



PRELIMINARY ECOLOGICAL APPRAISAL

CUCKFIELD COTTAGE HOMES TRUST

CUCKFIELD COTTAGE HOMES
CHURCH PLATT
CUCKFIELD
WEST SUSSEX
RH17 5LA

21ST JULY 2025

REF: 25029

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Revision	Date	Author	Reviewer
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EXECUTIVE SUMMARY

A Preliminary Ecological Appraisal (PEA) was carried out across land at Cuckfield Cottage Homes within the Mid Sussex District of West Sussex on the 01st May 2025. The assessment was required in order to ascertain whether any ecological constraints could affect proposed development at the site. Proposals are for the extension of the existing residential building. Access will remain as existing. No trees or boundary features will require removal to facilitate the works. The survey area extended over approximately 0.9 hectares (ha) although the proposed working area will be confined to approximately 0.01ha.

The main findings of the survey are as follows:

- * Cuckfield Cottage Homes is in a semi-rural environment, within Cuckfield in West Sussex. Originally three brick-built terraced cottages, the site now supports six residential flats, situated within a well-managed garden. Residential land-use dominates to the north and west while land associated with Holy Trinity Church is to the south and east.
- * Semi-natural habitats to be impacted by the works will comprise approximately 0.005ha vegetated garden.
- * The site is not subject to any statutory designations or non-statutory designations. The closest statutory designated site is the High Weald National Landscape; approximately 580m to the west. The site does not provide any supporting habitat for the High Weald.
- * The site has been assessed as being of value within the immediate vicinity, with the buildings and vegetated garden areas having potential to support bats and breeding birds together with providing some, albeit limited, potential to support more mobile species including badger and great crested newts.
- * The main building (Building 1) was identified as having potential to supporting bat roosting features and a preliminary roost assessment is recommended to ascertain the potential of the building to support roosting bats and whether targeted emergence surveys are required.
- * No other targeted protected species surveys are required in respect to protected species to inform the planning application, instead adopting a precautionary approach for different elements of the works in relation to great crested newts, birds and badger is considered sufficient to fully safeguard these species groups.

- * Although the site has limited potential to support great crested newt, due to part of the site falling within a red impact risk zone, precautionary measures should be implemented in order to fully safeguard this species. Based on the limited terrestrial habitat supported and the discrete nature of the works, it is not considered necessary to register the application on the District Level Licensing (DLL) Scheme which may otherwise be triggered by development. Instead, adopting a series of precautionary working measures will be sufficient to fully safeguard great crested newts and this approach is considered to be sufficient and proportionate in this situation to ensure the favourable conservation status of great crested newts is not impacted as a result of the works.
- * It is understood that the scheme will require a Biodiversity Net Gain Assessment under current regulations.
- * Details regarding further survey and mitigation to include precautionary working practices, together with habitat enhancement measures are provided in the Recommendations section of the report.

1. INTRODUCTION

Background

- 1.1 CT Ecology Limited was commissioned by Cuckfield Cottage Homes Trust to undertake a Preliminary Ecological Appraisal, to inform the potential ecological constraints of proposed development within land at Cuckfield Cottages, Cuckfield (hereafter referred to as "the site").
- 1.2 This report has been compiled in accordance with current guidelines (British Standard 42020:2013 Biodiversity Code of Practice for Planning and Development, 2013 and CIEEM, 2013 & 2016).
- 1.3 The purpose of the Preliminary Ecological Appraisal was:
 - * to classify the major habitats present;
 - * to identify the potential for any legally protected species to be present;
 - * to evaluate the nature conservation importance of the site;
 - * to recommend any additional ecological surveys and mitigation; and
 - * to provide recommendations for site enhancement.

Development Proposals

- 1.4 Proposals are to extend the existing residential building to the south and west along with internal reconfigurations to enable two additional flats to be provided within the building. Access will remain as existing. No trees or boundary features will require removal to facilitate the works. The proposed working area will cover approximately 0.1 hectare (ha).

Site Description

- 1.5 The site is within a semi-rural location immediately west of Holy Trinity Church in Cuckfield village, accessible via Church Platt; a cul-de-sac reached from both Newbury Lane and South Street (B2036). The site is located at British National Grid TQ30310 24451. Originally three brick-built cottages, the site now supports six flats, arranged in a single terrace of red brick with pitched tile roofs, dormer windows, and chimneys, and a well-managed garden with hedged boundaries.
- 1.6 In the wider site context, the cottages are set directly beside Holy Trinity Church's Grade I listed precinct, which includes mature trees, a churchyard with historic headstones, lawns, and two lychgates.

- 1.7 In the wider area, agricultural fields together with blocks of woodland and scattered residential properties are present in all directions. The village of Cuckfield itself lies within a gently undulating rural landscape characteristic of the High Weald, with narrow lanes, hedgerows, and mature tree belts forming strong field boundaries.
- 1.8 The survey area extended over 0.9 hectares (ha) and is shown on the survey map in Appendix B.

2. METHODOLOGY

Desk Study & Consultations

2.1 The desktop study involved conducting database searches for statutory and non-statutory designated sites, legally protected species and features of interest within a 2km radius of the site and an online search for any Protected Species Mitigation Licences (PSML) within 1km. The data search was based on information provided by Sussex Biodiversity Record Centre (SxBRC 2025); Multi-Agency Geographical Information for the Countryside (MAGIC, 2025); Ordnance Survey mapping; and aerial photography.

Field Survey and Assessment

2.2 An ecological survey of the site was undertaken on 01st May 2025 by Carly Teague, a suitably qualified ecologist with over 17 years' experience as a professional ecologist. The weather conditions during the survey were dry and bright with no breeze and no precipitation and a temperature of 23.5°C at the start of the survey.

2.3 The field survey comprised a walkover inspection of the land and habitats present. The survey followed the UK Habitat Classification System (Ver 2.0) (UK Habitats, 2023) and covered all accessible parts of the site, including boundary features. Habitats were assigned to either Level 3 or to Level 4 where applicable, the minimum mapping unit used was 25m² and Secondary Codes were utilised where possible. Habitats were described and mapped (Appendix B). A list of plant species was compiled, together with an estimate of abundance made according to the DAFOR scale (Appendix D).

2.4 This assessment provides information on the habitats in the survey area and identifies actual or potential presence of legally protected or otherwise notable species/habitats in or immediately adjacent to the site.

2.5 Target notes highlighting a particular feature of ecological interest are provided in Appendix A, with associated photographs.

2.6 Scientific names are given after the first mention of a species, thereafter, common names only are used. Nomenclature follows Stace (2010) for vascular plant species.

Protected Species Assessment

2.7 The potential for the site to provide habitat for protected species was assessed from field observations in conjunction with results of the desk study. The site was inspected for indications of the presence of protected species including:

- * Habitat considered suitable to support widespread reptile species including areas with a scrub/grassland mosaic and potential hibernation sites;
- * on-site ponds offering potential breeding opportunities for great crested newt (*Triturus cristatus*) and the presence of suitable terrestrial habitat including hedgerows and rough grassland;
- * presence of features in, and on trees, indicating potential for roosting bats *Chiroptera*, including knot and rot holes and loose bark. The presence of features on buildings including loose roof tiles, gaps in fascia boarding in addition to secondary evidence including staining, droppings and feeding remains;
- * presence of nesting habitat for breeding birds, including mature trees, dense scrub and hedgerows and direct evidence of bird nesting including bird song, old nests etc;
- * presence of woodland and or hedgerows providing suitable habitat to support hazel dormouse (*Muscardinus avellanarius*); and
- * habitats considered suitable to support badger (*Meles meles*) setts, and evidence in the form of hair, pathways and latrines.

2.8 The potential presence for protected species is categorised as Negligible, Low, Moderate, High or Present, based on the findings of the field survey and on the evaluation of existing data.

2.9 The purpose of this assessment is to identify whether more comprehensive Phase 2 surveys for protected species or mitigation should be recommended.

Caveat

Data Search

2.10 It is important to note that, even where data is held, an absence of records for a defined area does not necessarily mean that there is a lack of ecological interest; the area may be simply under-recorded.

Preliminary Ecological Appraisal

2.11 Ecological surveys are limited by factors that affect presence of plants and animals such as seasonality. Whilst every effort has been made to provide a comprehensive description of the site, no investigation can ensure the complete characterisation of the environment.

- 2.12 The appraisal does not constitute a full botanical survey, or a Phase 2 pre-construction survey that would include accurate GIS mapping for invasive or protected plant species. This survey provides a preliminary view of the likelihood of protected species occurring on the site based on the suitability of the habitat, known distribution of the species in the local area and any direct evidence observed during the survey. It is therefore used as a tool to recommend further protected species surveys (or other species of significant nature conservation interest) if on the basis of the preliminary assessment or during subsequent surveys, it is considered reasonably likely that protected species may be present.
- 2.13 It is considered that the survey was sufficiently rigorous to assess the ecological value of the site.

3. BASELINE CONDITIONS

Aerial Photography and OS Maps

- 3.1 The site is in a semi-rural environment, located at the western edge of Cuckfield in West Sussex. Land-use in the immediate vicinity includes a combination of residential properties, church grounds, and amenity green space, with open countryside comprising agricultural fields and scattered woodland located beyond the village envelope.
- 3.2 There are no ponds within the site boundary. There are nine ponds within a 500m radius, mostly associated with farmland and wooded areas. The closest of which is a large pond located approximately 140m to the north-east.
- 3.3 Over 40 woodland blocks are present within 2km of the site, extending in all directions. The closest wooded areas lie to the west of the village, starting approximately 250m from the site, near Borde Hill and extending along rural field margins.

Protected Species Mitigation Licences (PSML)

- 3.4 No PSML's, or associated licence returns for any species were returned within 1km of the survey area.

Statutory and Non-Statutory Designated Sites

Statutory Sites

- 3.5 The site is not subject to any statutory designations. There are two statutory designated sites located within a 2km radius: the High Weald National Landscape (NL) and the Blunts and Paiges Wood Local Nature Reserve (LNR). The High Weald NL, located approximately 580m to the west, is designated for its rich mosaic of ancient woodland, species-rich hedgerows, rolling hills, sandstone outcrops and small irregular fields, supporting a high diversity of flora and fauna typical of traditional lowland English countryside. Blunts and Paiges Wood LNR, located approximately 1.1km to the east, is designated for its ecological value as semi-natural woodland, providing habitat for a range of woodland birds, bats, and invertebrates, as well as supporting a variety of native ground flora.

Non-Statutory Sites

- 3.6 The site is not subject to any non-statutory designations. There are four non-statutory designated sites located within a 2km radius, comprising two Local Wildlife Sites (LWSs), one Local Geological Site (LGS), and one Designated Road Verge (DRV).

- 3.7 The closest of these, the Cuckfield Bypass DRV, is located approximately 530m to the south and supports a range of native wildflower species, contributing to the area's ecological connectivity and providing habitat for pollinators.
- 3.8 Great Wood & Copyhold Hanger LWS, located approximately 1.4km to the south, is a large tract of ancient semi-natural woodland that supports a diverse ground flora and provides valuable habitat for a variety of woodland species.
- 3.9 Blunts & Paiges Woods LWS, located approximately 1.2km to the west, is notable for its species-rich woodland and long continuity of woodland cover, which supports breeding birds and a variety of invertebrates.
- 3.10 The Whitemans Green, Cuckfield LGS, located approximately 1km to the north-west, is of geological interest for its exposures of Wealden Group sediments, offering insights into the region's Lower Cretaceous history.

Other Habitat Classifications

Ancient woodland

- 3.11 Over 30 blocks of ancient semi-natural woodland (ASNW) and ancient replanted woodland are present within 2km of the site. These are located in all directions, the closest of which is a small block of ASNW, located approximately 330m to the south-east.

Habitats

Site Summary

- 3.12 The main habitats recorded within the site are described below. Additional details are shown on the habitat survey map in Appendix B, and the target notes are listed in Appendix A.

Table 3.1: Habitat Descriptions

Habitat Type	UK Habitats Code (secondary codes in brackets)	Description	Area (ha)
Developed Land; Sealed Surface. Building	u1b5	B1: A large, brick building within the western site extent. The building supported a series of hipped and flat roof sections, formerly three cottages, now converted into residential flats. B2: A brick-built storage unit	0.02

		<p>was to the rear of the main building. The building will be retained as part of the works.</p> <p>B3: A timber summerhouse was in the south-west corner of the site. This building will be removed to facilitate the extension works.</p>	
Developed Land; Sealed Surface. Hardstanding	u1b6	Areas of paving and tarmacadam provided external access around the building.	0.01
Suburban Mosaic of Developed and Natural Surface	u1d (828 Vegetated Garden) (32: Scattered trees)	<p>Garden areas dominated the site which were subject to regular management. Grassland comprised Yorkshire fog (<i>Holcus lanatus</i>) and perennial rye-grass (<i>Lolium perenne</i>) with occasional meadow grass (<i>Poa</i> sp.) and fescues (<i>Festuca</i> sp.). Forbs contributed to approximately 30% of the sward and comprised white clover (<i>Trifolium repens</i>), creeping buttercup (<i>Ranunculus repens</i>), daisy (<i>Bellis perennis</i>) and dandelion (<i>Taraxacum</i> agg.).</p> <p>Mature planted beds comprised a diverse range of species including hosta's (<i>Hosta</i> sp.), peony (<i>Peony</i> sp.), Buddleja (<i>Buddleja davidii</i>), hydrangea (<i>Hydrangea</i> sp.) and rose (<i>Rosa</i> sp.).</p> <p>Trees were present within the garden. Species included magnolia (<i>Magnolia soulangiana</i>), dogwood (<i>Cornus sanguinea</i>), and yew (<i>Taxus baccata</i>).</p>	0.09
Native hedgerow	h2a	A native hedgerow extended around the eastern and southern site boundaries, measuring approximately 65m. The hedgerow was well managed, measuring approximately 1m in width and 1.5m in height. The hedgerow was dominated by hawthorn (<i>Crataegus monogyna</i>) together with holly (<i>Ilex aquifolium</i>) which was frequent throughout the hedge.	N/A

Protected Species

Legislation

- 3.13 Legislation relating to the protected species referred to in this section is included in Appendix C.
- 3.14 The following paragraphs detail the suitability of the on-site habitats to support protected species and include information from the data search for protected, rare and otherwise notable species returned within a 2km radius.

Breeding Birds (excluding barn owl)

- 3.15 A total of five **red** and two **amber** listed Birds of Conservation Concern¹ (BoCC) were returned by the data search which may utilise habitats within the site. These include **song thrush** (*Turdus philomelos*); **house sparrow** (*Passer domesticus*); **starling** (*Sturnus vulgaris*); **lesser spotted woodpecker** (*Dryobates minor*); **tree sparrow** (*Passer montanus*); **dunnock** (*Prunella modularis*) and **wren** (*Troglodytes troglodytes*).
- 3.16 The boundary hedgerow together with mature trees and shrubbery provide opportunities for a range of widespread breeding birds (Refer to Target Note 1 on the survey map in Appendix B).
- 3.17 Overall, the site was considered to provide **moderate** potential for widespread nesting birds.

Barn Owl

- 3.18 The data search returned five recent records (post-2011) for barn owl (*Tyto alba*) within a 2km radius of the site, although no records were returned from within the site boundary itself. All five records were located over 1.4km to the north-west. The site comprised managed garden habitats with limited potential to support this species. No potential roosting or nesting features were associated with any on-site buildings or trees.
- 3.19 Overall, the site was considered to provide **negligible** potential for barn owl.

¹ Birds of Conservation Concern status is prioritised into high concern (Red), medium concern (Amber) and low concern (Green) (Eaton et al, 2009). Red-list species are those that are globally threatened according to the IUCN criteria; those whose population or range has declined rapidly in recent years; and those that have declined historically and have not shown a substantial recent recovery. Amber-list species are those with an unfavourable conservation status in Europe; those whose population or range has declined moderately in recent years; those whose population has declined historically but made a substantial recent recovery; rare breeders; and those with internationally important or localised populations. Green-list species are those that fulfil none of the criteria.

Bats

- 3.20 The data search returned at least nine species of bat within a 2km radius of the application site boundary, recorded since 2000. Species included pipistrelle species (*Pipistrellus* sp.); Nathusius's pipistrelle (*Pipistrellus nathusii*), common pipistrelle (*Pipistrellus pipistrellus*), soprano pipistrelle (*Pipistrellus pygmaeus*), barbastelle (*Barbastella barbastellus*), noctule (*Nyctalus noctula*), serotine (*Eptesicus serotinus*), myotis species (*Myotis* sp.) whiskered bat (*Myotis mystacinus*), Brandt's bat (*Myotis brandtii*), Bechstein's bat (*Myotis bechsteinii*), long-eared bat species (*Plecotus* sp.) and brown long-eared bat (*Plecotus auritus*).
- 3.21 No records were returned from within the site. A total of 43 recent (post 2000) bat records were recorded within a 2km radius, with a further 25 historic records also returned. The most frequently recorded bat species since 2000 was common pipistrelle, with a total of eight records and a combined abundance count of 40 individuals.
- 3.22 A total of 14 known bat roost records were returned within a 2km radius of the application site since 2000; the closest of these is an unspecified common pipistrelle roost, located approximately 320m to the north-east. This record, dated 2012, reported a total of 32 individuals. A recent (2024) in-flight record has also been returned for barbastelle, approximately 900m to the north. These species have a large home range and may utilise habitats and features in the immediate vicinity.
- 3.23 No PSML records were returned within a 1km radius.
- 3.24 The main building (B1) and adjacent store (B2) supported a number of potential roosting features including gaps associated with hanging tiles and roof tiles (Refer to Target Note 2 on the survey map in Appendix B). B1 also supported roof void areas. B2 is to be fully retained as part of the proposals. The summerhouse and trees did not support any potential roosting features.
- 3.25 The site is dominated by managed grassland however areas of shrubbery along with the boundary hedgerow provide opportunities for foraging and commuting bats, passing between more optimal grassland to the east and south.
- 3.26 Overall, the site was considered to provide **moderate** potential for roosting and foraging bats.

Reptiles

- 3.27 The data search returned recent (post 2011) records for slow worm (*Anguis fragilis*), common lizard (*Zootoca vivipara*) and grass snake (*Natrix helvetica*) within a 2km radius however all records were over 300m from the site.

3.28 The site comprised managed habitats and buildings and the habitat mosaic, required by this species group for foraging, sheltering and basking, was absent. Overall, the site was considered to provide **negligible** potential for reptiles.

Great Crested Newt (and other amphibians)

3.29 The data search returned three recent (post 2011) records for great crested newt a 2km radius. The closest of which was over 1.2km to the south-west from 2018. A single recent record was also returned for common frog (*Rana temporaria*), from 2016; over 900m to the north-east.

3.30 The data search returned 45 recent (post 2011) records of great crested newt within a 2km radius of the application site. The closest record, dated 2020, is from a pond approximately 140m to the north-east. All other records are situated over 1.6km to the west of the site.

3.31 PSML's pertaining to great crested newt were returned within 1km of the site

3.32 The data search also returned 32 recent (post-2011) records for smooth newt (*Lissotriton vulgaris*), 30 for palmate newt (*Lissotriton helveticus*), and 2 records for common toad (*Bufo bufo*) within a 2km radius of the application site. However, all records are located over 500m from the site.

3.33 The development area is located within a red impact risk zone for great crested newt as part of the Mid Sussex District Council District Level Licencing (DLL) Scheme. This risk category indicates that highly suitable habitat is present in the locality based on land-use and survey data held for the area.

3.34 There are no ponds within the site. There are six ponds within 250m of the site; located to the north-east, west and south-west, the closest of which is approximately 140m to the north-east.

3.35 The application site is small, dominated by buildings and well-managed garden habitats. Areas of hardstanding together with buildings serve to isolate the site to the north, north-east and west. Managed grassland habitats associated with the Holy Trinity Church cemetery are to the south and east however there is some connectivity via boundary grassland and hedgerows to habitats and associated ponds in the wider landscape to the south. On-site managed habitats together with limited connectivity to suitable terrestrial habitat to the north and west serves to reduce the potential for newts to pass through the site.

3.36 Overall, the site was assessed as having **low** potential to support great crested newt.

Badger

- 3.37 Records are held confidentially and not disclosed by the data search.
- 3.38 No badgers or secondary evidence of badgers were present on-site or within 30m of the application areas at the time of the survey.
- 3.39 The location and topography of the site is considered to provide sub-optimal sett building opportunities for badger with more extensive and more optimal habitats supported in the wider landscape.
- 3.40 Overall, the site was considered to provide **low** potential for badger.

Hazel Dormouse

- 3.41 The data search returned 36 recent (post-2011) records for Hazel Dormouse (*Muscardinus avellanarius*) within a 2km radius. Eight of these records are from unspecified locations within Cuckfield, likely to be associated with the woodland in the wider landscape to the north-west. The remaining records are located to the north, north-east, and east of the site; the closest records are from woodland approximately 800m to the north-east, recorded between 2019 and 2020.
- 3.42 Dormice are largely arboreal and rely on blocks of diverse woodland and interconnected hedgerows for survival. Individuals rarely descend to the ground except to hibernate over winter months at the base of trees. Dormice favour a range of plant species which provide a food source throughout the year. Favoured species include an abundance of hazel and honeysuckle together with frequently occurring oak and bramble amongst other species.
- 3.43 There was no potentially suitable hazel dormouse habitat within the site. The hedgerows were well managed, species-poor and isolated from adjacent suitable habitats. Overall, the site was considered to provide **negligible** potential for this species.

Invasive Non-Native Species (INNS)

- 3.44 Rhododendron (*Rhododendron* sp.) was recorded in the south-east site extent during the survey (Refer to Target Note 3 on the survey map in Appendix B). This area will not be impacted as a result of the proposed works therefore this species will not be discussed further in this report. No other INNS were recorded on-site at the time of the survey.

4. EVALUATION

- 4.1 On the basis of the information available from the habitat survey and desk study, the site has been evaluated in terms of its potential for biodiversity, support of protected species and habitats, and the contribution the area makes as part of the wider landscape. The nature conservation value of the site has been assessed following standard criteria developed by the Chartered Institute of Ecology and Environmental Management (CIEEM, 2006) and is provided below.
- 4.2 The biodiversity value of protected species within the site is a preliminary evaluation based upon the desk study records, habitat suitability and the conservation status of the species in question. It should be noted that where European Protected Species (EPS) or species of Principle Importance for the Conservation of Biodiversity are present on-site they may be valued at a lower level/scale where it is considered likely that populations would not be of sufficient importance to justify designation at a higher level. However, regardless of their biodiversity value, such species are still subject to national and/or European legislation.
- 4.3 Key aspects of relevant planning policy regarding conservation, including an explanation of species referred to as being of 'Principal Importance for Conservation of Biodiversity' and European Protected Species and habitats, are provided in the Legislation section in Appendix C.

Geographic Evaluation

Features of International Importance

- 4.4 Features of International Importance are principally sites covered by international legislation or conventions, implemented by the Conservation of Habitats and Species Regulations 2017 (as amended) in England and Wales. The Regulations mainly deal with the protection of sites with certain habitats and populations of species that are important for nature conservation in a European context, i.e., Special Areas of Conservation (SAC's) and Special Protection Areas (SPA's).
- 4.5 The site is not subject to any international statutory nature conservation designations. The closest site of International Importance is Ashdown Forest SPA and SAC, located approximately 12km to the north-east.
- 4.6 The SAC and SPA are designated for the range of bog, heath and woodland habitats with associated breeding bird, floral and invertebrate assemblages. The application site is dominated by buildings and managed garden habitats and does not provide any supporting function for Ashdown Forest. Based on the current proposals and distance of the site, works will not have any significant negative impact on the SAC or SPA.

Features of National Importance

- 4.7 Features of national importance include SSSIs which are designated under the Wildlife and Countryside Act 1981 (as amended).
- 4.8 High Weald NL is located approximately 580m to the west. Works are discrete in nature and proposals will not serve to negatively impact the NL.
- 4.9 It is not considered that any habitats or populations or assemblages of species within the site would meet the criteria for the designation of a SSSI, or other nationally important site, at an appropriate geographic level².

Features of Regional Importance

- 4.10 The site does not include any features of value at this level neither is it likely to be selected as a wildlife site based on the results of the current survey.

Features of District Importance

- 4.11 The habitats supported are common and widespread in the district. The site does not support any features that were considered to be of value at this level.

Features of Local Importance

- 4.12 The site is small and dominated by managed garden habitats which are common and widespread in the locality and in turn does not support any features considered to be of value at this level.

Features of Value Immediate Vicinity (c. 250m) of the project

- 4.13 The building and garden habitats provide potential to support roosting bats and breeding birds and provides some connectivity between habitats to the south for more mobile species including badgers and great crested newts to pass through the landscape. The site is therefore of some value at this level.

² JNCC Guidelines for selection of biological SSSIs (see <http://jncc.defra.gov.uk/page-2303#download>).

Summary

4.14 Overall based on the survey results and the above criteria, habitats are considered to be of importance within the immediate vicinity of the site, providing habitats to support bats and breeding birds, together with providing some, albeit limited, potential to support more mobile species including badger and great crested newts. The site does provide some connectivity for more mobile species to pass between grassland to the south and east.

Local Plan Evaluation

4.15 It is considered that the Mid Sussex District Plan 2014-2031 and the Mid Sussex Local Plan 2004 (saved policies) contain nature conservation policies relevant to the site. The full text of the relevant policies is contained in the Legislation section in Appendix C.

5. CONCLUSIONS AND RECOMMENDATIONS

Conclusions

- 5.1 Cuckfield Cottage Homes is in a semi-rural environment, within Cuckfield in West Sussex. Originally three brick-built terraced cottages, the site now supports a series of residential flats, situated within a well-managed garden.
- 5.2 The application area extends over 0.9ha. Residential land-use dominates to the north and west while land associated with Holy Trinity Church is to the south and east.
- 5.3 Proposals are to extend the existing residential building to the south and west along with internal reconfigurations to enable two additional flats to be provided within the building. Access will remain as existing. No trees or boundary features will require removal to facilitate the works. The proposed working area will cover approximately 0.1 hectare (ha). Semi-natural habitats to be impacted by the works will comprise approximately 0.005ha vegetated garden.
- 5.4 The site is not subject to any statutory designations or non-statutory designations. The closest statutory designated site is the High Weald NL; approximately 580m to the west. The site does not provide any supporting habitat for the High Weald.
- 5.5 The site has been assessed as being of value within the immediate vicinity, with the buildings and vegetated garden areas having potential to support bats and breeding birds together with providing some, albeit limited, potential to support more mobile species including badger and great crested newts.
- 5.6 The main building (Building 1) was identified as having potential to supporting bat roosting features and a preliminary roost assessment is recommended to ascertain the potential of the building to support roosting bats and whether targeted emergence surveys are required.
- 5.7 No other targeted protected species surveys are required in respect to protected species to inform the planning application, instead adopting a precautionary approach for different elements of the works in relation to great crested newts, birds and badger is considered sufficient to fully safeguard these species groups.

- 5.8 Although the site has limited potential to support great crested newt, due to part of the site falling within a red impact risk zone, precautionary measures should be implemented in order to fully safeguard this species. Based on the limited terrestrial habitat supported and the discrete nature of the works, it is not considered necessary to register the application on the District Level Licensing (DLL) Scheme which may otherwise be triggered by development. Instead, adopting a series of precautionary working measures will be sufficient to fully safeguard great crested newts and this approach is considered to be sufficient and proportionate in this situation to ensure the favourable conservation status of great crested newts is not impacted as a result of the works.
- 5.9 It is understood that the scheme will require a Biodiversity Net Gain (BNG) Assessment under current regulations.
- 5.10 Details regarding further surveys and mitigation to include precautionary working practices, and habitat enhancement measures are provided below.

Recommendations

Bats

- 5.11 Bats receive protection under the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017 (as amended), which affords protection to bats and the places they use for shelter and breeding.
- 5.12 A targeted Preliminary Bat Roost Assessment (PRA) is recommended for B1 in order to identify the presence of potential roosting features and ascertain whether further bat emergence and activity surveys are required to inform the scheme which will directly impact this building. This assessment can be undertaken all year round.
- 5.13 The summerhouse does not support any potential roosting features and therefore works to remove this structure can proceed without the need for further bat surveys and without any constraints posed by bats.
- 5.14 Building 2 is excluded from the current proposals and therefore no further survey work is deemed necessary on this structure. If this building is subsequently included in the proposed works, this should also be subject to a targeted PRA. The results of this assessment can then be used to inform the need for any further survey work and specific mitigation for this species group.

Great Crested Newt

- 5.15 Great crested newts receive protection under the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017 (as amended), which affords protection to individuals as well as the places they use for shelter and breeding.
- 5.16 It is recommended that adopting a series of precautionary working measures will be sufficient to fully safeguard great crested newts that may pass through semi-natural habitats adjacent to the working area. These measures should include the following:

Site Storage

- * All materials and machinery will be stored on existing areas of hardstanding to the rear of B1. Migration by great crested newts is considered highly unlikely through this area which is already subject to regular disturbance and high light levels and is isolated by hardstanding and buildings to the north and west;
- * no barrier effects are predicted and any great crested newts can travel freely through the area should they choose to do so;
- * in addition, all stored materials will be raised off the ground on pallets or skids to further remove any refuge potential for great crested newts; and
- * aggregates such as gravel and sand must be delivered in bulk bags and stored on pallets to avoid creating potentially suitable 'refuge piles'.

Construction Phase

- * the grassland must continue to be managed at ground level in the lead up to construction. This will continue to serve to deter individuals from the area by ensuring cover opportunities do not become available prior to works;
- * prior to any ground works commencing, the top soil throughout the working area must be removed under guidance from a suitably licenced ecologist. The ecologist will check the soil as it is exposed by the excavator. A toothed bucket must be used for this process. This must be carried out in the active period for newts and reptiles; taken to run between March and September/October inclusive;
- * the retained areas should remain free from disturbance from construction activity throughout the works. These should be fenced to restrict machinery encroaching into these areas. Materials and machinery must only be stored within the working area.

- * any trenches etc. must be back-filled overnight, if this isn't possible then earth ramps must be left in the trench(es) to allow animals, including great crested newts, to easily climb out;
- * the contractor must inspect any excavations each morning to check that great crested newts are not present;
- * if any newts are found during the construction phase, then all activities must cease immediately and the project ecologist contacted for advice. An appropriate working methodology will need to be devised and this may include the need to obtain a great crested newt licence to enable activities to continue; and
- * any other species found during the site preparation phase will be removed from the site and relocated to suitable cover in the wider site.

Widespread Breeding Birds

5.17 Areas of mature shrubbery provide suitable nesting habitat for widespread bird species. All nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended). Mature boundary shrubs are being retained however the clearance of any mature shrubs within the working footprint should be undertaken outside the main bird nesting season which runs from March to August inclusive³, with tree works possible between September and February.

5.18 Where this is not possible then an ecologist would need to check the vegetation for active nests and signs of bird breeding activity. In the event that a nest is found, an exclusion zone around the nest would be established. Works would have to cease within this buffer area until the young birds have fledged.

Badger

5.19 Badgers receive protection under the Protection of Badgers Act 1992. The potential for badgers to pass through the site must be taken into account during works. Materials must be stored safely at night with lids securely fitted. If trenches are required, these must be closed over night or ramps installed to enable badgers, and other mammals, to escape. The ramps must be substantial enough for badgers to use therefore these should comprise planks of wood or similar.

³ It should be noted that this is the main breeding period. Breeding activity may occur outside this period (depending on the particular species and geographical location of the site) and thus due care and attention should be given when undertaking potentially disturbing works at any time of year.

Bats

5.20 Different species of bat have been found to react differently to night-time lighting however research has found that generally, all species of bats are sensitive to artificial lighting and that excessive lighting can delay bats from emerging, thus shortening the time available for foraging, as well as causing individuals to move away from suitable foraging grounds or roost sites, to alternative dark areas (Jones, 2000). Bats can also become isolated from their foraging grounds if the linear features they use for commuting are suddenly illuminated, creating a light barrier (Fure, 2006).

5.21 Currently the site receives a high degree of light spill along the western elevation of Building 1. If any new lighting is required as part of the proposals this should seek to minimise any increased levels of light spill and devised in accordance with accepted best practice measures (Institute of Ecology and Environmental Management 2006, Institute of Lighting Engineers 2023). Outline measures are provided below. These will be detailed fully in the follow up bat survey report.

- * The level of artificial lighting including flood lighting should be kept to a minimum, with light spill limited on adjacent habitats;
- * recent LED technology should be utilised where possible. LED lights do not emit UV radiation, towards which insects are attracted, drawing them away from bat foraging areas in the surrounding landscape. All lights should be directed at a low angle with minimal light spillage wherever possible; and
- * the site boundaries to the south and east should be kept dark at bat emergence (0-1 hour after sunset) and during peak bat activity periods (e.g., 1.5 hours after sunset and 1.5 hours before sunrise). Therefore, where possible, if lighting is required this should be installed with the light directed down onto access areas wherever possible and lighting should be controlled through the use of PIR and/or timers.

Habitat Retention

5.22 Suitable fencing should be installed around the perimeter of the working area to ensure materials and machinery do not encroach into adjacent retained habitats.

Habitat Enhancement

5.23 New development offers the opportunity for biodiversity net gain in accordance with national and local planning policy. Recommendations for ecological enhancement are detailed below.

Post Development Landscaping

- 5.24 Post development landscaping should be carefully designed with biodiversity in mind.
- 5.25 Wildlife planting should be integral to the soft landscape plans and should include native species and/or species of recognised wildlife value⁴. The use of nectar-rich and berry producing plants will attract a wider range of insects, birds and mammals. Species should be carefully selected to ensure they are suitable for the area. Some species of known wildlife value are listed in Appendix E.
- 5.26 Good horticultural practice should be utilised, including the use of peat-free composts, mulches and soil conditioners, native plants with local provenance and avoidance of the use of invasive species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).
- 5.27 New shrub planting, to include night flowering species, should be incorporated throughout the garden as well as additional hedgerow planting along the retained hedgerow to improve the diversity of this feature. Additional planting will serve to improve connectivity between the site and the wider landscape for more mobile species including hedgehog, great crested newt, bats and badger and provide a more diverse foraging resource for a range of species.
- 5.28 New hedgerow planting should comprise at least three native species which could include (but not be limited to); hazel (*Corylus avellana*); guelder-rose (*Viburnum opulus*); dogwood; honeysuckle (*Lonicera periclymenum*); hornbeam (*Carpinus betulus*); pedunculate oak; and/or field maple (*Acer campestre*). Any new planting must be carefully selected to ensure that the species is suitable for the location.

Bird Boxes

- 5.29 Additional bird nesting provision could be incorporated into new design proposals. An external bird box could be installed on a suitable mature or semi-mature tree in the garden. There are a range of bird boxes on the market and various types are suitable for the site. The model selected should be suited for use by a range of garden birds and located at a height of at least 3m, ideally with a south-east or south-west facing aspect. A house sparrow terrace could also be fitted onto the building post works. This should be fitted at the eaves with an east or west aspect.

⁴ For example, The Royal Horticultural Society (RHS) Perfect for Pollinators Scheme <https://www.rhs.org.uk/science/conservation-biodiversity/wildlife/encourage-wildlife-to-your-garden/plants-for-pollinators> and the joint RHS/Wildlife Trust's Gardening with Wildlife in Mind Database <http://www.joyofplants.com/wildlife/home.php>

Bat Boxes

5.30 Details regarding bat box provision should be provided once the results of the bat surveys are known. These should be detailed in the subsequent bat report compiled for the site.

Other

5.31 It is recommended that an update habitat survey is undertaken if more than 18 months have elapsed between the survey and the point at which any development decisions have been made at the site.

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Appendix A

Target Notes and Photographs

Target Note (TN)	Feature	Photograph of Feature
1, 2	<p>Photograph 1: A view west looking towards the main building (B1). The front elevation will not be impacted as part of the works. The building as a whole has potential to support roosting bats, while mature shrubbery and boundary hedges in the garden have potential to support breeding birds.</p>	
2	<p>Photograph 2: Looking north towards Building 1 within the area subject to the extension works.</p>	
2	<p>Photograph 3: A view to the rear of the main building (B1) with the store building in the left of the photograph (B2).</p>	

Target Note (TN)	Feature	Photograph of Feature
N/A	<p>Photograph 4: A view of the summerhouse which is to be removed to facilitate the extension works.</p>	 <p>01.05.2025 16:00</p>
1	<p>Photograph 5: Looking east across the managed garden in the south of the site. The majority of the garden will be retained; located outside the working footprint. Trees and boundary hedgerows (al to be retained) have potential to support breeding birds.</p>	 <p>01.05.2025 16:01</p>
1	<p>Photograph 6: A view of the southeast corner of the site; outside the working area) with the cemetery beyond the site to the south and east.</p>	 <p>01.05.2025 15:53</p>

Appendix B
Habitat Survey Map

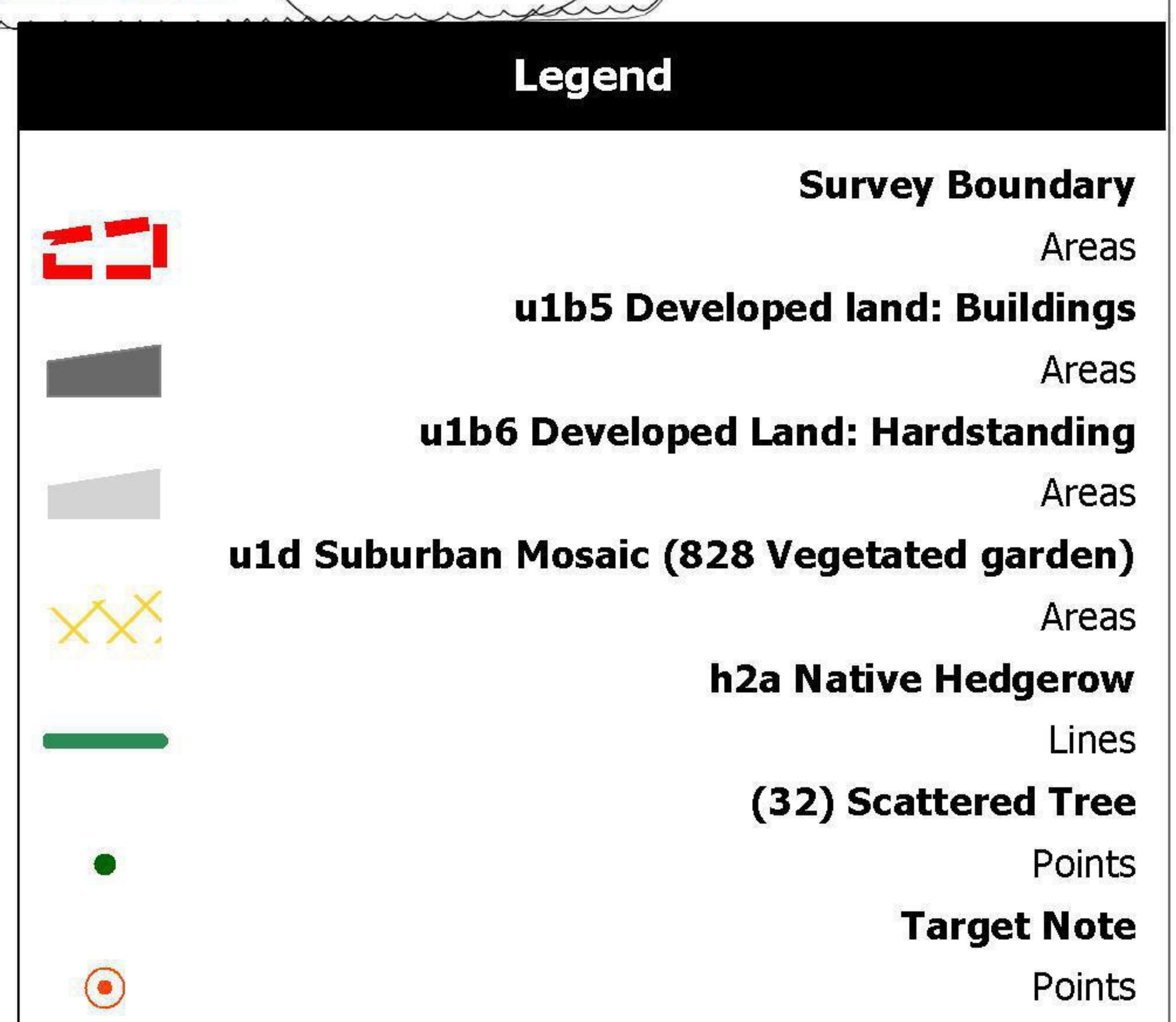
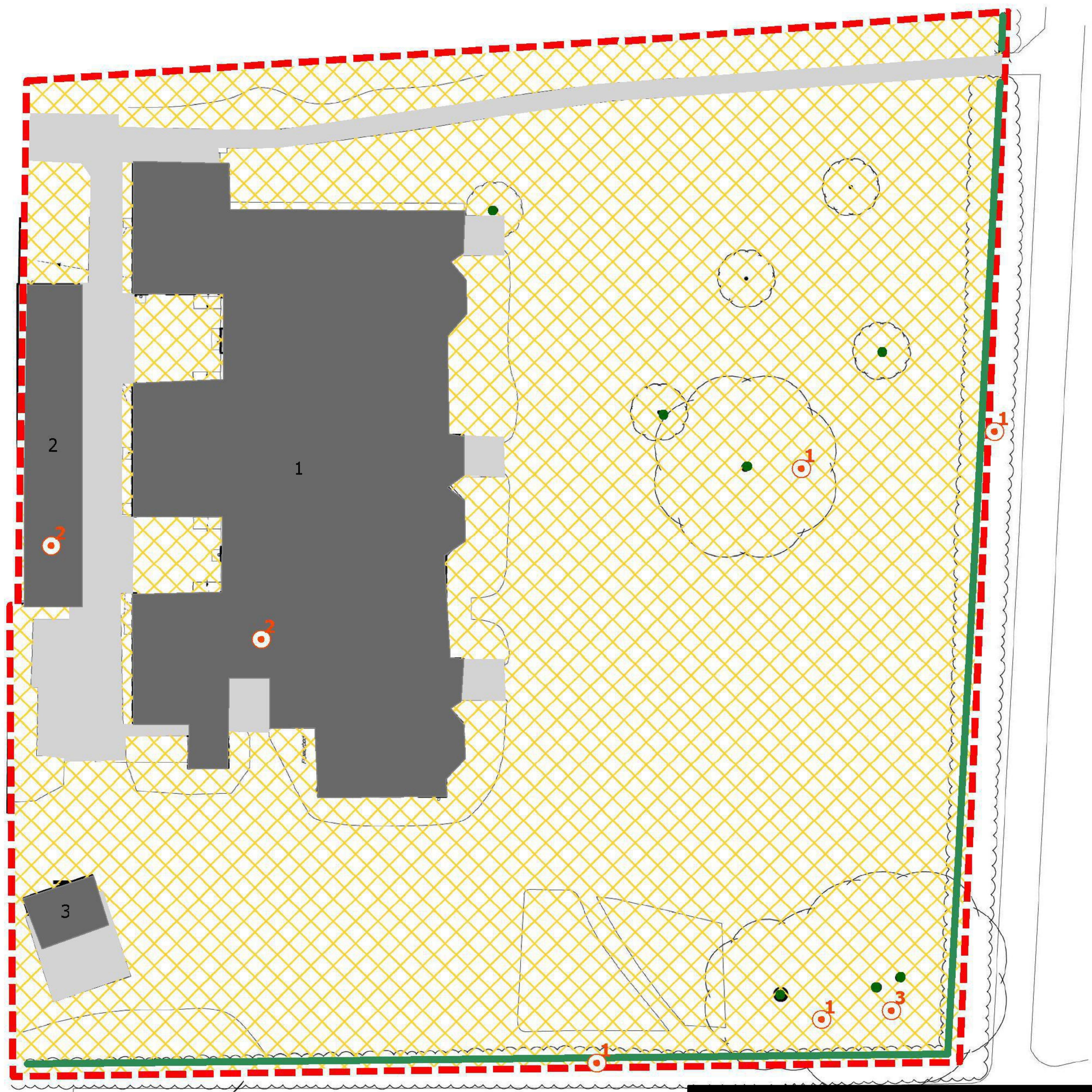


Figure 1: Cuckfield Cottage Homes Habitat Survey Map

Drawn by: CT
 Date: 21/07/2025
 Scale: See Map

Appendix C

Legislation

LEGISLATIVE FRAMEWORK

This section contains information pertaining to the legislation and planning policy applicable in Britain. This information is not applicable to Northern Ireland, the Republic of Ireland the Isle of Man or the Channel Islands. Information contained in the following appendix is provided for guidance only.

Species

The objective of The Conservation of Habitats and Species Regulations 2017 (as amended) (formerly The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) and The Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (as amended) is to conserve plants and animals which are considered to be rare across Europe.

The Wildlife and Countryside Act 1981 (as amended) implements the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and also implements the obligations set out for species protection from the Council Directive 2009/147/EC (formerly 79/409/EEC) on the Conservation of Wild Birds (EC Birds Directive) in Great Britain.

Various amendments have been made since the Wildlife & Countryside Act came into force in 1981. Further details pertaining to alterations of the Act can be found on the following website: www.opsi.gov.uk. Key amendments have been made through the Countryside and Rights of Way (CRoW) Act (2000) and Nature Conservation (Scotland) Act 2004.

There are a number of other legislative Acts affording protection to species and habitats. These include

- * Countryside and Rights of Way (CRoW) Act 2000
- * Deer Act 1991
- * Natural Environment & Rural Communities (NERC) Act 2006
- * Protection of Badgers Act 1992
- * Wild Mammals (Protection) Act 1996

Badger

Badgers and their setts are protected under the Protection of Badgers Act (1992), which consolidated and added to the previous Badger Acts of 1973 and 1991. Under this legislation it is an offence to:

- * cruelly ill-treat a badger, including use of tongs and digging;
- * intentionally or recklessly cause a dog to enter a badger sett;

- * intentionally or recklessly damage, destroy or obstruct access to a badger sett¹ or any part thereof;
- * intentionally or recklessly disturb² a badger when it is occupying a badger sett;
- * possess or control a dead badger or any part of a badger;
- * sell or offers for sale, possesses or has under his control, a live badger; and
- * wilfully kill, injure, take, or attempt to kill, injure or take a badger.

A Development Licence will be required from Natural England for any development works affecting an active badger sett, or to disturb badgers while individuals are occupying the sett. Depending on the nature of the works and the specifics of the sett, badgers could be disturbed by work near the sett even if there is no direct interference or damage to the sett itself. Natural England has issued guidelines on what constitutes a licensable activity. There is no provision in law for the capture of badgers for development purposes and therefore it is not possible to obtain a licence to translocate badgers from one area to another.

Bats

Bats are protected under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended). This act protects individuals from:

- * intentional or reckless disturbance (at any level);
- * intentional or reckless obstruction of access to any place of shelter or protection; and
- * selling, offering or exposing for sale, possession or transporting for purpose of sale

In addition, all species of bat are fully protected under The Conservation of Habitats and Species Regulations 2017 (as amended) through their inclusion on Schedule 2. Regulation 41 prohibits:

- * deliberate killing, injuring or capturing of Schedule 2 species (all bats);
- * deliberate disturbance of bat species as to impair their ability:
 - (i) to survive, breed, or reproduce, or to rear or nurture young; and
 - (ii) to hibernate or migrate.

¹ A badger sett is defined in the legislation as "*any structure or place which displays signs indicating current use by a badger*". This includes seasonally used setts. Natural England (2009) have issued guidance on what is likely to constitute current use of a badger sett: www.naturalengland.org.uk/Images/WMLG17_tcm6-11815.pdf

² For guidance on what constitutes disturbance and other licensing queries, see Natural England (2007) Badgers & Development: A Guide to Best Practice and Licensing. www.naturalengland.org.uk/Images/badgers-dev-guidance_tcm6-4057.pdf, Natural England (2009) Interpretation of 'Disturbance' in relation to badgers occupying a sett www.naturalengland.org.uk/Images/WMLG16_tcm6-11814.pdf, Scottish Natural Heritage (2002) Badgers & Development.

www.snh.org.uk/publications/online/wildlife/badgersanddevelopment/default.asp and Countryside Council for Wales (undated) Badgers: A Guide for Developers. www.ccw.gov.uk.

- * deliberate disturbance of bat species as to affect significantly the local distribution or abundance of the species;
- * damage or destruction of a breeding site or resting place; and
- * keeping, transporting, selling, exchanging or offering for sale whether live or dead or of any part thereof.

A Protected Species Mitigation Licence (PSML) issued by Natural England will be required for works liable to affect a bat roost or for operations likely to result in a level of disturbance which might impair their ability to undertake activities listed above. A licence is required to allow derogation from the relevant legislation but also to enable appropriate mitigation measures to be put in place and monitored.

Breeding Birds

Under the Wildlife & Countryside Act, 1981 (as amended), a wild bird is defined as any bird of a species that is resident in or is a visitor to the European Territory of any member state in a wild state. Game birds, however, are not included in this definition (except for limited parts of the Act). They are covered by the Games Acts, which fully protect them during the closed season.

Under the Wildlife & Countryside Act, 1981 (as amended), all birds, their nests and eggs are protected under Sections 1-8 of the Act and it is an offence, with certain exceptions, to:

- * intentionally (or recklessly in Scotland) kill, injure or take any wild bird;
- * intentionally (or recklessly in Scotland) take, damage or destroy (or, in Scotland, otherwise interfere with) 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 one's possession or control any wild bird, dead or alive, or any part of a wild bird, which has been taken in contravention of the Act;
- * have in one's possession or control any egg or part of an egg which has been taken in contravention of the Act;
- * use traps or similar items to kill, injure or take wild birds;
- * have in one's possession or control any bird (dead or alive) unless registered, and in most cases ringed, in accordance with the Secretary of State's regulations; and
- * in Scotland only, intentionally or recklessly obstruct or prevent any wild bird from using its nest.

Certain rare species receive additional special protection under Schedule 1 of the Act. This affords them protection against:

- * intentional or reckless disturbance while it is building a nest or is in, on or near a nest containing eggs or young;

- * intentional or reckless disturbance of dependent young of such a bird;
- * in Scotland only, intentional or reckless disturbance whilst lekking; and
- * in Scotland only, intentional or reckless harassment.

The British Trust for Ornithology (BTO) has a list of birds that are Species of Conservation Concern. These birds are not legally protected but where they are found on site they should be given planning consideration. The criteria for birds listed as amber (medium conservation concern) include:

- * historical population decline during 1800-1995, but recovering: population has more than doubled over last 25 years;
- * moderate (25-49%) decline in UK breeding population over last 25 years;
- * moderate (25-49%) contraction of UK breeding range over last 25 years;
- * moderate (25-49%) decline in UK non-breeding population over last 25 years;
- * species with unfavourable conservation status in Europe (Species of conservation Concern);
- * five year mean of breeding pairs in the UK;
- * $\geq 50\%$ of UK breeding population in 10 or fewer sites.
- * $\geq 50\%$ of UK non-breeding population in 10 or fewer sites;
- * $\geq 20\%$ of European breeding population in UK; and
- * $\geq 20\%$ of NW European (wildfowl), East Atlantic Flyway (waders) or European (others) non breeding populations in UK.

Hazel Dormouse

The hazel dormouse (*Muscardinus avellanarius*) is fully protected under The Conservation of Habitats and Species Regulations 2017 through its inclusion on Schedule 2. Regulation 41 prohibits:

- * deliberate killing, injuring or capturing;
- * deliberate disturbance as to impair its ability:
 - (i) to survive, breed, or reproduce, or to rear or nurture young; and
 - (ii) to hibernate or migrate.
- * deliberate disturbance as to affect significantly the local distribution or abundance of the species;
- * damage or destruction of a breeding site or resting place; and
- * keeping, transporting, selling, exchanging or offering for sale whether live or dead or of any part of this species.

The hazel dormouse is also currently protected under the Wildlife and Countryside Act 1981 (as amended) through its inclusion on Schedule 5. Under this Act, this species is additionally protected from:

- * intentional or reckless disturbance;
- * intentional or reckless obstruction of access to any place of shelter or protection; and
- * selling, offering or exposing for sale, possession or transporting for purpose of sale.

A Protected Species Mitigation Licence (PSML) issued by Natural England will be required for works liable to affect dormouse breeding or resting places (N.B. this is usually taken to mean dormouse 'habitat') or for operations likely to result in a level of disturbance which might impair their ability to undertake those activities mentioned above. The licence will allow derogation from the relevant legislation but will also enable appropriate mitigation measures to be put in place and monitored.

Herpetofauna (Reptiles and Amphibians)

The following species receive full protection under The Conservation of Habitats and Species Regulations 2017 (as amended) through their inclusion on Schedule 2.

- * sand lizard (*Lacerta agilis*);
- * smooth snake (*Coronella austriaca*);
- * natterjack toad (*Epidalea calamita*);
- * great crested newt (*Triturus cristatus*); and
- * pool frog (*Pelophylax lessonae*).

Under this legislation, Regulation 41 prohibits:

- * deliberate killing, injuring or capturing of species listed on Schedule 2;
- * deliberate disturbance of any Schedule 2 species as to impair their ability:
 - (i) to survive, breed, or reproduce, or to rear or nurture young; and
 - (ii) to hibernate or migrate.
- * deliberate disturbance of any Schedule 2 species as to affect significantly the local distribution or abundance of the species;
- * deliberate taking or destroying of the eggs of a Schedule 2 species;
- * damage or destruction of a breeding site or resting place; and
- * keeping, transporting, selling, exchanging or offering for sale whether live or dead or of any part of a species.

With the exception of the pool frog, these species are also currently listed on Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Under this Act, they are additionally protected from:

- * intentional or reckless disturbance (at any level);
- * intentional or reckless obstruction of access to any place of shelter or protection; and
- * selling, offering or exposing for sale, possession or transporting for purpose of sale.

Other native species of herpetofauna are protected solely under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended). These species include:

- * adder (*Vipera berus*);
- * grass snake (*Natrix natrix*);
- * common lizard (*Zootoca vivipara*); and
- * slow-worm (*Anguis fragilis*).

Under this legislation, for these species it is prohibited under Section 9(1) & (5) to:

- * intentionally (or recklessly in Scotland) kill or injure these species
- * sell, offer or expose for sale, possess or transport for purpose of sale these species, or any part thereof.

The following species are listed in respect to Section 9(5) of Schedule 5 of the Wildlife & Countryside Act 1981 (as amended) which only affords them protection against sale, offering or exposing for sale, possession or transport for the purpose of sale:

- * common frog (*Rana temporaria*);
- * common toad (*Bufo bufo*);
- * smooth newt (*Lissotriton vulgaris*); and
- * palmate newt (*L. helveticus*).

Water Vole

The water vole (*Arvicola amphibius*) (=terrestris) is fully protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). This makes it an offence to:

- * intentionally kill, injure or take (capture) this species;
- * intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection;
- * intentionally or recklessly disturb water voles while they are occupying a structure or place used for shelter or protection; and

- * sell, offer or expose for sale, or have in his possession or transport for the purpose of sale, any live or dead water vole or part of this species.

Where development works are liable to affect habitats known to support water voles, Natural England must be consulted. All alternative design options must have been explored and communicated to Natural England in order to demonstrate that works have tried to avoid contravening the legislation e.g. the use of alternative sites, appropriate timing of works to avoid times of the year in which water voles are most vulnerable etc. Conservation licences for the capture and translocation of water voles may be issued by Natural England for the purpose of development activities if it can be shown that the activity has been properly planned and executed and thereby contributes to the conservation of the population.

Otter

Otters (*Lutra lutra*) are fully protected under The Conservation of Habitats and Species Regulations 2017 through their inclusion on Schedule 2. Regulation 41 prohibits:

- * deliberate killing, injuring or capturing of otters
- * deliberate disturbance as to impair their ability:
 - (i) to survive, breed, or reproduce, or to rear or nurture young; and
 - (ii) to hibernate or migrate.
- * deliberate disturbance as to affect significantly the local distribution or abundance of the species;
- * damage or destruction of a breeding site or resting place; and
- * keeping, transporting, selling, exchanging or offering for sale whether live or dead or of any part of this species.

Otters also receive protection under the Wildlife and Countryside Act 1981 (as amended) through their inclusion on Schedule 5. Under this Act, they are additionally protected from:

- * intentional or reckless disturbance (at any level);
- * intentional or reckless obstruction of access to any place of shelter or protection; and
- * selling, offering or exposing for sale, possession or transporting for purpose of sale.

A Protected Species Mitigation Licence (PSML) issued by Natural England will be required for works liable to affect breeding or resting places or for activities likely to result in a level of disturbance which might impair their ability to undertake those activities mentioned above. The licence is to allow derogation from the relevant legislation but also to enable appropriate mitigation measures to be put in place and monitored.

Red Squirrel

The red squirrel (*Sciurus vulgaris*) is fully protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). This makes it an offence to:

- * intentionally (or recklessly in Scotland) kill, injure or take (capture) red squirrels;
- * intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection;
- * intentionally or recklessly disturb this species while they are occupying a structure or place used for shelter; and
- * sell, offer or expose for sale, or have in his possession or transport for the purpose of sale, any live or dead red squirrel or part of this species.

White Clawed Crayfish

The white clawed crayfish (*Austropotamobius pallipes*) receives partial protection under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended). This species is protected under Sections 9(1) and 9(5), making it an offence to:

- * intentionally take/capture white-clawed crayfish; and
- * sell, offer or expose for sale, have in possession or transport for the purpose of sale, any live or dead white clawed crayfish or part of this species.

A conservation licence for the capture and translocation of crayfish may be issued for the purpose of development activities if it can be demonstrated that the activity has been carefully planned and this species considered. The activity must also demonstrate that it contributes to the conservation of the population.

Wild Mammals

All wild mammals are protected against intentional acts of cruelty under the Wild Mammals (Protection) Act 1996. Under this legislation it is an offence to:

- * mutilate, kick, beat, nail or otherwise impale, stab, burn, stone, crush, drown, drag or asphyxiate any wild mammal with intent to inflict unnecessary suffering.

To avoid possible contravention of this legislation, due care and attention should be taken when carrying out works that have the potential to impact any wild mammal as described above.

Plants

Wild plants are protected under the Wildlife and Countryside Act 1981 (as amended) which makes it an offence for an 'unauthorised' person to intentionally (or recklessly in Scotland) uproot wild plants. An authorised person can be the owner of the land on which the action is taken, or anybody authorised by them.

Some rare plant species also receive full protection under Schedule 8 of the Wildlife and Countryside Act 1981 (as amended). This prohibits:

- * intentionally (or recklessly in Scotland) picking, uprooting or destruction of any wild Schedule 8 species (or seed or spore attached to any such wild plant in Scotland only); and
- * selling, offering or exposing for sale, or possessing or transporting for the purpose of sale, any wild live or dead Schedule 8 plant species or parts.

In addition to the legislation outlined above, several plant species are fully protected under Schedule 5 of The Conservation of Habitats and Species Regulations 2017. Regulation 45 makes it an offence to:

- * deliberately pick, collect or destroy a wild Schedule 5 species; and
- * be in possession of, or control, transport, sell or exchange any wild live or dead Schedule 5 species or anything derived from it.

A Protected Species Mitigation Licence (PSML) issued by Natural England will be required for works liable to affect species of plant listed under The Conservation of Habitat and Species Regulations 2017.

Invasive Plant Species

Certain plants are listed on Part II of Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) in respect to Section 14(2). Species include:

- * Japanese knotweed (*Fallopia japonica*);
- * giant hogweed (*Heracleum mantegazzianum*);
- * Himalayan balsam (*Impatiens glandulifera*);
- * certain species of rhododendron (*Rhododendron* sp.); and
- * certain species of cotoneaster (*Cotoneaster* sp.).

Species listed are non-natives whose establishment or spread in the wild may be detrimental to native wildlife. Inclusion on Part II of Schedule 9 therefore makes it an offence to:

- * plant or otherwise cause these species to grow in the wild.

This legislation makes it an offence to cause species listed to grow in the wild. Therefore, if they are present on site and development activities have the potential to cause the further spread of these species to new areas, it will be necessary to ensure appropriate measures are in place to prevent this.

HABITATS

International Statutory Designations

- * Special Protection Areas (SPAs): Terrestrial SPA's are afforded protection by The Conservation of Habitats and Species Regulations 2017 (as amended) an offshore SPA's are afforded protection under The Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (as amended).
- * Special Areas of Conservation (SACs): These areas are designated under the same regulations as detailed for SPA's.
- * Ramsar sites: These areas are wetlands designated under the Convention on Wetlands of International Importance (1971). Wetlands can include areas of marsh, fen, water or peatland and may be natural or artificial, permanent or temporary. Ramsar sites are underpinned through prior notification as Sites of Special Scientific Interest (SSSIs) and as such receive statutory protection under the Wildlife & Countryside Act 1981 (as amended) with further protection provided by the Countryside and Rights of Way (CROW) Act 2000.

National Statutory Designations

- * Sites of Special Scientific Interest (SSSIs): These sites are designated by the countryside agencies (for example Natural England) under the Wildlife & Countryside Act 1981 (as amended). Prior to 1981 these were designated under the National Parks and Access to the Countryside Act 1949. Improved mechanisms for the protection of SSSIs have also been introduced by the Countryside and Rights of Way Act 2000 (in England and Wales).
- * National Nature Reserves: These sites are also designated by the countryside agencies under the Wildlife & Countryside Act 1981 (as amended).

Local Statutory Designations

- * 1949 Local Nature Reserves (LNRs): These sites are designated by local authorities under the National Parks and Access to the Countryside Act 1949. These are sites recognised for their wildlife or geological interest at a local level and are managed for nature conservation.

Non-Statutory Designations

- * Local Wildlife Sites: Areas of local conservation interest may be designated by local authorities. The terminology for these sites varies depending on the county. They can be called Sites of Nature Conservation Importance (SNCI's), Sites of Importance for Nature Conservation (SINCs), County Wildlife Sites (CWS), Listed Wildlife Sites (LWS), Local Nature Conservation Sites (LNCS), Sites of Biological Importance (SBIs). The designation criteria may vary between counties. Local Wildlife Sites are of material consideration when planning applications are being determined.
- * The Hedgerow Regulations 1997: These have been compiled to protect 'important' countryside hedgerows from damage or removal. A hedgerow is considered important if (a) has existed for 30 years or more; and (b) satisfies at least one of the criteria listed in Part II of Schedule 1 of the Regulations. Under the Regulations, it is against the law to remove or destroy certain hedgerows without permission from the local planning authority. Hedgerows covered by these regulations include those on or adjacent to common land, SSSIs (including all terrestrial SACs, NNRs and SPAs), LNRs, land used for agriculture or forestry and land used for the keeping or breeding of horses, ponies or donkeys.

National Planning Policy

The National Planning Policy Framework (2024) replaces former NPPF and PPS9 documents and emphasises the need for sustainable development. The Framework specifies the need for protection of designated sites and priority habitats and priority species. An emphasis is also made for the need for ecological networks through preservation, restoration and re-creation. The protection and recovery of priority species is also included as a requirement of planning policy. In determining a planning application, planning authorities should aim to conserve and enhance biodiversity by ensuring that: designated sites are protected from adverse harm; appropriate mitigation or compensation measures are in place where significant harm cannot be avoided; opportunities to incorporate biodiversity in and around developments are encouraged; and planning permission is refused for development resulting in the loss or deterioration of irreplaceable habitats including aged or veteran trees and also ancient woodland.

Regional and Local Planning Policy

The Mid Sussex District Plan 2014-2031 and the Mid Sussex Local Plan 2004 (saved policies) contain the following Nature Conservation Policies that are relevant to the site.

Mid Sussex District Plan 2014-2031

- * DP37: Trees, Woodland and Hedgerows

'The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected. Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted. Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose.

Trees, woodland and hedgerows will be protected and enhanced by ensuring development:

- * *incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme;*
- * *prevents damage to root systems and takes account of expected future growth;*
- * *where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management;*
- * *has appropriate protection measures throughout the development process;*
- * *takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change;*
- * *does not sever ecological corridors created by these assets.*

Proposals for works to trees will be considered taking into account:

- * *the condition and health of the trees;*
- * *the contribution of the trees to the character and visual amenity of the local area;*
- * *the amenity and nature conservation value of the trees;*
- * *the extent and impact of the works; and*
- * *any replanting proposals.*

The felling of protected trees will only be permitted if there is no appropriate alternative. Where a protected tree or group of trees is felled, a replacement tree or group of trees, on a minimum of a 1:1 basis and of an appropriate size and type, will normally be required. The replanting should take place as close to the felled tree or trees as possible having regard to the proximity of adjacent properties.

Development should be positioned as far as possible from ancient woodland with a minimum buffer of 15 metres maintained between ancient woodland and the development boundary.'

- * DP38: Biodiversity

'Biodiversity will be protected and enhanced by ensuring development:

- * *Contributes and takes opportunities to improve, enhance, manage and restore biodiversity and green infrastructure, so that there is a net gain in biodiversity, including through creating new designated sites and locally relevant habitats, and incorporating biodiversity features within developments; and*
- * *Protects existing biodiversity, so that there is no net loss of biodiversity. Appropriate measures should be taken to avoid and reduce disturbance to sensitive habitats and species. Unavoidable damage to biodiversity must be offset through ecological enhancements and mitigation measures (or compensation measures in exceptional circumstances); and*
- * *Minimises habitat and species fragmentation and maximises opportunities to enhance and restore ecological corridors to connect natural habitats and increase coherence and resilience; and*
- * *Promotes the restoration, management and expansion of priority habitats in the District; and*
- * *Avoids damage to, protects and enhances the special characteristics of internationally designated Special Protection Areas, Special Areas of Conservation; nationally designated Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty; and locally designated Sites of Nature Conservation Importance, Local Nature Reserves and Ancient Woodland or to other areas identified as being of nature conservation or geological interest, including wildlife corridors, aged or veteran trees, Biodiversity Opportunity Areas, and Nature Improvement Areas.*

Designated sites will be given protection and appropriate weight according to their importance and the contribution they make to wider ecological networks.

Valued soils will be protected and enhanced, including the best and most versatile agricultural land, and development should not contribute to unacceptable levels of soil pollution.'

Local Plan- Saved Policies

- * C6
'Development resulting in the loss of woodlands, hedgerows and trees which are important in the landscape, or as natural habitats, or historically, will be resisted.'

Regional and Local BAPs

Many local authorities in the UK have produced a local Biodiversity Action Plan (LBAP) at the County or District level and a series of Local Nature Recovery Strategies are also being devised for different counties/regions which will supersede the (LBAP). Local Nature Recovery Strategies (LNRS) are a statutory requirement from the Environment Act 2021. Their aim is to identify and protect the important places for nature that are left, and identify the opportunities to restore or create habitats, where this can have the most benefit for wildlife and people. The strategies will help to target future effort and funding.

Appendix D

Plant Species List

Scientific nomenclature follows Stace (2010) for vascular plant species and British Bryological Society (BBS) Special Volume No. 5 *English Names for British Bryophytes* for bryophyte species. Vascular plant common names follow the Botanical Society of the British Isles 2003 list, published on its web site, www.bsbi.org.uk. The plant species list was generated as part of a Phase 1 Habitat survey and does not constitute a full botanical survey.

Abundance was estimated using the DAFOR scale as follows:

D = dominant, A = abundant, F = frequent, O = occasional, R = rare.

Key to qualifiers: c=clumped, e=edge only, g=garden origin, p=planted, y = young, s=seedling or sucker, t=tree, h=hedge, w=water. L = locally i.e. LD=locally dominant.

COMMON NAME	SCIENTIFIC NAME	ABUNDANCE	QUALIFIER
African lily	<i>Agapanthus</i> sp.	R	P
Annual meadow-grass	<i>Poa annua</i>	O	
Biting stonecrop	<i>Sedum acre</i>	R	P
Bristly ox-tongue	<i>Helminthotheca echioides</i>	R	
Buddleia	<i>Buddleja davidii</i>	O	P
Camellia	<i>Camellia</i> sp.	O	P
Cherry	<i>Prunus</i> sp.	R	T
Clematis	<i>Clematis</i> sp.	O	P
Cock's-foot	<i>Dactylis glomerata</i>	F	
Columbine	<i>Aquilegia vulgaris</i>	O	P
Common bird's-foot-trefoil	<i>Lotus corniculatus</i>	O	
Creeping buttercup	<i>Ranunculus repens</i>	O	
Croscuses	<i>Crocus</i> spp.	O	P
Daffodil	<i>Narcissus</i> sp.	R	P
Daisy	<i>Bellis perennis</i>	O	
Dandelion	<i>Taraxacum</i> sp.	O	
Dogwood	<i>Cornus sanguinea</i>	R	T
Fescues	<i>Festuca</i> spp.	O	
Forget-me-not	<i>Myosotis</i> sp.	R	P

Garden privet	<i>Ligustrum ovalifolium</i>	O	P
Germander speedwell	<i>Veronica chamaedrys</i>	R	
Goldenrods	<i>Solidago spp.</i>	R	P
Grape-vine	<i>Vitis vinifera</i>	O	P
Hawthorn	<i>Crataegus monogyna</i>	O	H
Holly	<i>Ilex aquifolium</i>	O	H
Hosta	<i>Hosta sp.</i>	R	P
Hydrangea	<i>Hydrangea sp.</i>	O	P
Iris	<i>Iris sp.</i>	O	P
Ivy	<i>Hedera helix</i>	R	H
Magnolia	<i>Magnolia soulangiana</i>	R	T
Mallow	<i>Malva sp.</i>	R	P
Pendulous sedge	<i>Carex pendula</i>	R	P
Peony	<i>Paeonia mascula</i>	O	P
Peony	<i>Peony sp.</i>	O	P
Perennial rye-grass	<i>Lolium perenne</i>	F	
Poppy	<i>Papaver sp.</i>	R	P
Purple toadflax	<i>Linaria purpurea</i>	R	P
Rhododendron	<i>Rhododendron ponticum</i>	R	P, C
Rhododendrons	<i>Rhododendron spp.</i>	R	P, C
Rose	<i>Rosa sp.</i>	O	LA, P
Rose-of-Sharon	<i>Hypericum calycinum</i>	O	P
Snowdrop	<i>Galanthus nivalis</i>	O	P
Spanish bluebell	<i>Hyacinthoides hispanica</i>	R	P
Speedwell	<i>Veronica sp.</i>	O	

Spurge	<i>Euphorbia sp.</i>	O	P
Stonecrop	<i>Sedum sp.</i>	O	P
Viburnum	<i>Viburnum sp.</i>	R	T
Violet	<i>Viola sp.</i>	R	P
Yew	<i>Taxus baccata</i>	R	T

Appendix E

Suggested Compensatory Planting

This section provides a list of plants which are of proven value to wildlife. The list is not exhaustive and merely provides a guide for suggested planting for wildlife value. Planting should be tailored on a site by site basis. The list includes some native and ornamental species however the emphasis should always be on the use of predominantly native species.

N = Native, NN = Non-native.

This list includes species that may be harmful if handled or ingested. Schedule 9 (Part 2) of the Wildlife and Countryside Act, 1981 (as amended) includes a list of invasive plants, including aquatic species, that should always be avoided in planting schemes.

Large Shrubs

Hedge veronica/Hebe (*Veronica* spp.) NN

Hawthorn (*Crataegus monogyna*) N

Blackthorn (*Prunus spinosa*) N

Rose: dog rose (*Rosa canina*), field rose (*R. arvensis*), burnet rose (*R. pimpinellifolia*) N

California lilac (*Ceanothus* spp.), (*C. arborea*) NN

Wild privet (*Ligustrum vulgare*) N

Common holly (*Ilex aquifolium*) N

Barberry (*Berberis* spp.) (*B. darwinii*), (*B. thunbergii*), (*B. x stenophylla*) NN

Daisy Bush (*Olearia* spp.), (*O. x hastii*), (*O. macrodonta*) and (*O. traversii*) NN

Firethorn (*Pyracantha coccinea*) NN

Hazel (*Corylus avellana*) N (*C. maxima*) NN

Viburnum (*Viburnum* spp.), wayfaring tree (*V. lantana*) N, guelder rose (*V. opulus*) N, laurustinus (*V. tinus*) E Note: *V. lantana* can become invasive in more open habitats.

Butterfly bush (*Buddleja* spp.), (*B. alternifolia*), (*B. globosa*) NN

Dogwood (*Cornus sanguinea*) N

Broom (*Cytisus scoparius*) N

Escallonia (*Escallonia macrantha*) NN

Hardy fuchsia (*Fuchsia magellanica*) NN

Buckthorn (*Rhamnus cathartica*) N

Spindle (*Euonymus europaeus*) N

Tutsan (*Hypericum androsaemum*) N

Yew (*Taxus baccata*) N

Climbers

Jasmine (*Jasminum* spp.), summer jasmine (*J. officinale*), winter jasmine (*J. nodiflorum*) NN

Ivy (*Hedera helix*) N

Climbing hydrangea (*Hydrangea anomala* ssp. *petiolaris*) NN

Honeysuckle (*Lonicera* spp.) (*L. periclymenum*) N

Clematis (*Clematis* spp.) NN
Hop (*Humulus lupulus*) N
Firethorn (*Pyracantha atalantioides*) NN
Nasturtium (*Tropaeolum majus*) NN

Bulbs

English bluebell (*Hyacinthoides non-scripta*) N
Squill species (*Scilla* spp.) N/NN
Snowdrop (*Galanthus nivalis*) N
Winter aconite (*Eranthis hyemalis*) E
Crocus species (*Crocus* spp.) NN
Wild Daffodil (*Narcissus pseudonarcissus*) N
Onion species (*Allium* spp.) N/NN. N.B. *Allium triquetrum* (three cornered leek) and *Allium paradoxum* (few-flowered leek) are Schedule 9 invasive plant species.
Wood anemone (*Anemone nemorosa*) N
Lesser celandine (*Ficaria verna*) N