identified by Natural England includes Horsham District. The Mens Special Area of Conservation (SAC) is located approximately 6.5km southwest of the site and lists Barbastelle bats as a qualifying feature. A long and varied history of management has seen The Mens move from an open, wood pasture system with huge, spreading parkland trees and pollards to a high forest with closely spaced trees with narrow crowns. A lack of management in recent years has added to this silvicultural diversity. Ebernoe Common SAC is located approximately 11.0km southwest of the site and lists Barbastelle and Bechstein's bats as qualifying features. Ebernoe Common is dominated by old wood pasture where Commoners would have turned out their cattle or pigs to graze and browse on young trees and scrub, beech mast and acorns, or on the grassy meadows in glades and clearings. Grazing stopped by the middle of the 20th century and the wood pasture became more and more overgrown. Great effort has been put into opening up glades and rides and restoring grazing to this SAC. Arun Valley SAC, SPA and Ramsar site is approximately 12.4km to the south, and lists rare and diverse plant, invertebrate and bird assemblages as qualifying features. It consists of low-lying grazing marsh, largely on alluvial soils, but with an area of peat derived from a relict raised bog. Variation in soils and water supply lead to a wide range of ecological conditions and hence a rich flora and fauna.
Qualifying Features for SPA/SAC	The Mens SAC <u>Annex I habitats that are a primary reason for selection of the site:</u> 9120 <i>Atlantic acidophilous beech forests with Ilex and sometimes also Taxus in the shrub layer</i> (Quercion robori-petraeae or Ilici-Fagenion) The Mens is an extensive area of mature Beech <i>Fagus sylvatica</i> woodland rich in lichens, bryophytes, fungi and saproxylic invertebrates, and is one of the largest tracts of Atlantic acidophilous beech forests in the south-eastern part of the habitat's UK range. It is developing a near-natural high forest structure, in response to only limited silvicultural intervention over the 20th century, combined with the effects of natural events such as the 1987 great storm. <u>Annex II species present as a qualifying feature, but not a primary reason for site selection:</u> 1308 Barbastelle <i>Barbastella barbastellus</i> Ebernoe Common SAC <u>Annex I habitats that are a primary reason for selection of this site</u> 9120 <i>Atlantic acidophilous Beech forests with Ilex and sometimes also Taxus in the shrub layer</i> (Quercion robori-petraeae or Ilici-Fagenion).

	Ebernoe Common has an extensive block of Beech high forest and former wood-pasture over dense Holly <i>Ilex aquifolium</i>, and has a very rich epiphytic lichen flora, including <i>Agonimia octospora</i> and <i>Catillaria atropurpurea</i>. It represents Atlantic acidophilous Beech forests in the south-eastern part of the habitat's UK range. The Beech woodland is associated with other woodland types, open glades and pools, which contribute to a high overall diversity. The woods are important for a number of bat species, in particular 1323 Bechstein's bat <i>Myotis bechsteinii</i> and 1308 Barbastelle. <u>Annex II species that are a primary reason for selection of this site:</u> 1308 Barbastelle <i>Barbastella barbastellus</i> A maternity colony of Barbastelles utilises a range of tree roosts in this area of 91A0 old sessile Oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles, which has a dense understorey of holly as well as open glades and open water. Maternity roost sites are usually in dead tree stumps, but the species appears to be present throughout the year, with individuals utilising a range of roost sites in tree holes and under bark. 1323 Bechstein's bat <i>Myotis bechsteinii</i> A maternity colony of Bechstein's bat is associated with this area of 91A0 Old sessile Oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles. Roosts are mainly in old woodpecker holes in the stems of live mature oak <i>Quercus petraea</i> trees. Arun Valley SPA A037 Bewick's swan, <i>Cygnus columbianus bewickii</i> (non-breeding). During the time of site notification, the SPA supported 115 individuals representing at least 1.6% of the wintering population in Great Britain (5 year peak mean 1992/93 - 1996/97). During the non-breeding season, the SPA regularly supports an assemblage of waterfowl with the area regularly supporting 27,241 individual waterfowl (5 year peak mean for 1992/93 to 1996/97) including: Shoveler <i>Anas clypeata</i>, Teal <i>Anas crecca</i>, Wigeon <i>Anas penelope</i>, Bewick's Swan <i>Cygnus columbianus bewickii</i>. Arun Valley SAC 4056 Little Whirlpool Ramshorn snail <i>Anisus vorticulus</i> <i>Anisus vorticulus</i> occurs across a range of sites in southern and eastern England. The Arun valley is one of the three main population centres for this species in the UK. This proposed site includes two of its core sites in the wash lands of the Arun floodplain (Pulborough Brooks and Amberley Wild Brooks SSSIs).
Qualifying Features for Ramsar	Arun Valley Ramsar Ramsar criterion 2 The site holds seven wetland invertebrate species listed in the British Red Data Book as threatened. One of these, <i>Pseudamnicola confusa</i>, is considered to be endangered. The site also supports four nationally rare and four nationally scarce plant species Ramsar criterion 3 In addition to the Red Data Book invertebrate and plant species, the ditches intersecting the site have a particularly diverse and rich flora. All five British duckweed (<i>Lemna</i> species), all five water-cress (<i>Rorippa</i> species), and all three British water milfoils (<i>Myriophyllum</i> species), all but one of the seven British water dropworts (<i>Oenanthe</i> species), and two-thirds of the British pondweeds (<i>Potamogeton</i> species) can be found on site. Ramsar criterion 5 Assemblages of international importance: Species with peak counts in winter: 13774 waterfowl (5 year peak mean 1998/99-2002/2003).

Conservation Status of the relevant Qualifying Features	The Mens SAC The Barbastelle is one of the UK's rarest mammals. Few maternity roost sites are known in the UK. While the SAC series makes a contribution to securing favourable conservation status for this Annex II species, wider measures are also necessary to support its conservation in the UK. These are outlined in the Species Biodiversity Action Plan (DEFRA website). <i>It is likely that its low population density and slow population growth make it particularly vulnerable to:</i> • <i>further loss and fragmentation of ancient deciduous woodland habitat;</i> • <i>loss, destruction and disturbance of roosts in buildings, trees and underground sites;</i> • <i>a reduction in numbers of insect prey due to habitat simplification acting through factors such as fertiliser use and intensive grazing.</i> Ebernoe Common SAC Barbastelle as outlined for The Mens SAC. Bechstein's Bat Species Biodiversity Action Plan (DEFRA website): <i>The rarity of this species means that it is poorly understood, but according to the national species action plan, its low population density, exacting habitat requirements and low rates of reproduction make it particularly vulnerable to factors such as:</i> • <i>Further loss and fragmentation of open ancient deciduous woodland habitat.</i> • <i>Loss, destruction and disturbance of roosts or potential roosts (particularly in old trees)</i> Arun Valley SAC, SPA and Ramsar In line with the national trend, the number of Bewick's swans wintering in the Arun Valley has declined since the time of designation and is now typically fewer than 50 birds. This may reflect an overall decline in the population of the species and/or be due to the effects of a milder climate in which more are able to winter in continental Europe (The Birds of Sussex, 2014). The waterfowl assemblage numbers fluctuate depending upon conditions in the valley but over the past five years have averaged 40,311, an increase from the five year mean of 27,241 at the time of designation. The Arun Valley is one of the remaining strongholds for the Little Whirlpool Ramshorn Snail.
Conservation Objectives (Only Relevant for SPA/SAC)	The Mens SAC Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring; • The extent and distribution of qualifying natural habitats and habitats of qualifying species • The structure and function (including typical species) of qualifying natural habitats • The structure and function of the habitats of qualifying species • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely • The populations of qualifying species, and, • The distribution of qualifying species within the site. Ebernoe Common SAC Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring; • The extent and distribution of qualifying natural habitats and habitats of qualifying species

	• The structure and function (including typical species) of qualifying natural habitats • The structure and function of the habitats of qualifying species • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely • The populations of qualifying species, and, • The distribution of qualifying species within the site. Arun Valley SAC & SPA Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring; • The extent and distribution of the habitats of the qualifying features • The structure and function of the habitats of the qualifying features • The supporting processes on which the habitats of the qualifying features rely • The population of each of the qualifying features, and, • The distribution of the qualifying features within the site.
Key vulnerabilities / factors affecting site integrity	Issues listed in the relevant Site Improvement Plan (SIP) are: The Mens SAC • Forestry and woodland management; • Habitat connectivity for barbastelle bats; • Invasive species; • Changes in land management, with reference to foraging and commuting routes; • Air pollution, risk of atmospheric nitrogen deposition; • Public access / disturbance, with regards to light levels. The mechanism for addressing these issues within the SIP is investigation, research and monitoring; with the exception of appropriate management, and removal of, rhododendron, within The Mens SAC. Ebernoe Common SAC • Forestry and woodland management; • Off-site habitat availability / management; • Habitat fragmentation; • Change in land management, with reference to foraging and commuting routes for Barbastelles; • Hydrological changes; • Air pollution, risk of atmospheric nitrogen deposition; • Public access / disturbance, with regards to light levels. Again, the mechanism for addressing all of these issues within the SIP is investigation, research, monitoring at this stage. Arun Valley SAC and SPA • Inappropriate water levels • Water pollution • Inappropriate ditch management • Disturbance Again, the mechanism for addressing all of these issues within the SIP is investigation, research, monitoring at this stage. However, for applications where increased demand for water resources is the only pathway for impacts, Natural England's substantive advice (Position Statement Interim Approach, September 2021) is that such applications - without mitigation - will result in a likely significant effect on the Arun Valley SAC/SPA/Ramsar site in combination with other developments in the Sussex North WSZ. As it cannot be concluded that the existing abstraction within Sussex North Water Supply Zone is not having an impact on the Arun Valley sites, developments within this zone must not add to this impact. Therefore, such applications, even where mitigation is proposed, must progress to Appropriate Assessment (AA).

	Natural England's substantive advice (September 2021) is that the Sussex North Water Supply Zone includes supplies from a groundwater abstraction which cannot, with certainty, conclude no adverse effect on the integrity of; • Arun Valley Special Area Conservation (SAC) • Arun Valley Special Protection Area (SPA) • Arun Valley Ramsar Site
Assessment Criteria	
The individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on the Habitats site	There are no records for Barbastelle bat within 2 km of the site and no European Protected Species Mitigation Licences have been granted for this species within 2km of the site (Sussex Biodiversity Record Centre – accessed under licence) and MAGIC maps. Greenaway (2008) has radio tracked Barbastelle bats from both SACs and has identified Barbastelle bat flight lines and foraging kernels. In addition to the SACs containing their roosting sites, the bats also require access to habitats outside the boundary of the SACs. This habitat is integral to supporting bats associated with the SACs and is often referred to as functionally- linked habitat. Such functionally linked habitat includes the following: • Flightlines – these are key commuting routes from roosts to foraging (or feeding) areas used by the bats. The Barbastelle flightlines around Ebernoe Common and The Mens have been investigated through survey and are shown in the Sussex bat SAC landscape tool for planning. • Foraging areas – these are the areas of land where bats feed. Barbastelle bats can forage 10-15 kilometres from the roosting sites, and they prefer wet meadows and riparian habitats. Bechstein's tend to forage in and around the woodland where they roost with limited outward travel. The Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol provides advice for developers and local Councils when assessing applications which fall within an identified 12 km Impact Zone for The Men's SAC, Ebernoe Common SAC. In line with this Protocol, this application is located within the key Conservation Area of The Mens SAC, and all impacts need to be considered. This development does not occur along one of the identified flightlines. From the submitted documents, it appears that that the site comprises a building with a parking area, grassland, trees and an 8m long <i>Cupressus x Leylandii</i> and Beech hedgerow to the northeast which continues into a Beech hedgerow, which will be removed. We also understand that an apple tree has already been removed. With the implementation of a Biodiversity Compensation and Enhancement Strategy, there will be no overall loss of hedgerow or woodland. Based on the threats listed in the SIPs, the following potential impact pathways are considered with reference to the development proposals regarding the need for further assessment: Direct land take - The proposed development will not result in any direct land take from any designated sites. Direct land take does not therefore have the potential to result in likely significant effects (LSE), and can be <u>screened out</u> and will not be considered further. Forestry and woodland management - This threat / issue is of relevance to the habitats within the designated sites themselves. There is no pathway for woodland management at these locations to be affected by the proposals. There is no potential for forestry and woodland management to be impacted by the proposals, so they have been <u>screened out</u> and will not be considered further.

Habitat connectivity and availability for foraging and commuting

Barbastelle bats – Barbastelle bats are qualifying features for both SACs, and threats and issues relating to this species in the wider area have been identified in the relevant SIPs as:

- Off-site habitat availability / management;
- Habitat fragmentation / Habitat connectivity for barbastelle bats;
- Changes in land management, with reference to foraging and commuting routes.

There is potential for changes in vegetation structure with habitat loss to alter the availability of foraging and commuting routes for Barbastelle around the site, and to impact commuting routes across the wider area. The removal or fragmentation of commuting routes for this species e.g. hedgerows, may result in increased energy expenditure and consequently reduced survival. This would be in conflict with the conservation objectives for both SACs which include 'maintaining or restoring the population of qualifying species'.

Further assessment is therefore screened in regarding habitat connectivity for commuting and foraging Barbastelle bats, as there is potential for LSE on this qualifying feature of both The Mens SAC and Ebernoe Common SAC as a result of the proposed development.

Bechstein's bats are a qualifying feature for Ebernoe Common SAC. However, the species is considered most likely to remain within 1.5km of their roosts and, as such, Bechstein's bats from Ebernoe Common SAC are considered likely to be absent. Therefore, the potential for LSE is screened out, and they will not be considered further.

Invasive species

This threat concerns invasive rhododendron within The Mens SAC, and, as such there is no pathway for impacts due to the proposals. There is no potential for invasive species in The Mens to be impacted by the proposals, so they have been screened out and will not be considered further.

Hydrological changes

This threat / issue is of no relevance to The Mens SAC and Ebernoe Common SAC.

The nearest area which would be affected by hydrological changes is the Arun Valley SAC/ SPA/ Ramsar site.

Therefore, there is a predicted Likely Significant Effects due to hydrological changes in combination with other plans and projects, so these have been screened in. **This is considered under a separate HRA Appropriate Assessment for water neutrality.**

Air pollution

The proposal will result in an increase in local residents and use of the SACs and Arun Valley SPA, and Ramsar are currently above their critical load for nitrogen deposition as noted in the HRA Screening Statement for Petworth Neighbourhood Development Plan (South Downs National Park Authority, 2017). Natural England Advice to Local Authorities when Considering Air Quality Impacts at HRA poses that air pollution impacts are predominantly considered within 200m of a road. As the development is >200m from any Habitats site, the potential for LSE on the Habitats sites due to air pollution can be screened out and will not be considered further.

Public access / disturbance, with regards to light levels.

The HRA Screening Statement for Petworth Neighbourhood Development Plan (South Downs National Park Authority, 2017) notes that most visits to the Mens and Ebernoe Common SACs take place during daylight, with low levels of recreation at night. As such, they conclude that significant adverse effects due to lighting are unlikely. Recreation itself (i.e. during daylight hours) is not listed as threat within the SIPs.

	Whilst there is potential for disturbance to local flightlines from increased light levels, light spill is not anticipated to extend into the wider landscape. Therefore there is no potential for disturbance effects to the habitat or Barbastelle within the designated site. This impact pathway therefore needs to be <u>screened out</u>. In combination effects There is no potential for LSE from direct land take, forestry and woodland management, invasive species, hydrological connections, or air pollution there is no potential for the development proposals to contribute to any likely significant effects along these pathways, in combination with other plans and projects. However, impacts from disturbance with regards to increased levels of lighting and loss of connectivity on foraging and commuting Barbastelle bats, as qualifying feature of both The Mens SAC and Ebernoe Common SAC have already been screened in for further assessment from the development alone. In combination effects will be considered at stage 2 Appropriate Assessment.
Test 1 the significant test:	As the development may result in new lighting of commuting and foraging habitat within the Impact Risk Zone of the SACs, mitigation will be required in terms of new planting and a sensitive lighting scheme. The LPA therefore anticipates that, without mitigation, it is not possible to conclude no 'likely significant effect' (LSE) to The Men's SAC in terms of disturbance impacts from lighting and loss of habitat connectivity when considered from the development alone. The effects due to changes to lighting, in-combination with other plans and projects, are also possible pathways for LSE so these will be assessed further in Stage 2: Appropriate Assessment. Therefore, in accordance with the Sussex Bat SAC planning and landscape scale enhancement protocol, this assessment needs to proceed to HRA Stage 2: Appropriate Assessment. This will consider, with mitigation, the impacts of disturbance from lighting on Barbastelle bats from the above designated site, either alone or in combination with other plans and projects. After mitigation has been embedded into the project design, Test 2 – the integrity test then needs to be applied.
Stage 2 Appropriate Assessment	
	The above Stage 1 HRA screening has determined that LSE are possible at The Mens SAC as a result of impacts on habitat connectivity and availability for foraging and commuting Barbastelle bats. These pathways have been screened in, and the potential for adverse effects on site integrity, either alone, or in-combination will be assessed. Therefore, this section of the report to inform HRA Stage 2 only discusses the potential for impacts from new lighting as a result of the proposed development.
Potential for Adverse Effects On the Integrity (AEOI) of a Habitats site from the development alone.	Barbastelle may commute and forage along the treelines onsite and therefore the site could be important for Barbastelle bats within the bat sustenance zone of a bat SAC designated for this Appendix II species. Based on published data¹ Natural England recommends that the Zone of Influence of 12km (as detailed on Defra's MAGIC map 2022) is used for the wider conservation area for the Sussex Bat SACs and all impacts are assessed. This development is within the 12km "wider conservation area" for The Mens SAC and lying within a 'bat sustenance zone' for Barbastelle bats, a

	designated feature of the SACs as identified in the Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol.
Potential for Adverse Effects On the Integrity (AEOI) of a Habitats site from the development in combination with other plans and projects.	Based on the scale of the proposed development, and the conclusions of the HDC Local Plan HRA, any further search using data from surrounding LPA planning portals for other projects was not considered necessary. Horsham District Planning Framework (HDPF, 2015), Section 9.34 within Policy 31 states: In the case of the Men's, development must not impact on bat flight paths in the district. As recommended in the Council's Habitat Regulations Assessment of this plan, a 'bat sustenance zone' has been identified and is shown on the Policies Map (see Appendix B). Within this area, it may be necessary for compensatory measures such as hedgerow enhancement to be undertaken prior to any development. The HRA for the Chichester Local Plan Review (ACOM, 2018), considers disturbance of bat flight lines from both The Men's and Ebernoe Common SACs. With regards to The Men's, they conclude that <i>"Along with implementation of the Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol" (2017), the Chichester Local Plan policies provide a protective framework for the SAC and the Local Plan Review will not result in an adverse effect in integrity on this SAC"</i>. The HRA Appropriate Assessment for development in the locality which could act in combination relates to Land at Wiltshire Farm, Pickhurst Lane, Codmore Hill, Pulborough (DC/19/0591) for redevelopment of Wiltshire Farm, Pulborough (Place Services, August 2019). The site comprises a number of outbuildings and grassland fields. The proposals entail the demolition of barn on site and construction of a replacement residential accommodation, concluded with mitigation secured, no adverse effect on site integrity of The Mens SAC or Ebernoe Common either alone or in combination with other plans and projects and Natural England agreed with this decision. Other developments within the wider conservation zone for The Mens SAC include the HRA Appropriate Assessment (Place Services, May 2020) for Land at Lyons Farm Lyons Road Slinfold (DC/19/1723) for an outline application for the erection of a continuing care retirement community, concluded with mitigation secured, no adverse effect on site integrity of The Mens SAC either alone or in combination with other plans and projects and Natural England agreed with this decision. This was refused consent and a decision of appeal APP/Z3825/W/20/3265874 is still awaited as the Hearing is in progress. The HRA Appropriate Assessment (Place Services, June 2020) for Land at Wellcross Farm Broadbridge Heath (DC/19/1897) which was allowed at appeal (APP/Z3825/W/20/3262938) also for an outline application for the erection of a continuing care retirement community, concluded with mitigation secured, no adverse effect on site integrity of The Mens SAC or Ebernoe Common either alone or in combination with other plans and projects and Natural England agreed with this decision. The HRA Appropriate Assessment (Place Services, Feb 2021) for Land at Duckmoor East of Billingshurst (DC/20/2607) for an Outline Application for the development of 83 residential units, landscaping, access, parking and associated infrastructure on land at Duckmoor, East Billingshurst concluded that with mitigation secured the project will avoid an Adverse Effect on the Integrity of the Habitats sites listed in this assessment, either alone or in combination with other plan and projects. The application was refused consent but allowed at appeal (APP/Z3825/W/21/3283823). Natural England has confirmed that it has no objection to the development, providing all relevant mitigation is secured in any planning permission which the Inspector has included in the decision notice.

	Additional HRA Appropriate Assessment for development in the locality which have been deemed to have, with mitigation secured, no adverse effect on site integrity of The Mens SAC or Ebernoe Common either alone or in combination with other plans and projects include: DC/22/0141 (Cattlestone Farm, Pulborough), SDNP/20/05831/FUL (Pulborough Garden Centre), DC/21/2530 (Land South of East Street Billingshurst), DC/20/2567 (Billhook Farm West, Billinghamurst), DC/19/02952 (Land at Platts Roundabout, Billinghamurst) and DC/22/0141 (Cattlestone Farm, West Chiltington). Other developments nearby over the past 6 years have comprised of smaller developments such as extensions and building conversions. No in - combination effects are therefore considered likely to result from the on-site proposals and these small-scale developments. Any development proposals in the wider area around Broadbridge Heath will need to be assessed within the Horsham Local Plan HRA Appropriate Assessment or bespoke assessments at application stage. Given the above, and once the mitigation and compensation measures have been incorporated and secured, there is no potential for significant impacts from the proposals, it is considered that there is no potential for the development proposals to contribute to any adverse effects on integrity, in combination with other plans and projects.
Proposed mitigation for the project to secure the mitigation as a condition of any consent	Summary of mitigation package • The implementation of an ecologically sensitive lighting scheme which specifies that lighting should comply with Bat Conservation Trust and the Institution of Lighting Professionals, including the measures recommended by GN:08/23 (ILP) (Preliminary Roost Assessment Rev 02 (Lizard Landscape Design and Ecology, August 2026). • The implementation of a Biodiversity Compensation and Enhancement Strategy, which should be secured by a condition of any consent and implemented in full. The avoidance and mitigation measures are considered appropriate to avoid adverse effects on the integrity of the interest features (Barbastelles) of The Men's SACs likely to occur within the site. The measures will be secured by a condition of any consent.
Test 2 – the integrity test	Conclusion: Having considered the proposed avoidance and mitigation measures above, Horsham District Council concludes that, the project will avoid an Adverse Effect on the Integrity of the Habitats sites listed in this assessment, either alone or in combination with other plan and projects. Having made this appropriate assessment of the implications of the project for the sites in view of those sites' conservation objectives and having consulted Natural England and fully considered any representation received where necessary, the authority may now agree to the project under regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended). As the mitigation has been considered after HRA screening, this HRA Appropriate Assessment is in line with the People over Wind CJEU Court ruling.

Approving Ecologist: Hayley Dean

Date: 17th August 2026

DISCLAIMER: This information has been produced by Place Services's Ecology Team on behalf of Horsham District Council, at their request.

Annex A – Natural England general advice

Protected Landscapes

Paragraph N4.1 of the [National Planning Policy Framework - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/policies/national-planning-policy-framework) (NPPF) requires great weight to be given to conserving and enhancing landscape and scenic beauty within Areas of Outstanding Natural Beauty (known as National Landscapes), National Parks, and the Broads and states that the scale and extent of development within all these areas should be limited. Paragraph N4.2 requires exceptional circumstances to be demonstrated to justify major development within a designated landscape and sets out criteria which should be applied in considering relevant development proposals. Section 245 of the [Levelling-up and Regeneration Act 2023 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2023/1/section/245) places a duty on relevant authorities (including local planning authorities) to seek to further the statutory purposes of a National Park, the Broads or a National Landscape in England in exercising their functions. This duty also applies to proposals outside the designated area but impacting on its natural beauty.

The local planning authority should carefully consider any impacts on the statutory purposes of protected landscapes and their settings in line with the NPPF, relevant development plan policies and the Section 245 duty. The relevant National Landscape Partnership or Conservation Board may be able to offer advice on the impacts of the proposal on the natural beauty of the area and the aims and objectives of the statutory management plan, as well as environmental enhancement opportunities. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to development and its capacity to accommodate proposed development.

Wider landscapes

Paragraph N2.1 of the NPPF highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland, or dry-stone walls) could be incorporated into the development to respond to and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape and Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Guidelines for Landscape and Visual Impact Assessment \(GLVIA3\) - Landscape Institute](https://www.landscapeinstitute.org/guidelines-for-landscape-and-visual-impact-assessment-glvia3/) for further guidance.

Biodiversity duty

Section 40 of the [Natural Environment and Rural Communities Act 2006 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2006/1/section/40) places a duty on the local planning authority to conserve and enhance biodiversity as part of its decision making. We refer you to the [Complying with the biodiversity duty - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/complying-with-the-biodiversity-duty) for further information.

Designated nature conservation sites

Paragraphs N2.2, N6.1(a&b) and N6.2 of the NPPF set out the principles for determining applications impacting on Sites of Special Scientific Interest (SSSI) and habitats sites (Special Areas of Conservation (SACs) and Special Protection Areas (SPAs)). Both the direct and indirect impacts of the development should be considered.

A Habitats Regulations Assessment is needed where a proposal might affect a habitat site (see [Habitats regulations assessments: protecting a European site - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/habitats-regulations-assessments-protecting-a-european-site) and Natural England must be consulted on 'appropriate assessments' (see [Appropriate assessment - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/appropriate-assessment) for more information for planning authorities).

Natural England must also be consulted where development is in or likely to affect a SSSI and provides advice on potential impacts on SSSIs either via the [SSSI Impact Risk Zones \(England\) \(arcgis.com\)](https://arcgis.com) or as standard or bespoke consultation responses. Section 28G of the Wildlife and Countryside Act 1981 places a duty on all public bodies to take reasonable steps, consistent with the proper exercise of their functions, to further the conservation and enhancement of the features for which an SSSI has been notified ([Sites of special scientific interest: public body responsibilities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/sites-of-special-scientific-interest-public-body-responsibilities)).

Annex A – Natural England general advice

Air Quality

Natural England has produced [‘Air pollution and development: advice for local authorities. How to assess sector-specific planning applications that could affect air quality on a protected site’](#). This standing advice is to help planning authorities understand the impact on statutory protected sites from particular developments that emit specific air pollutants. The advice covers emissions of ammonia (NH₃), nitrogen oxides (NO, NO₂ or NO_x), nitrogen deposition, acid deposition and sulphur dioxide (SO₂).

The standing advice is Natural England’s formal statutory advice and is a material consideration. It provides decision makers with the information needed to fulfil their statutory duties when making decisions on planning applications with potential air pollution impacts.

Note that this advice cannot be used to assess Nationally Significant Infrastructure Projects (NSIPs) or local plans.

Protected Species

Natural England has produced [Protected species and development: advice for local planning authorities - GOV.UK](#) (standing advice) to help planning authorities understand the impact of particular developments on protected species.

Natural England will only provide bespoke advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances. A protected species licence may be required in certain cases. We refer you to [Wildlife licences: when you need to apply](#) (www.gov.uk) for more information.

Local sites and priority habitats and species

The local planning authority should consider the impacts of the proposed development on any local wildlife or geodiversity site, in line with paragraphs N2.1 and N6.1(c) of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity to help nature’s recovery. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local environmental records centre, wildlife trust, geoconservation groups or recording societies. Emerging [Local nature recovery strategies - GOV.UK \(www.gov.uk\)](#) may also provide further useful information.

Those habitats and species which are of particular importance for nature conservation are included as ‘priority habitats and species’ in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest on the Magic website or as Local Wildlife Sites. We refer you to [Habitats and species of principal importance in England](#) (gov.uk) for a list of priority habitats and species in England. You should consider priority habitats and species when applying your ‘biodiversity duty’ to your policy or decision making

Natural England does not routinely hold priority species data. Such data should be collected when impacts on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. We refer you to the [Brownfield Hub - Buglife](#) for more information and Natural England’s [Open Mosaic Habitat \(Draft\) - data.gov.uk](#) (Open Mosaic Habitat inventory), which can be used as the starting point for detailed brownfield land assessments.

Biodiversity and wider environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 17(c) N1.2 and N2.3. Unless exempt all new Town and Country Planning Act development are also required by law to deliver a biodiversity gain of at least 10% from 12 February 2024 and this requirement was extended to minor development from April 2024. This legal requirement will be extended to all new nationally significant infrastructure projects (NSIPs) development consent order (DCO) applications from 2nd November 2026.

Annex A – Natural England general advice

[Biodiversity Net Gain](#) guidance (gov.uk) provides more information on biodiversity net gain and includes a link to the [Biodiversity Net Gain Planning Practice Guidance](#) (gov.uk) and the recently updated list of [BNG exemptions](#).

The statutory biodiversity metric must be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. We refer you to [Calculate biodiversity value with the statutory biodiversity metric](#) for more information. For minor development sites, [The Small Sites Metric](#) may be used where these sites meet the criteria to use this Small Sites Metric. This is a simplified version of the statutory biodiversity metric and is designed for use where certain criteria are met.

The mitigation hierarchy as set out in paragraph N2.2 of the NPPF should be followed to firstly consider what existing habitats within the site can be retained or enhanced. Where on-site measures are not possible, provision off-site will need to be considered.

Where off-site delivery of biodiversity gain is proposed on a special site designated for nature (e.g. a SSSI or habitats site) prior consent or assent may be required from Natural England. More information is available on [Sites of Special Scientific Interest: managing your land](#)

Development also provides opportunities to secure wider biodiversity enhancements linked to Local Nature Recovery Strategies and wider environmental gains, as outlined in the NPPF (paragraphs N2.1(a-g), N3 and N6). Opportunities for enhancement might include incorporating features to support specific species within the design of new buildings such as swift or bat boxes or designing lighting to encourage wildlife and incorporating trees into development. Development should also take account of nationally and locally protected sites.

[The Environmental Benefits from Nature Tool - Beta Test Version - JP038 \(naturalengland.org.uk\)](#) may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside the statutory biodiversity metric.

[Natural environment - GOV.UK \(www.gov.uk\)](#) provides further information on biodiversity net gain, the mitigation hierarchy and wider environmental net gain.

Ancient woodland, ancient and veteran trees

The local planning authority should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph N6.2 of the NPPF. The [Natural England Access to Evidence - Ancient woodlands Map](#) can help to identify ancient woodland. Natural England and the Forestry Commission have produced [Ancient woodland, ancient trees and veteran trees: advice for making planning decisions - GOV.UK \(www.gov.uk\)](#) (standing advice) for planning authorities. It should be considered when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies paragraph N2.1. This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in the [Guide to assessing development proposals on agricultural land - GOV.UK \(www.gov.uk\)](#). [Find open data - data.gov.uk](#) on Agricultural Land Classification or use the information available on [MAGIC \(defra.gov.uk\)](#).

The Defra [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites \(publishing.service.gov.uk\)](#) provides guidance on soil protection, and we recommend its use in the design and construction of development, including any planning conditions. For mineral working and landfilling, we refer you to [Reclaim minerals extraction and landfill sites to agriculture - GOV.UK \(www.gov.uk\)](#), which provides guidance on soil protection for site restoration and aftercare. The [Soils Guidance \(quarrying.org\)](#) provides detailed guidance on soil handling for mineral sites.

Annex A – Natural England general advice

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

Green Infrastructure

For evidence-based advice and tools on how to design, deliver and manage green and blue infrastructure (GI) we refer you to [Green Infrastructure Home \(naturalengland.org.uk\)](https://naturalengland.org.uk/green-infrastructure) (the Green Infrastructure Framework). GI should create and maintain green liveable places that enable people to experience and connect with nature, and that offer everyone, wherever they live, access to good quality parks, greenspaces, recreational, walking and cycling routes that are inclusive, safe, welcoming, well-managed and accessible for all. GI provision should enhance ecological networks, support ecosystems services and connect as a living network at local, regional and national scales.

Development should be designed to meet the 15 [GI How Principles \(naturalengland.org.uk\)](https://naturalengland.org.uk/gi-how-principles). The GI Standards can be used to inform the quality, quantity and type of GI to be provided. Major development should have a GI plan including a long-term delivery and management plan. Relevant aspects of local authority GI strategies should be delivered where appropriate.

The [Green Infrastructure Map \(naturalengland.org.uk\)](https://naturalengland.org.uk/green-infrastructure-map) and [GI Mapping Analysis \(naturalengland.org.uk\)](https://naturalengland.org.uk/gi-mapping-analysis) are GI mapping resources that can be used to help assess deficiencies in greenspace provision and identify priority locations for new GI provision.

Access and Recreation:

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

Rights of Way, Access land, Coastal access and National Trails:

Paragraphs N2.1, N5.1 and TR8 of the NPPF highlight the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development.

Consideration should also be given to the potential impacts on any nearby National Trails. We refer you to [Find your perfect trail and discover the land of myths and legend - National Trails](#) for information including contact details for the National Trail Officer.

The King Charles III England Coast Path (KCIIIECP) is a National Trail around the whole of the English Coast. It has an associated coastal margin subject to public access rights. Parts of the KCIIIECP are not on Public Rights of Way but are subject to public access rights. Consideration should be given to the impact of any development on the KCIIIECP and the benefits of maintaining a continuous coastal route.

Appropriate mitigation measures should be incorporated for any adverse impacts on Rights of Way, Access land, Coastal access, and National Trails.

Further information is set out in the Planning Practice Guidance on the [Natural environment - GOV.UK \(www.gov.uk\)](https://www.gov.uk/natural-environment).