



REPTILE MITIGATION STRATEGY

Land off Folders Lane, Burgess Hill

On behalf of: Jones Homes (Southern) Ltd

Client:	Jones Homes (Southern) Ltd			
Project:	Land off Folders Lane, Burgess Hill			
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Validity:

This report is valid for 18 months from the date of the site visit. If works have not commenced by this date, an updated site visit should be carried out by a suitably qualified ecologist to assess any changes in the habitats present on site, and to inform a review of the conclusions and recommendations made.

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1.0 INTRODUCTION

- 1.1 Lizard Landscape Design and Ecology (LLDE) has been commissioned by Jones Homes (Southern) Ltd to provide a Reptile Mitigation Strategy for Land off Folders Lane, Burgess Hill (*Grid Reference: TQ 32962 17935– hereafter referred to as ‘the site’*).
- 1.2 This report has been produced to allow the discharge of condition 18 which states:

No development shall take place until a Reptile Mitigation Strategy addressing the mitigation and translocation of reptiles has been submitted to and approved in writing by the local planning authority. The Reptile Mitigation Strategy shall include the following:

- a) purpose and conservation objectives for the proposed works.*
- b) review of site potential and constraints.*
- c) detailed design(s) and/or working method(s) to achieve stated objectives.*
- d) extent and location /area of proposed works on appropriate scale maps and plans.*
- e) type and source of materials to be used where appropriate, e.g. native species of local provenance.*
- f) timetable for implementation demonstrating that works are aligned with the proposed phasing of development.*
- g) persons responsible for implementing the works.*
- h) details of initial aftercare and long-term maintenance of the Receptor area(s).*
- i) details for monitoring and remedial measures.*
- j) details for disposal of any wastes arising from works.*

The Reptile Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: *To allow the LPA to discharge its duties under the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended) and in accordance with policies DP38 of the Mid Sussex District Plan and 180 of the NPPF.*

- 1.3 This report has been produced based on the following data and surveys and should be read in conjunction with:
- Ecological Impact Assessment (LLDE, 2023)
 - Landscape Master Plan (LLDE, 2022)
 - Construction Environmental Management Plan: Biodiversity (LLDE, 2025)
- 1.4 Maintenance prescriptions have been formulated to ensure the receptor site remains suitable habitat to support reptiles. It is anticipated that the initial landscape contractor as appointed by the main contractor will be responsible for implementation of habitats and future management as detailed within this report will be undertaken by a suitable management company as appointed by the contractor.

2.0 SITE CONTEXT

Site Description

- 2.1 The site area is c. 1.7ha and habitats on site were found to consist of an unmanaged matrix of tussocky grassland and scrub with a boundary made up of trees and understorey shrubs.

Surrounding Landscape

- 2.2 The site is situated at the south-eastern corner of Burgess Hill, with the landscape to the north-west becoming more urban, and to the south and east more rural. The landscape is dominated by agricultural fields and residential buildings, with parks and areas of woodland throughout, such as Ditchling Common c.300m to the north-east.

Development Proposals

- 2.3 Development proposals will result in the loss of areas of modified grassland, bramble scrub and some mixed scrub. It is understood that the proposals include the construction of 40no. new residential properties with associated gardens, access, and car parking.

3.0 BASELINE ECOLOGICAL CONDITIONS

- 3.1 The survey area is located immediately south of Folders Lane, Burgess Hill and covers c. 1.7 (ha). The site consists of a mosaic of tussocky grassland and scrub bordered on all sides by overgrown hedge/treeline. A public footpath provides access to the site, running from the northwest corner along the length of the western boundary.
- 3.2 The site is bordered by grassland to the east, and residential properties to the south, west and north. Soil on site is described as slowly permeable, seasonally wet, slightly acid but base-rich loamy and clayey soils. There are no waterbodies on site but 13no. ponds within 500m of the proposed construction zone; 4no. of which are located within 250m and directly connected to the site.

4.0 AIMS AND OBJECTIVES

4.1 Aims

- 4.1.1 The aim of this Reptile Mitigation Strategy has been to;
- To ensure that no Reptiles are carelessly or intentionally harmed or killed during the construction phase of the development.
 - To ensure that onsite enhancements are correctly installed and managed appropriately into the future.

4.2 Objectives of the Proposals

- 4.2.1 The below objectives have been identified, which when implemented, shall ensure the aims of the Reptile Mitigation Strategy are achieved:
- To provide detailed working methods for the construction phase.
 - To create habitat areas at the optimal time of year for their successful establishment.

5.0 LEGISLATION

- 5.1 It is an offence under the Wildlife and Countryside Act 1981 (as amended) to:

- Deliberately kill or injure a reptile.
- Possess, control or transport (alive or dead) a reptile.

- 5.2 Sand lizard *Lacerta agilis* and Smooth snake *Coronella austriaca* are both further protected under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, which makes it an offence to perform the following on these species:

- Deliberately capture, injure, disturb or kill
- Deliberately take or destroy eggs
- Damage or destroy an obstruct breeding and resting places
- Possess, control, or transport (alive or dead)
- To sell or exchange, or to offer to sell or exchange.

6.0 RESULTS

- 6.1 The survey results recorded a peak count of 2no. adult slow worm and 1no. adult common lizard on site. Juvenile grass snake and slow worm were also recorded on site. These results indicated a small population of slow worm and common lizard on site, with a breeding population of slow worm and grass snake within the vicinity of the site.
- 6.2 Surveys were undertaken during the recommended times (08:30 – 11:00 and 16:00 – 18:30) with suitable weather conditions for surveying reptiles wherever possible (Guidelines recommended temperatures 9-18°C).

Table No. 01 – Weather Conditions during Surveys

Survey	Date of Visit	Time	Temp.	Weather Conditions
1	31/08/23	09:00	17°C	Dry, WF3, 20% cloud
2	06/08/23	10:00	18°C	Dry, WF2, 20% cloud
3	15/09/23	09:00	15°C	Dry, WF2, 20% cloud
4	22/09/23	09:15	15°C	Dry, WF1, 40% cloud
5	25/09/23	09:15	17°C	Dry, WF1, 20% cloud
6	29/09/23	10:00	15°C	Dry, WF2, 10% cloud
7	06/10/23	10:30	18°C	Dry, WF1, 10% cloud



Figure No. 01 – Locations of reptile refugia

- Reptile Refugia
- Adult slow worm
- Adult common lizard
- Juvenile slow worm
- Juvenile grass snake

Table No. 02 – Population Size Assessment

<i>Species</i>	<i>Low Population</i>	<i>Good Population</i>	<i>Exceptional Population</i>
Slow Worm	<5	5-20	>20
Common Lizard	<5	5-20	>20
Grass Snake	<5	5-10	>10
Adder	<5	5-10	>10

- 6.3 Given the above results, in the absence of mitigation the development is likely to accidentally and/or recklessly injure and kill reptiles.

7.0 MITIGATION METHODS

- 7.1.1 It is not feasible for the scheme to avoid the removal of suitable reptile habitat and therefore further mitigation is required.

Receptor site

- 7.1.2 The receptor site, to the southwest of the development site (highlighted within figure no.02), was chosen as the area can be enhanced to become suitable reptile habitat and is within close proximity to the development site. This close proximity will also allow reptiles to move back into suitable areas within the site from the receptor site after works have finished. The receptor area shall be enhanced with a minimum of 2no. log piles or hibernacula, that are a minimum of 1m³ in size to offer refuge and additional foraging opportunities.
- 7.1.3 A suitably qualified ecologist shall check the receptor site prior to works commencing, to ensure that the above enhancements have been installed, and that the site remains suitable for translocation. If the site is unsuitable, the ecologist shall suggest remedial measures to ensure the site becomes suitable prior to translocation.
- 7.1.4 The grassland within the receptor site shall be left unmanaged, to grow longer and more tussocky throughout the summer months to allow the area to remain suitable for reptiles. If required the grassland can be mown to a minimum height of 10cm, using hand tools only, in late autumn to winter (November – February) to avoid disturbance in the active reptile season.

Translocation

- 7.1.5 Reptile exclusion fencing shall be installed along the boundary of the site as indicated within figure No.02. The reptile exclusion fencing shall be installed beyond the development footprint, whilst retaining the scrub area shown in the landscape package and allowing for provision of the tree protective barriers recommended within the arboricultural package.

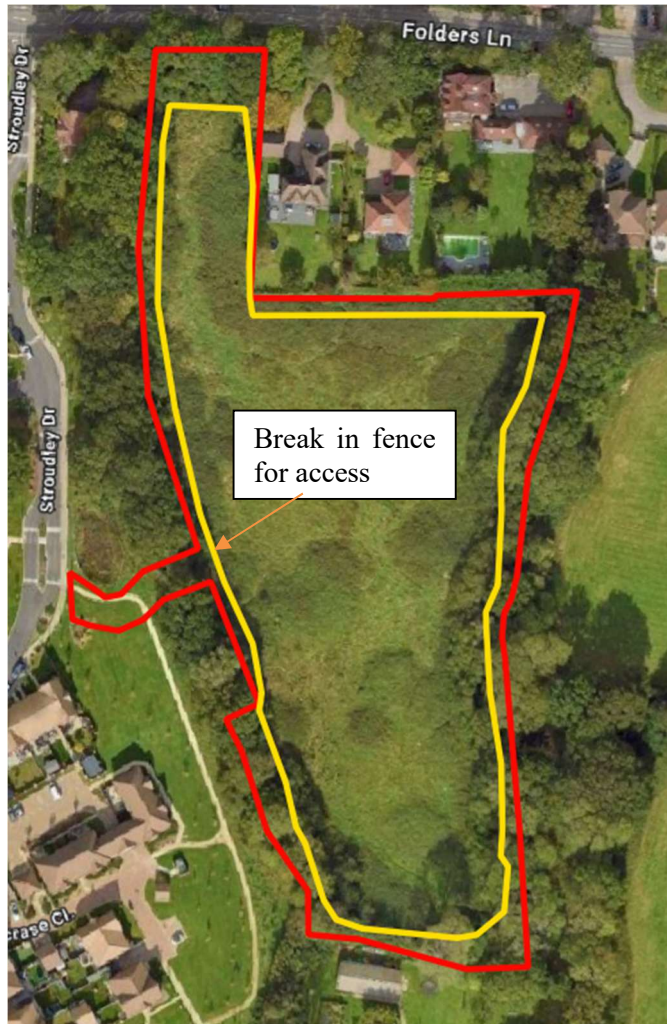


Figure No. 02 – Reptile exclusion fencing plan

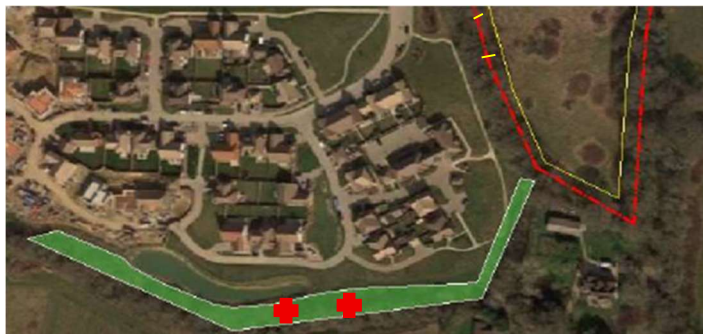


Figure No. 03 – Reptile receptor area plan adapted from the EcIA (LLDE, 2024) with 2no. red crosses indicating log piles or hibernacula to be installed.

7.1.6 The recommended fencing specification is as follows:

- Temporary 1000-gauge solid panel exclusion fencing made from hard plastic; and
- Total height 1200mm, with 200-300mm buried into the ground; and
- Top curl on outside of fence of 90 degrees and 50mm; and
- Secured on timber posts to be on the inside of the fence

7.1.7 Installation of the fencing will require removal of a narrow strip of vegetation which will be carried out in line with the dormouse mitigation works for the site as agreed within the Natural England dormouse mitigation licence. In mid - late April and following the approval of the Natural England dormouse mitigation licence, a narrow strip of vegetation shall be cleared with hand tools only and in suitable weather conditions (dry and above 8°C) to allow for the reptile exclusion fencing to be installed around the edge of the construction zone. Vegetation will be subject to a fingertip search for dormouse and reptiles prior to clearance by the licenced ecologist or their accredited agent.

7.1.8 Reptile translocation shall include placing artificial refugia at a density of 100 per hectare, in areas of suitable reptile habitat. Artificial refugia shall comprise of roofing felt, cut into 1m squares. Translocation shall take place between mid-March – October. Suitably qualified ecologists shall undertake the translocation, attempting to complete visits within optimal survey conditions (*08:00–11:00 and 16:00–18:30, with temperatures 9–18°C*), to increase the likelihood of capturing reptiles.

7.1.9 Translocation of the site will consist of trapping for a minimum of 30 days, ending when zero reptiles are encountered on 5 consecutive days.

- 7.1.10 Habitat manipulation can be completed throughout the reptile translocation if deemed necessary by the ecologist, and in conjunction with the dormouse habitat clearance works under licence. Habitat manipulation would include reducing the suitable habitat by cutting strips into the vegetation with hand tools under ecological supervision. If required these strips may be cut again, at a later date, perpendicularly to leave squares of reptile suitable habitat. This approach is more likely to be required towards the end of the translocation, when the onsite population has largely been moved offsite.
- 7.1.11 Any vegetation manipulation as above shall be coordinated with the dormouse mitigation works on the site that will be covered by a Natural England mitigation licence. Please see the Construction Environmental Management Plan: Biodiversity for details of dormouse specific mitigation for the site. Mitigation measures for dormouse will remove the bramble scrub that has been identified across much of the proposed construction zone, in conjunction with the translocation. Bramble removal will be carried out using hand tools only and will avoid potential impacts upon reptiles. Vegetation clearance as part of the mitigation for dormouse is expected to occur in May 2026.
- 7.1.12 Following completion of the dormouse mitigation works and reptile translocation, a destructive search will be undertaken in dry, mild ($\geq 10^{\circ}\text{C}$) weather under ecological supervision, within March – October, inclusive. The ecologist will oversee the scraping back of the topsoil by a mechanical excavator using a toothed bucket. The ecologist will catch any remaining reptiles encountered and place them in the designated receptor site to the southwest of the works site. Removal of any stumps (if required) shall also be completed at this time, under ecological supervision, carefully removing the stump from the ground and stopping when signalled by the ecologist, allowing them to capture any reptiles, if it is safe to do so.
- 7.1.13 Reptile fencing shall be left in place, with a designated access point for plant machinery. Additionally, the site shall be maintained in an unsuitable condition to support reptiles, not allowing new vegetation to grow and establish for the remainder of the works, particularly in the areas immediately adjacent to the site entry point within the reptile fencing. This is to ensure that no reptiles move back into the site where the risk of accidental harm and death would be high during construction.

Construction Phase

- 7.1.14 As mentioned above, reptile fencing shall be kept in place and the site left unsuitable for reptiles until construction is complete. The Site Manager, or their designated site personnel, should undertake regular (recommended daily) visual inspections of the reptile fence line, and any damage/tears in the fence must be repaired immediately, to prevent reptiles from re-colonising the Site and the translocation exercise potentially needing to be repeated.
- 7.1.15 In the event that a reptile is found during the construction phase within the site, works in that area should stop, allowing an ecologist to attempt to translocate the reptile to the receptor site. Following this a fingertip search of the area should be completed to check for any further reptiles before clearing the works to continue. If the reptile is unable to be captured the works should continue under the supervision and/or guidance of the ecologist on how to proceed.

Monitoring and maintenance

- 7.1.16 The hope for the scheme is that some of the reptiles displaced by the development will move back into the proposed scrub and wildflower areas within the site once construction is complete. However, this cannot be guaranteed and therefore the receptor site shall be maintained for reptiles into the long-term future, ensuring the area remains suitable to support reptiles. This will entail a biannual cut, once in August and again in late Autumn, to a minimum height of 10cm above the ground. Any damage or loss of the log piles will be replaced immediately.

8.0 IMPLIMENTATION SCHEDULE

Table No. 01 – Annual Maintenance Summary

Action	Execution	Timing
Receptor Site		
Receptor site establishment	The receptor site shall be checked by an ecologist to ensure enhancements have been implemented and the site is suitable to accept reptiles	Prior to any work commencing – leave it to grow between now and start of reptile translocation.
Monitoring	The receptor site shall be monitored, along with habitats created within the scheme, to ensure these areas remain suitable to support reptiles	Throughout translocation period, construction phase, and into the long-term future. Specifically, the appointed ecologist shall visit the receptor when the fence is installed and approximately 1 and 2 years later to ensure that the recommended appropriate management is being upheld.
Reptile Fencing		
Installation	Reptile exclusion fencing is to be installed, under ecological supervision, around the perimeter of the works site.	After receptor site is established, Prior to translocation (Reptile fencing installed during active reptile season (March-October)) Fencing is intended to be installed in late April 2026, to coincide with appropriate timing of works for scrub clearance under the dormouse licence. (subject to approval by Natural England)
Monitoring	Fencing shall be inspected daily to ensure it remains in good condition.	Daily, during translocation and construction phase.
Removal	Reptile fencing to be removed, under ecological supervision, once construction has completed.	Once construction is completed. (Fencing can be removed any time of year)
Reptile Translocation		
30 days (Min) translocation	Reptile translocation for a minimum of 30 days, ending with 5 clear days of 0 reptiles found.	During active reptile season (March – October) Translocation can start in late April/early May, following fence installation.
Habitat manipulation	Vegetation may be cut into strips, and then squares of suitable habitat, if deemed necessary by the ecologist, to increase the likelihood of capturing remaining reptiles and to coincide with the sensitive scrub removal required under the dormouse licence.	During translocation.
Destructive clearance	The top layer of soil shall be scraped back by a toothed bucket, under ecological supervision.	During active reptile season (March – October) and in suitable weather conditions.

