

PJC



PRELIMINARY ECOLOGICAL APPRAISAL

**57 The Broadway
Haywards Heath
West Sussex
RH16 3AS**

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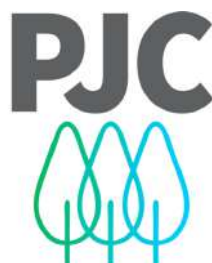
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1 EXECUTIVE SUMMARY

PJC Consultancy Ltd was commissioned by Robblewood Projects Ltd to provide a Preliminary Ecological Appraisal in support of the proposed development at 57 The Broadway, Haywards Heath, West Sussex, RH16 3AS. The purpose was to classify the habitats present, highlight the potential of the site to support protected species, and recommend suitable avoidance, mitigation, compensation and ecological enhancement measures where appropriate. When implemented successfully, these recommendations will ensure that the development proceeds in line with all relevant laws pertaining protected species and their habitats, as well as contributing to an increase in site biodiversity. This report has been produced in accordance with the National Planning Policy Framework (NPPF) (2024) – more specifically Chapter 15 ‘Conserving and Enhancing the Natural Environment’ as well as the Mid Sussex District Plan 2014 – 2031 (Mid Sussex District Council, 2018).

Based on current proposals, the results of the Preliminary Ecological Appraisal can be summarised in the following table:

Protected Species/Habitats	Suitable Habitat Present	Recommended Further Surveys	Ecological Mitigation
Bats (Roosting)	Building B1 was identified as having low suitability to support roosting bats in the summer. The basement of the building was also identified as having low suitability for hibernating bats.	A single bat emergence survey for summer roosts should be undertaken between May and August inclusive. No surveys for hibernating bats are considered necessary, providing the mitigation measures are adhered to.	Further requirements for mitigation, compensation and/or licences may be required for bats depending on the results of the recommended further surveys. Any demolition or construction works within the basement of building B1 must be undertaken outside of the core hibernation period (November to March inclusive).
	Tree T6 was identified as having PRF-I suitability to support roosting bats.	None required providing the avoidance and mitigation measures are adhered to.	An aerial roost inspection of tree T6 should be undertaken immediately prior to felling or pruning (if required) by either by a suitability licenced ecologist, or under the supervision of a suitability licenced ecologist.
Bats (Foraging and Commuting)	The Site was identified as having low habitat suitability to support commuting and foraging bats.	None required providing the avoidance and mitigation measures are adhered to.	A sensitive lighting mitigation strategy should be adhered to throughout all phases of the proposed development.
Nesting Birds	The Site was identified as having	None required providing the avoidance and	Habitat clearance works should be undertaken outside the main nesting bird season (March to



	potential to support nesting birds.	mitigation measures adhered to.	are	September inclusive). Should this not be possible, all trees and hedgerows must be inspected by an ecologist to determine the presence/absence of any nesting birds immediately prior to clearance.
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2 INTRODUCTION

2.1 Instruction

- 2.1.1 PJC Consultancy Ltd was commissioned by Robblewood Projects Ltd to provide a preliminary ecological appraisal (PEA) which includes an ecological walkover survey and a daytime bat walkover (DBW) survey in support of the proposed development at 57 The Broadway, Haywards Heath, West Sussex, RH16 3AS (hereafter referred to as the 'Site').

2.2 Survey Objectives

- 2.2.1 The aim of this PEA is to identify potential ecological constraints and opportunities associated with the Site by undertaking both an ecological walkover survey, ecological desk study and DBW survey. The objectives were to:
- Identify the broad habitat types present on the Site;
 - Identify the potential of the Site to support protected and notable habitats and/or species;
 - Identify the potential of any trees and buildings within the Site to support roosting bats;
 - Highlight known or potential legal or planning policy constraints in relation to ecology and recommend avoidance, mitigation and enhancement measures to satisfy legal and planning requirements where appropriate; and
 - Identify, where necessary, the requirement for further survey.

2.3 Documents and Information Provided

- 2.3.1 Development proposals are anticipated to include an extension to the rear of the building along with the removal of the existing roof to allow for an upward extension at the frontage.
- 2.3.2 The following documents were used to aid the preparation of this report:
- 57 Broadway Pre-application Document (ECE Architecture August 2025);
 - Proposed Sketch Plans - Sheet 1. Drawing number SK02 (ECE Architecture August 2025); and
 - Topographical Survey, Drawing number RM1293-01 (Ross Mason Surveyors July 2025).

2.4 Scope of Report

- 2.4.1 This PEA is only concerned with the habitats and features within the property boundaries of the Site, or in areas that have the potential to be affected by the proposed new development.

2.5 Site Description

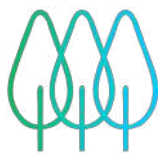
The Site, approximately 0.04ha in size, lies within the town of Haywards Heath, west of The Broadway (centred on OS Grid Reference TQ32994 24091). The Site is bordered by retail and residential premises on the northern and southern extents. The western extent of the Site is bordered by a densely vegetated railway embankment lined with mature trees. The wider landscape is predominantly comprised of residential and commercial properties. The location of the Site within its environs is presented in Appendix I.

2.6 Legislation and Planning Policy

- 2.6.1 This PEA has been compiled with reference to relevant wildlife and countryside legislation, planning policy and the UK Biodiversity Framework. Their context and applicability is explained as appropriate in the relevant sections of the report and additional details are presented in Appendix II.
- 2.6.2 The key articles of relevance are:
- The Conservation of Habitats and Species (Amendment) Regulations 2017;



- The Environment Act 2021;
- The Wildlife and Countryside Act 1981, as amended (WCA);
- The Countryside and Rights of Way (CROW) Act 2000;
- The Natural Environment and Rural Communities (NERC) Act 2006;
- National Planning Policy Framework (NPPF) 2024 (Ministry of Housing, Communities and Local Government, 2024);
- The Protection of Badgers Act 1992;
- The UK Post-2010 Biodiversity Framework (2011-2020); and
- Mid Sussex District Plan 2014 – 2031 (Mid Sussex District Council, 2018).



3 METHODOLOGY

3.1 Desk Study

- 3.1.1 A desk study was undertaken in November 2025 with the objective of collating and reviewing existing ecological information, and obtaining data and information held by relevant third parties.
- 3.1.2 In addition, datasets from Natural England (MAGIC, 2025) were reviewed to identify the presence of UK statutory designated sites and notable habitats within the zone of influence, including woodlands listed on the ancient woodland inventory, habitats of principal importance (HPI) listed on the priority habitat inventory and statutory designated for their nature conservation value at the national scale such as sites of scientific interest (SSSI) and at the European and/or international scale namely: special areas of conservation (SACs), special protection areas (SPAs), and internationally designated wetland (Ramsar) sites. These sites collectively are hereafter referred to as 'European Sites'. Where measurements are included with the record, these provide the distance of the designated site from the closest point of the Site
- 3.1.3 Data for sites within the zone of influence where European Protected Species Mitigation (EPSM) licences have been granted, were also reviewed. This information allows a greater understanding of the potential for European protected species to be present in the local area.
- 3.1.4 The zone of influence is the area over which ecological features, such as designated sites of nature conservation importance and protected and notable habitats and species, may be affected by the biophysical changes caused by the proposed development and associated activities. Due to the size of the Site and nature of the proposed development, it is considered that a zone of 1km from the centre of the Site is appropriate for the gathering of information for the desk study (CIEEM, 2018).

3.2 Ecological Walkover Survey

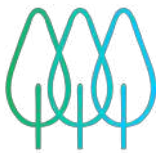
- 3.2.1 An ecological walkover survey (formerly referred to as 'extended phase 1 habitat survey') was undertaken on the 19th November 2025 by David Blagden BSc(Hons) assisted by Naomi Cornwell BSc(Hons) MSc (Natural England class one licence holder for bats). As part of the ecological walkover survey, habitats were identified and mapped in accordance with 'UK Habitat Classification 2.0' (UKHab Ltd, 2023) (Appendix III).
- 3.2.2 UK Habitat Classification 2.0 comprises a five-level 'Primary Habitat Hierarchy' and a list of 'Secondary Codes', the latter is sub-divided into Essential and Additional Codes. For the purpose of this assessment, habitats have been allocated a single Primary Habitat Code up to Level 4 as well as all associated Essential Secondary Codes, and where relevant Additional Secondary Codes.
- 3.2.3 The ecological walkover survey was extended to include consideration of protected and notable species in accordance with good practice guidance for preliminary ecological appraisal (CIEEM, 2017). The dominant plant species in each habitat were recorded, as were any evidence of protected and notable species. The potential for the Site to support protected and notable species was also assessed. Those ecological features not classified as a habitat are denoted using a target note.

3.3 Daytime Bat Walkover Survey

- 3.3.1 All buildings and trees within the Site were also subject to a DBW survey. The external and internal inspection of the buildings and ground inspection of trees was to assess potential roosting features (PRFs) such as those presented in Tables 1 and 2. The DBW survey was undertaken in accordance with best practice survey standards (Collins, 2023 and BTHK, 2018).

Table 1: Features of trees commonly used by bats.

Features of trees used as bat roosts	Signs indicating possible use by bats
Natural holes.	Tiny scratches around entry point.



Woodpecker holes.	Staining around entry point.
Cracks/splits in major limbs.	Bat droppings in, around or below entrance.
Loose bark.	Audible squeaking at dusk or in warm weather.
Hollows/cavities.	Flies around entry point.
Dense epicormic growth (bats may roost within it).	Distinctive smell of bats.
Bird and bat boxes.	Smoothing of surfaces around cavity.

Table 2: Features of buildings commonly used by bats.

Features of building or built structure	Signs indicating possible use by bats
Type of building.	Tiny scratches around entry point.
Age of building.	Staining around entry point.
Aspect of PRF.	Bat droppings in, around or below entry point.
Wall construction – cavity walls or rubble-filled walls.	Feeding remains below entry point.
Form of the roof – presence of gable ends, hipped roofs, nature and condition of the roof covering.	Cobweb free potential entry points.
Presence of hanging tiles, weather boarding or other forms of cladding.	Audible squeaking at dusk or in warm weather.
Nature of the eaves – sealed by a soffit or boxed eave and tightness of fit to exterior walls.	Flies around entry point.
Presence and condition of lead flashing.	Distinctive smell of bats.
Gaps under eaves, around windows, under tiles, lead flashing.	Smoothing of surfaces around entry point.
Presence and type of roof lining.	
Presence on roof insulation.	

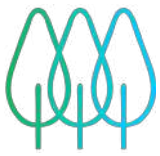
- 3.3.2 The buildings and trees were assessed in accordance with the criteria listed above and assigned to one of five categories as listed in Table 3 and Table 4 below.

Table 3: Categorisation system for visual inspection of trees.

Category	Description
None	A tree with no features capable of supporting roosting bats or highly unlikely to be any present.
FAR	Further assessment required to establish if any PRFs are present in the tree.
PRF	A tree with at least one PRF present.
PRF-I	Features considered suitable to support individual bats or very small numbers of bats either due to size or lack of suitable surrounding habitats.
PRF-M	Features considered suitable to support multiple bats and may therefore be used by a maternity colony.

Table 4: Categorisation system for visual inspection of structures.

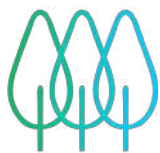
Category	Description
Confirmed roost	Bats discovered roosting within structure or recorded emerging from/entering structure at dusk and/or dawn. Structure found to contain conclusive evidence of occupation by bats, such as bat droppings. A confirmed record (as supplied by an established source such as the local bat group) would also apply to this category.
High suitability	A structure with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and



	potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat.
Moderate suitability	A structure with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status.
Low suitability	A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats.
Negligible suitability	A structure with no features capable of supporting roosting bats.

3.4 Limitations of Survey

- 3.4.1 The protected species assessment provides a preliminary view of the likelihood of protected species occurring on Site, based on the suitability of the habitat and any direct evidence on Site. It should not be taken as providing a full and definitive survey of any protected species group. Additional surveys may be recommended if, on the basis of this assessment it is considered reasonably likely that protected species may be present.
- 3.4.2 The habitats present, and their management are likely to change over time, thus the findings of the ecological walkover survey are only considered valid for a period of up to two years.
- 3.4.3 A full biological record centre desktop study was not undertaken as part of this assessment. This was not considered necessary given the limited scale of the proposed development, the nature of the on-site and surrounding habitats and limited potential for impacts to arise within or outside of the Site.
- 3.4.4 The ecological walkover survey was conducted at a sub-optimal time of year i.e. out of the peak growing/flowering season for most British plants. However, plant identification was undertaken using vegetative survey techniques and was sufficient to determine the broad habitat types as required in an ecological walkover survey.
- 3.4.5 This report includes a preliminary assessment of likely impacts of a development project only. The primary audience for a PEA is the client or developer and relevant members of the project team, such as the architect, planning consultant, and landscape architect. It is normally produced to inform a developer (or other client), and their design team, about the key ecological constraints and opportunities associated with a project, possible mitigation requirements and any detailed further surveys required. Under normal circumstances, it is not considered appropriate to submit a PEA in support of a planning application because the scope of a PEA is unlikely to fully meet planning authority requirements in respect of biodiversity policy and implications for protected species. In most cases, particularly when further surveys have been recommended within the PEA, a more detailed and comprehensive Ecological Impact Assessment (EclA) should be submitted in support of a planning application instead.
- 3.4.6 This document has been prepared for the stated proposal (2.3.1) and should not be relied upon or used for any other project without an additional check being carried out by the author as to its suitability in relation to any updated proposals. PJC Consultancy accepts no responsibility or liability for the consequence of this document being used for a purpose other than the purposes for which it was commissioned. PJC Consultancy accepts no responsibility or liability for this document to any party other than the person by whom it was commissioned.



4 RESULTS

4.1 Desk Study

Statutory Designated Sites

- 4.1.1 No statutory designated sites of nature conservation importance were identified within the zone of influence as part of the desk study.

Protected and Notable Habitats

- 4.1.2 Overall, three parcels of ancient woodland listed on the ancient woodland inventory were identified within the zone of influence as part of the desk study, the nearest being approximately 762m west of the Site
- 4.1.3 Overall, 26 parcels of HPI listed on the priority habitat inventory were identified within the zone of influence as part of the desk study. These habitats included broadly classified deciduous woodland and a pond.
- 4.1.4 The closest parcel of HPI was an area of broadly classified deciduous woodland located approximately 240m south of the Site.

Protected and Notable Species

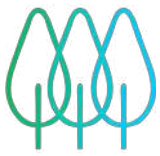
- 4.1.5 No EPSM licences granted in relation to protected species were identified within the zone of influence as part of the desk study.

4.2 Ecological Walkover Survey

- 4.2.1 Habitat types and descriptions and associated primary and secondary codes are provided in Table 5 below in accordance with UK Habitat Classification 2.0. The distribution of these habitats are presented in Appendix III, together with Site photographs, which are presented in Appendix IV.

Table 5: Habitat types present within the Site.

Habitat Type				
Level 2	Level 3	Level 4	Secondary Codes	Description
Urban (u)	Built-up areas and gardens (u1)	Developed land; sealed surface (u1b)	Buildings	The Site supported a semi-detached multistorey building (B1). A full description of the building is presented in Table 6 below.
			Bare Ground (510)	The western aspect of the Site comprised predominantly bare ground, with some small patches of vegetation growing amongst debris from the gutted building (B1). A concrete path bordered the building on its southern and western elevations and the eastern aspect of the Site consisted of a small parcel of paving slabs, opening onto the pavement of The Broadway road.
			Mature tree (203)	A mature sycamore <i>Acer pseudoplatanus</i> tree (T6) was recorded centrally on the southern extent of the Site, and a mature



				Norway maple (T7) was recorded on the pavement at the front of the property.
Heathland and shrub (h)	Hedgerows (h2)	Non-native and ornamental hedgerow (h2b)	Active management (516)	Boundary non-native hedgerows, measuring approximately 3.5m tall on the northern extent and 4m tall on the southern extent, were recorded in the western aspect of the Site. Both hedgerows measured approximately 1.5m wide, and 11m in length. Each lined their respective extents. The hedgerows were comprised primarily of garden privet <i>Ligustrum ovalifolium</i> with the exception of a single stand of holly <i>Ilex aquifolium</i> on the southern extent. The hedge appeared sparse and exhibited evidence of active management, particularly the northern hedgerow. The hedgerows were considered to be partially connected to the treelines lining the railway to the west of the Site.

4.3 Daytime Bat Walkover Survey

- 4.3.1 A description of the buildings and trees and any potential roosting features (PRF) are detailed in Tables 6 and 7 below:

Table 6: DBW survey results of buildings within the Site.

B1

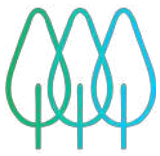
External Description

Building B1 was recorded as a disused (empty for approximately one year), semi-detached, two storey, brick-and-mortar high-street building. The roof was multi-pitched and constructed of slate/composite tiles. The tiles appeared to be in good condition where visible, with the exception of a lifted tile above a bay window on the eastern elevation. The building supported a painted timber soffit box which appeared to be in good condition apart from a damaged section on the eastern elevation. Plastic guttering which appeared in good condition was recorded on the eastern, southern, and western elevations. The southern and eastern elevations each had a dormer window with a flat roof. The face panel of the dormer on the eastern elevation had a small missing panel. The eastern dormer featured lead flashing on the side panelling which appeared to be in good condition. On the ground floor level of the southern elevation a circular bore hole, approximately 15cm in diameter, was recorded.

The western elevation had two doorways providing basement access. One was of uPVC construct, in good condition, the other had no door instead chipboard had been used to block access into the basement. Gaps around the chipboard provided internal access.

Internal Description

The roof void measured approximately 6m by 14m and 3m floor to apex at its highest point. Timber trusses, in good condition, supported a multi-pitched roof. Some areas of the roof had been lined with a membrane. However, the majority was unlined with the closed boarding beneath the roof tiles visible. Historically the void had been converted into living space, however, at the time of the survey the space had been stripped of the majority of its walls, ceilings, and some flooring. Before their removal the walls and ceilings appeared to have been of either plasterboard or lath and plaster



construct. Windows on the eastern, southern, and western elevations provided significant light ingress.

On the western elevation access to the basement level was through a uPVC door. The basement, measuring approximately 6m by 13m, consisted of a collection of partially partitioned walls, all of either brick and mortar or block and mortar construct. These had historically divided the basement into individual spaces. At the time of the survey the basement had been stripped of areas of wall, ceiling, and floorboards. Areas farthest inside the basement experienced very little light ingress. Light ingress increased in rooms nearest the western elevation. The western elevation experienced high levels of light ingress from a uPVC window, window panels in the door, and gaps around a sheet of boarding being used to block an unused doorway. The western half of the basement experienced high levels of light ingress from missing sections of flooring in the ground level above. This also provided access into the rest of the building. On the southern elevation light ingress was recorded from a circular hole, approximately 15cm in width. At ceiling level, the joists of the floor above were visible. These appeared in good condition. However, cavities were recorded throughout the basement where joists entered the walls. On the western elevation light ingress was recorded through a cavity where a joist passed through an external wall.

Evidence of Bats

None recorded at the time of the assessment.

Potential Roost Features

The lifted roof tile, damaged soffit box, and damaged dormer panelling could provide some limited roosting opportunities for crevice dwelling bats. The ground floor level circular bore hole was considered to potentially provide access into the basement and wall cavity, which could provide roosting opportunities for both crevice dwelling and free hanging bat species.

Gaps around the chipboard of the basement doorway provided internal access to the basement, and multiple gaps from missing mortar and timber joists, as well as a cool and stable temperature were considered to provide a suitable environment and potential roosting opportunities for hibernating bats.

Suitability to Support Roosting Bats

Low.

Table 7: DBW survey results of trees within or immediately adjacent the Site.

T6

Description

A mature sycamore, approximately 7m in height, was recorded on the southern extent of the Site.

Evidence of Bats

None recorded at the time of the assessment.

Potential Roost Features

Ivy cover on the trunk could provide potential roosting opportunities to crevice dwelling bat species.

Suitability to Support Roosting Bats

PRF-1



5 DISCUSSION AND RECOMMENDATIONS

5.1 Statutory Designated Sites

- 5.1.1 No statutory designated sites of nature conservation importance were identified within the zone of influence as part of the desk study. On this basis, no adverse impacts are anticipated on statutory designated sites and their qualifying criteria for designation as a result of the proposed development.
- 5.1.2 The Site is located within the impact risk zones for Chailey Common SSSI, Ditchling Common SSSI, and Freshfield Lane SSSI. However, the proposed development does not fall into the listed development categories.

5.2 Protected and Notable Habitats

Woodland

- 5.2.1 Overall, three parcels of ancient woodland and 26 parcels of HPI were identified within the zone of influence as part of the desk study. The nearest parcel of ancient woodland was located approximately 760m west of the Site, whilst the nearest parcel of HPI, a parcel of broadly classified deciduous woodland was located approximately 240m south of the Site.
- 5.2.2 Given the distance between the Site and the nearest parcel of ancient woodland and HPI and given the size of the Site and nature of the proposed development, adverse effects upon these protected and notable habitats are not considered likely. Protected and notable habitats are therefore not considered an ecological constraint and are not considered further in this report.

5.3 Protected and Notable Species

- 5.3.1 The Site was considered to provide opportunities for protected and notable species. The suitability of habitat on Site to support species is considered below.

Bats

- 5.3.2 All bats are European protected species (EPS) and both individual animals and their roosts are afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act, 1981 (as amended). Certain bat species are also listed as Species of Principal Importance (SPI) under the NERC Act 2006.

Roosting Suitability

- 5.3.3 As part of the DBW survey, building B1 was identified as exhibiting features i.e. lifted tiles and damaged soffit box, with potential to support roosting bats.
- 5.3.4 On this basis, building B1 was identified as having low suitability to support roosting bats during the summer.
- 5.3.5 Therefore, a single further emergence survey is required to determine presence or likely absence of bat roosts within building B1 to determine any subsequent requirements for mitigation, compensation and/or licences to facilitate the proposed development. All bat emergence surveys should be undertaken between May and August inclusive.
- 5.3.6 It should be noted that should a bat roost or roosts be found, additional surveys totalling three emergence surveys will be required to be undertaken, to determine any subsequent requirements for mitigation, compensation and/or licences to facilitate the proposed development.
- 5.3.7 In addition to summer roosting suitability, building B1 was also identified as having low suitability to support hibernating roosting bats, notably within the basement.
- 5.3.8 Despite the current access opportunities into the basement of building B1, these are a recent development in the buildings structure. Therefore, it is unlikely to have been previously used by hibernating bats. This reduces the likelihood of bats returning to roost from previous winters. The



basement is subject to human activity and the majority of the basement experiences high levels of light ingress. On this basis, building B1 is considered unlikely to support a hibernation roost, however, the presence of a very low number of hibernating individual bats cannot be ruled out.

- 5.3.9 However, it is not considered appropriate nor efficient to undertake a systematic hibernation assessment of building B1 given that only recent adjustments to the structure of the building resulted in its classification as low suitability to support hibernating bats. Whereas before any work had been carried out it is likely that the basement would have been of negligible suitability.
- 5.3.10 Therefore, as a precaution, it is recommended that any further works within the basement of building B1 be undertaken outside of the core hibernation period (outside of November to March inclusive). In addition, and to account for the potential loss of a, likely small, hibernation roost, at least one hibernation bat box (Schwegler 1WQ Summer and Winter Bat Roost or similar) shall be installed on to the building at the southern elevation.
- 5.3.11 As part of the DBW survey, tree T6 was identified as exhibiting features with potential to support roosting bats. Tree T6 was identified as having PRF-I suitability to support roosting bats.
- 5.3.12 It should be noted that the DBW survey was undertaken from the ground and therefore it was not possible to accurately determine the characteristics of the feature, for example the depth of the feature within the tree. The above classification therefore follows a precautionary approach using professional judgement.
- 5.3.13 Tree T6 was identified as having PRF-I suitability to support roosting bats. No further surveys are considered necessary. However, as a precaution it is recommended that an inspection of tree T6 be undertaken immediately prior to felling to determine whether bats are roosting within the tree, which can be undertaken by the tree surgery contractor under the instruction and supervision of a suitably licenced ecologist.
- 5.3.14 Other precautionary mitigation measures to be implemented may include soft-felling sections of the tree that contain potential roost features. This involves gradually sectioning the trunk and/or limbs and lowering sections to the ground by hand or by using ropes. As a further precaution, the felling/pruning of the tree should be undertaken outside the core hibernation period (between November and February).
- 5.3.15 The findings of the bat emergence survey and any subsequent requirements for mitigation and compensation and/or licenses to facilitate the proposed development should be presented within a stand-alone (phase 2) report or EcIA.
- 5.3.16 It should be noted that should a bat roost or roosts be found, an EPSM licence may be required to permit works that would potentially cause destruction or modification. An EPSM licence for development is issued by Natural England under Regulation 53(2)(e) of The Conservation of Habitats and Species Regulations (2017). This application process can a minimum of six weeks.

Foraging and Commuting Suitability

- 5.3.17 The Site was considered to provide some limited suitable commuting and foraging habitat for bats, primarily the hedgerows and the line of trees adjacent to the western extent of the Site (along the railway line) and was classified as having low suitability to support foraging and commuting bats.
- 5.3.18 However, these features are to be retained in their entirety. On this basis, the proposed development is considered unlikely to result in the loss or degradation of bat foraging and commuting habitat or sever important commuting routes and obstruct access between potential bat roosts and important foraging habitats, providing the mitigation measures in relation to lighting described below are implemented during the construction and operational phase of the proposed development. It is recommended that any new artificial lighting associated with the proposed development aims to:
- Use minimum light levels necessary. For example, there should be times throughout the evening (when bats are most active) when all outdoor security lights are unlit to avoid affecting bat



activity. Lighting can also be installed using a timer or movement sensor to avoid long periods of an area being lit at night;

- Lighting should be a warm white spectrum and feature peak wavelengths higher than 550nm to lower the range of species affected by lighting. Using LED luminaires where possible and avoid luminaires with UV elements, specifically avoiding metal halide and fluorescent sources (Institute of Lighting Professionals, 2023); and
- Internal luminaries can be recessed where installed in proximity to windows to reduce glare (Institute of Lighting Professionals, 2023) and light spill and use hoods, louvres or other similar design features to avoid light spill and direct light away from areas of mature vegetation.

Hazel Dormice

- 5.3.19 Hazel dormice *Muscardinus avellanarius* are EPS and are afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act, 1981 (as amended). Dormice are also listed as SPI under the NERC Act 2006.
- 5.3.20 The Site was considered to provide very limited suitable semi-natural habitat for dormice given the isolation of the Site within a highly urbanised environment and absence of preferred floral species (such as hazel *Corylus avellana* and honeysuckle *Lonicera periclymenum*).
- 5.3.21 On this basis, the Site was identified as having negligible potential to support dormice and are therefore not considered an ecological constraint and are not considered further in this report.

Great Crested Newts and other Amphibians

- 5.3.22 Great crested newts (GCN) *Triturus cristatus* are EPS and are afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act, 1981 (as amended). GCN and common toad *Bufo bufo* are also listed as SPI under the NERC Act 2006.
- 5.3.23 No standing waterbodies were identified within the Site or within a 250m radius of the Site as part of the desk study.
- 5.3.24 Given the absence of suitable waterbodies for breeding GCN, GCN are considered likely absent from the Site during both their aquatic and terrestrial lifecycle phases. The proposed development is therefore considered highly unlikely to result in the death or injury, or disturbance to GCN or result in the damage or destruction of a GCN breeding site or resting place given the absence of both suitable aquatic and terrestrial habitat within the Site and GCN records identified as part of the desk study. On this basis, GCN are not considered an ecological constraint and are not considered further in this report.

Reptiles

- 5.3.25 Native, widespread reptile species (common or viviparous lizard *Zootoca vivipara*, adder *Vipera berus*, grass snake *Natrix helvetica* and slow worm *Anguis fragilis*) are protected under Schedule 5 of The Wildlife and Countryside Act 1981 (as amended), making it an offence to kill or injure individual animals. All widespread reptile species are also listed as SPI under the NERC Act 2006.
- 5.3.26 Considering all habitat within the Site was regularly managed, the limited suitability of the habitat, and the absence of suitable surrounding habitat the Site is considered to provide very limited foraging, commuting, basking and sheltering opportunities for reptiles.
- 5.3.27 On this basis and given the size of the Site and the location within an urbanised environment, reptiles are considered highly likely to be absent from the Site. Reptiles are therefore not considered an ecological constraint and are not considered further in this report.



Birds

- 5.3.28 All birds, their nests and eggs are protected from killing and injury of individuals, damage and destruction of nests and destruction of eggs under the Wildlife and Countryside Act 1981 (as amended). Species listed in Schedule 1 (Part 1) of the Act are also protected from disturbance whilst nesting or whilst with dependent young, by special penalties. Many bird species are also listed as SPI under the NERC Act 2006.
- 5.3.29 The Site supported hedgerows, a tree, and a building which were considered to provide nesting and foraging opportunities to a wide range of common bird species.
- 5.3.30 Works associated with any proposed development of the Site, for example habitat clearance, could therefore result in direct adverse impacts on nesting birds. On this basis, nesting birds are therefore considered a potential ecological constraint. In order to comply with legislation protecting nesting birds, the mitigation measures detailed below should be adhered to.
- 5.3.31 It is recommended that habitat clearance works be undertaken outside the main nesting bird season. The nesting bird season for most British bird species is between March and August (inclusive).
- 5.3.32 Should this not be possible, all suitable nesting habitat must be inspected by an ecologist to determine the presence/absence of any nesting birds prior to clearance. In the event of an active nest being identified, a temporary exclusion zone would need to be placed around the nest and development paused until the dependent young have fledged which may be several weeks. The ecologist will determine safe working distances, and the distances will be dependent upon the bird species present.
- 5.3.33 The permanent loss of suitable foraging and nesting habitat for birds should be compensated for by incorporating new suitable foraging and nesting habitat into the landscape designs. Habitat creation examples including planting a variety of native fruit and nut bearing tree and shrub species such as birch *Betula* spp., holly, rowan *Sorbus aucuparia*, elder *Sambucus nigra* and crab apple *Malus sylvestris*.
- 5.3.34 Artificial bird nest boxes should also be installed onto any retained trees within the Site. Given their designation as SPI, particular consideration should be given to the installation of starling (i.e. Schwegler 3S or similar) nest boxes and/or general bird nest boxes used by house sparrow and spotted flycatcher (i.e. Schwegler 1B, 2HW, 2GR or similar).

Badgers

- 5.3.35 Badgers *Meles meles* and their setts are protected under The Badger Act (1992).
- 5.3.36 No evidence of badger field signs (for example hairs, latrines, dung pits, snuffle holes, mammal paths or scratching posts) or setts were recorded within the Site and within 30m of the Site boundaries during the survey.
- 5.3.37 Habitats throughout the Site were considered to provide very limited sett building and foraging and commuting opportunities for badgers given the isolation of the site within a highly urbanised environment and lack of suitable surrounding habitat.
- 5.3.38 On this basis, the proposed development is considered highly unlikely to result in the damage or destruction of a sett, or obstructing access to a sett, and disturbance to a badger whilst it is occupying a sett. Badgers are therefore not considered an ecological constraint and are not considered further in this report.

Other Mammal Species

Riparian Mammal Species

- 5.3.39 Water voles *Arvicola amphibious* and their places of shelter are protected under the Wildlife and Countryside Act, 1981 (as amended) which makes it an offence to kill, injure or take any water vole, damage, destroy or obstruct access to any place of shelter or protection that the animals are using, or



disturb voles while they are using such a place. Water voles are also listed as SPI under the NERC Act 2006.

- 5.3.40 Otters *Lutra lutra* are protected under the Conservation of Habitats and Species Regulations (2017) and under the Wildlife and Countryside Act, 1981 (as amended) which makes it an offence to kill, injure or capture an otter, intentionally or recklessly disturb otters; or to damage, destroy or intentionally or recklessly obstruct access to a holt or other resting places. Otters are also listed as SPI under the NERC Act 2006.
- 5.3.41 Eurasian beavers *Castor fiber* are protected under the Conservation of Habitats and Species Regulations (2017) and under the Wildlife and Countryside Act, 1981 (as amended) which makes it an offence to kill, injure or capture a beaver, deliberately disturb beavers; or to damage or destroy the breeding site or resting place of a beaver.
- 5.3.42 No aquatic and very limited suitable terrestrial habitat was recorded within the Site and immediate surroundings.
- 5.3.43 On this basis, the Site was identified as having negligible potential to support water voles, otters, and beavers and are therefore not considered an ecological constraint and are not considered further in this report.

European Hedgehog

- 5.3.44 The European hedgehog *Erinaceus europaeus* is classified as an SPI under the NERC Act 2006. Therefore, the presence of this species on site would be a material consideration in the planning process.
- 5.3.45 The Site supported negligible habitat for hedgehogs. Therefore, the proposed development is considered unlikely to result in impacts on European hedgehogs given the location, size, and nature of the Site
- 5.3.46 On this basis, Hedgehogs are not considered an ecological constraint and are not considered further in this report.

Invertebrates

- 5.3.47 A number of invertebrate species such as stag beetles *Lucanus cervus* are afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended) and under Schedule 5 of the Wildlife and Countryside Act, 1981 (as amended). Many invertebrate species including the stag beetle are also listed as SPI under the NERC Act 2006.
- 5.3.48 The Site was considered to provide very limited opportunities for protected and notable invertebrate species given the absence of invertebrate microhabitats such as woodland edge, herb-rich grassland habitats and deadwood. Protected and notable invertebrate species are therefore not considered an ecological constraint and are not considered further in this report.

Plants

- 5.3.49 Wild plants are protected under the Wildlife and Countryside Act 1981 (as amended) which prohibits the unauthorised intentional uprooting of any wild plant species and forbids any picking, uprooting or destruction of plants listed on Schedule 8 of which there are over 150 species. In addition, nine plant species are afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended). Many plant species are also listed as SPI under the NERC Act 2006.
- 5.3.50 The habitats on Site were common and widespread and therefore provided limited potential to support protected and notable and rare plant species.
- 5.3.51 Section 14(1) of the Wildlife and Countryside Act 1981 (as amended) makes it illegal to plant or otherwise cause to grow in the wild any plant listed in Schedule 9 of the Act including Japanese knotweed *Fallopia japonica*.



- 5.3.52 No Schedule 9 non-native invasive plant species were recorded within the Site.
- 5.3.53 On this basis, protected and notable plants including non-native invasive plant species are not considered an ecological constraint and are not considered further in this report.

5.4 Ecological Enhancements

- 5.4.1 Under Section 40 of the NERC Act 2006 there is a duty to have regard to biodiversity conservation. In addition, the National Planning Policy Framework (2023) and the Mid Sussex District Plan 2014 – 2031 (Mid Sussex District Council, 2018) encourages ecological enhancement to be integrated into development projects in order to achieve an overall net-gain in biodiversity. Given the above, the following enhancement recommendations should be considered and incorporated into the final design proposals:
- Installation and maintenance of artificial bat bricks or bat tubes (i.e. Schwegler 1FR and 2FR bat tubes and Schwegler 1GS bat brick or similar) into building B1 and installation of bat boxes (i.e. Schwegler 2FN or similar) on to suitable retained trees to increase the roosting opportunities for bats within the Site. Any artificial roosting features should be placed between 3m and 6m above ground in a variety of locations at slightly different heights and preferably positioned facing a variety of directions.
 - Installation and maintenance of artificial bird nest boxes onto any retained trees and new building structures on Site to increase nesting opportunities for many bird species. Given their designation as SPI, particular consideration should be given to installing house sparrow (i.e. Schwegler 1SP or similar) and starling (i.e. Schwegler 3S or similar) nest boxes onto any retained trees and any new building structures within the Site.



6 REFERENCES

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7 APPENDICES

Appendix I: Site Location Plan



LEGEND:

Site Boundary

STATUS:

FOR INFORMATION ONLY

Sussex Office: Rocks Yard, Victoria Rd, Herstmonceux, Hailsham, BN27 4TQ.
T: 01323 832120.

Kent Office: The Watermill, The Mill Business Park, Maidstone Road, Ashford,
TN26 1AE
T: 01233 225365
E: contact@pjcoconsultancy.com
W: <https://www.pjcoconsultancy.com>

CLIENT:

Robblewood Projects Ltd

PROJECT:

57 The Broadway
Haywards Heath
RH16 3AS

TITLE:

Appendix I: Site Location Plan

SCALE AT A4:
1:711.5

DRAWN:
DB

APPROVED:
NC

PROJECTION:
EPSG:27700

DATE:
11/04/26

DATE:
15/04/26

DRAWING No:

PJC/6916E/26/A1/V1



Appendix II: Legislation and Planning Policy

Legislation

The Conservation of Habitats and Species (Amendment) Regulations 2017

The Conservation of Habitats and Species (Amendment) Regulations 2017 is the UK transposition of the European Council Directive on the Conservation of Natural Habitats and of Wild Flora and Fauna, 1992, or the 'Habitats Directive'. The directive provides protection of key habitats and species of European importance. Those key habitats and species are listed in Annexes II and IV of the directive.

Those species protected under the regulations and most likely encountered during development include:

- All bat species
- Hazel dormouse
- Great crested newt
- Common otter

The Environment Act (2021)

The Environment Act (2021) is the UK's framework of environmental protection, post Brexit, and provides binding targets for improving air quality, water, biodiversity, and waste reduction. The Environment Act requires all development schemes in England (that are subject to Town and Country Planning Act 1990) to deliver a mandatory 10% biodiversity net gain (BNG) to be maintained for a period of at least 30 years. The concept seeks measurable improvements for biodiversity by creating or enhancing habitats in association with development. Key parts of the Environment Act 2021 which relate to BNG and its delivery are Part 6: Nature and Biodiversity and the supporting Schedule 14, particularly sections 9(3), 13(1), 14(2) and 15.

The Wildlife and Countryside Act 1981 (as amended)

The Wildlife and Countryside Act 1981 (as amended) is the primary legislation for the protection of wildlife in Great Britain. This legislation is the means by which the Convention on the Conservation of European Wildlife and Natural Habitats (the 'Bern Convention') and the European Union Directives on the Conservation of Wild Birds (79/409/EEC) and Natural Habitats and Wild Fauna and Flora (92/43/EEC) are implemented in Great Britain. All breeding birds, their nests, eggs and young are protected under the Act, which makes it illegal to knowingly destroy or disturb the nest site during nesting season. Schedules 1, 5 and 8 afford protection to individual birds, other animals and plants respectively. The Countryside and Rights of Way (CROW) Act 2000 makes it an offence to 'recklessly' disturb a protected animal whilst it is using a place of rest or shelter or breeding/nest site

Those species protected under the act and most likely encountered during development include:

- All bat species
- All nesting birds
- Hazel dormouse
- Great crested newt
- Common otter
- Water vole
- All native reptile species



- White-clawed crayfish

The Protection of Badgers Act 1992

The Protection of Badgers Act 1992 consolidates and strengthens previous legislation (including the Badgers (Further Protection) Act 1991). Under the act, it is an offence to:

- Wilfully kill, injure or take a badger (or attempt to do so).
- Cruelly ill-treat a badger.
- Dig for a badger.
- Intentionally or recklessly damage or destroy a badger sett, or obstruct access to it.
- Cause a dog to enter a badger sett.
- Disturb a badger when it is occupying a sett.

The Environment Act (2021)

The Environment Act (2021) is the UK's framework of environmental protection, post Brexit, and provides binding targets for improving air quality, water, biodiversity, and waste reduction. The Environment Act requires all development schemes in England (that are subject to Town and Country Planning Act 1990) to deliver a mandatory 10% biodiversity net gain (BNG) to be maintained for a period of at least 30 years. The concept seeks measurable improvements for biodiversity by creating or enhancing habitats in association with development. Key parts of the Environment Act 2021 which relate to BNG and its delivery are Part 6: Nature and Biodiversity and the supporting Schedule 14, particularly sections 9(3), 13(1), 14(2) and 15.

The Natural Environment and Rural Communities Act (NERC) 2006

Section 40 of the Act requires all public bodies to have regard to biodiversity conservation when carrying out their functions. This is commonly referred to as the 'biodiversity duty'. Section 41 of the Act provides a list of habitats and species, which are of 'principal importance for the conservation of biodiversity.' This list aids decision makers such as public bodies in implementing their duty under Section 40 of the Act. Under the Act these habitats and species are regarded as a material consideration in determining planning applications.

Hedgerows Regulations 1997

These regulations were produced to protect important countryside hedges from removal. The regulations only cover hedgerows that are at least 20m long or, if shorter, connected to other hedgerows at both ends or part of a longer hedgerow. They must be in or adjacent to common land, village greens, site of special scientific interest, local nature reserves, or land used for agriculture, forestry or breeding or keeping of horses, ponies or donkeys.

Wild Mammals (Protection) Act 1996

All wild mammals are protected against intentional acts of cruelty under the above legislation. This makes it 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.

This legislation is of relevance when undertaking works with potential to affect wild mammals e.g. works near burrows, warrens or dens, regardless of other legislative protection.

Species and Habitat Specific Legislation

Plants



Wild plants are protected under Section 13 of the Wildlife and Countryside Act 1981 (as amended). It prohibits the unauthorised intentional uprooting of any wild plant species and forbids any picking, uprooting or destruction of plants listed on Schedule 8 of which there are over 150.

The Conservation of Habitats and Species Regulations 2017 (as amended) have nine plants listed within Annex IV these are; creeping marshwort *Apium repens*, early gentian *Gentianella anglica*, fen orchid *Liparis loeselii*, floating-leaved water plantain *Luronium natans*, killamey fern *Trichomanes speciosum*, lady's slipper *Cypripedium calceolus*, shore dock *Rumex rupestris*, slender naiad *Najas flexilis*, and yellow marsh saxifrage *Saxifraga hirculus*. It is an offence to deliberately pick, collect cut, uproot or destroy any protected plant, or keep, transport, sell, or exchange, any live or dead such plant species, this applies to all stages of its life cycle.

Invasive Species

Schedule 9, Section 14 of the Wildlife and Countryside Act (1981, as amended) prohibits the introduction into the wild of any species that is not ordinarily resident in and is not a regular visitor to Great Britain in a wild state, or any species of the 69 plants listed on Schedule 9.

The frequently encountered invasive species within proposed development sites include floating pennywort *Hydrocotyle ranunculoides*, giant hogweed *Heracleum mantegazzianum*, Himalayan balsam *Impatiens glandulifera*, Japanese knotweed *Fallopia japonica*, New Zealand pygmyweed *Crassula helmsii*, rhododendron *Rhododendron ponticum* and certain hybrids of the above, some species may be native yet are listed for conservation purposes.

Plant or soil material contaminated by Japanese knotweed that is to be discarded is considered to be a 'controlled waste' under the Environmental Protection Act 1990 (EPA 1990). It is an offence to deposit, treat, keep, or dispose of controlled waste without a licence. Furthermore, knotweed that has been cut down and removed must be received by an authorised person to be disposed of correctly. A licence can be obtained from the Environment Agency (EA). The release or planting of a listed species in the wild can be permitted under a licence granted by the relevant statutory body.

Invertebrates

A number of invertebrates such as silver studded blue butterfly *Plebejus argus*, stag beetles *Lucanus cervus* and white letter hairstreak *Stymondia w-album* are fully protected under Schedule 5 of the Wildlife and Countryside Act (1981, as amended). This legislation makes it illegal to intentionally kill, injure, or take a protected invertebrate, or to damage, destroy, or obstruct access to any structure or place used for shelter or protection by such a species; and disturb any protected species occupying such a structure or place.

Three invertebrates are listed under Schedule 2 of the Conservation of Habitats and Species Regulations 2017, fisher's estuarine moth *Gortyna borelii lunata*, the large blue butterfly *Maculinea arion* and lesser whirlpool ram's-horn snail *Anisus vorticulus*. It is an offence deliberately to kill, capture, or disturb a listed species, or to damage or destroy the breeding site or resting place of such an animal.

Amphibians

There are four widespread amphibian species, common frog *Rana temporaria*, common toad *Bufo bufo*, palmate newt *Lissotriton helveticus* and smooth newt *Lissotriton vulgaris*. All of the four widespread species receive partial protection under Schedule 5 of the Wildlife and Countryside Act (1981, as amended) making it an offence to offer them for sale or trade.

Great crested newts *Triturus cristatus* and natterjack toads *Epidalea calamita* are fully protected under Schedule 5 (in respect of section 9(4)(b) and (c) and (5) only) of the Wildlife and Countryside Act (1981, as amended) and the Conservation of Habitats and Species Regulations 2017. Reintroduced



populations of 'native' pool frogs *Pelophylax lessonae* also receive the same protection. It is illegal to possess a protected species (alive or dead), deliberately capture, injure or kill, to intentionally or recklessly disturb, or to deliberately take or destroy the eggs of these protected species. It is also illegal to damage, destroy or intentionally or recklessly obstruct access to breeding or resting place used by these protected species'. All life stages of each species' are afforded the same level of protection.

In order to undertake any activity, which would, otherwise result in any of the above offences being committed, it may be necessary to obtain a European Protected Species (EPS) licence from the relevant statutory body (Natural England (NE), Countryside Council for Wales (CCW) or Scottish Natural Heritage (SNH)). It is possible to undertake surveys which would otherwise involve unlawful acts, such as disturbance, by obtaining a survey licence which provides authorisation for scientific and educational purposes

Reptiles

The four common reptile species, adder *Vipera berus*, grass snake *Natrix helvetica*, common lizard *Zootoca vivipara* and slow worm *Anguis fragilis* are protected under Schedule 5 of the Wildlife and Countryside Act (1981, as amended) against deliberate and/or intentional killing, injuring and trade.

If common reptile species are found to be present or considered potentially present within a proposed development site. To ensure that no subsequent offence will be committed a precautionary method of working (written by a suitably qualified ecologist) and submitted to the relevant authority may be required to enable works to proceed with limited risks of offences being caused.

Birds

All birds, their nests and eggs are protected by the Wildlife and Countryside Act (1981, as amended). It is an offence to intentionally kill, injure, or take any wild bird, or take or destroy an egg of any wild bird. It is also an offence to damage or destroy the nest of any wild bird (whilst being built, or in use). Therefore, clearance of vegetation within the site boundary, or immediately adjacent to the site during the nesting season could result in an offence occurring under the Act. The bird breeding season can be taken to run between the 1 February and 31 August and is subject to geographical and seasonal factors. There are 79 species of birds listed under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended). It is an offence to intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird.

Barn owls *Tyto alba* are given the highest level of legal protection possible under Schedule 1 of the Wildlife and Countryside Act 1981. It is therefore illegal to kill, injure or take a barn owl, or to take or destroy its eggs. It is also illegal to intentionally or recklessly take, damage, or destroy the nest of any wild bird while it is in use or being built, release or allow the escape of a barn owl into the wild or possess any bird (dead or alive) or part of bird without a licence which is obtainable through the country agencies (EN, SNH, and CCW).

Badgers

Badgers *Meles meles* are protected under the Protection of Badgers Act (1992) and the Wildlife and Countryside Act (1981, as amended). As such it is an offence to wilfully take, kill, injure or ill-treat a badger, or possess a dead badger or any part of a badger. Under the Act their setts are also protected against obstruction, destruction, or damage in any part.

Sett interference includes damaging or destroying a sett, obstructing access to a sett, and disturbing a badger whilst it is occupying a sett. The Act defines a badger sett as 'any structure or place, which displays signs indicating the current use by a badger' and Natural England takes this definition to include seasonally used setts.



Work that may disturb badgers or their setts is illegal without a development licence from the relevant statutory body (NE, CCW, SNH). As a precautionary principle, a buffer distance between a badger sett and the works will be determined, based upon guidance from an appropriately experienced ecologist. This buffer distance should be based upon the size and activity levels at the sett, the topography between the sett and the works and the nature of the works.

Bats

All native UK bat species are fully protected by UK law under Schedule 5 (in respect of section 9(4)(b) and (c) and (5) only) and Schedule 6 of the Wildlife and Countryside Act (1981, as amended), and under Schedule 2 of the Conservation of Habitats and Species Regulations 2017. It is illegal to deliberately capture, injure or kill a bat or to intentionally or recklessly disturb bats. It is also illegal to damage, destroy or intentionally or recklessly obstruct access to a breeding or resting place used by a bat.

Any activity that would result in a contravention of the above legislation would likely require an EPS licence from the relevant statutory body (NE, CCW or SNH). Works or mitigation activities involving interference with bats or bat shelters must be carried out by a licensed bat worker.

Dormice

Dormice *Muscardinus avellanarius* are protected under Schedule 5 (in respect of section 9(4)(b) and (c) and (5) only) of the Wildlife and Countryside Act (1981, as amended) and are listed in Schedule 2 of the Conservation of Habitats and Species Regulations 2017. Under the current legislation it is illegal to intentionally or deliberately kill, injure or capture dormice, deliberately disturb dormice (whether in a nest or not); or to damage, or destroy dormouse breeding sites or resting places.

Any activity that would result in a contravention of the above legislation would likely require an EPS licence from the relevant statutory body (NE, CCW or SNH).

Otters

The otter *Lutra lutra* is fully protected under Schedule 5 (in respect of section 9(4)(b) and (c) and (5) only) of the Wildlife and Countryside Act (1981, as amended) and are listed under Schedule 2 of the Conservation of Habitats and Species Regulations 2017. It is therefore illegal to deliberately capture, injure or kill an otter, possess an otter (dead or alive), or any other part of an otter, or intentionally or recklessly disturb otters. It is also illegal to damage, destroy or intentionally or recklessly obstruct access to a holt or other resting place used by an otter.

Any activity that would result in a contravention of the above legislation would likely require an EPS licence from the relevant statutory body (NE, CCW or SNH).

Water voles

Water voles *Arvicola amphibious* are protected under Schedule 5 of the Wildlife and Countryside Act (1981, as amended). It is an offence to possess, control or sell water voles or to intentionally kill, injure or take water voles. It is also an offence to intentionally or recklessly damage, destroy or obstruct access to a place that water voles use for shelter or protection or disturb water voles whilst using such a place.

A licence is required for catching/handling water voles, or for field surveys that are intrusive or disturbing where the surveyor suspects' water voles are present. A licence can be obtained by applying to the relevant statutory body (NE, SNH, and CCW,). Please note that the legislation does not permit licences to be issued in relation to development of land.



Biodiversity Policies

National Planning Policy Framework (NPPF) 2024

Published in 2024 the NPPF sets out the Government's planning policies for England and how these are expected to be applied by local authorities. It replaces all the Planning Policy Statements and Guidance (PPSs and PPGs). The NPPF emphasises the need for sustainable development, whilst specifying the need for protection of designated sites and priority habitats and priority species (as listed in section 41 of the Natural Environment and Rural Communities (NERC) Act 2006). Paragraph 187 of The National Planning Policy Framework (NPPF) states:

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

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

Paragraph 192 states that “to protect and enhance biodiversity and geodiversity, plans should:

- Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and
- promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.”

Furthermore, paragraph 193 states that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- development on land within or outside a Site of Special Scientific Interest, and which is likely to



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

- development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

Paragraph 194 states:

“The following should be given the same protection as habitats sites:

- potential Special Protection Areas and possible Special Areas of Conservation;
- listed or proposed Ramsar sites; and
- sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.”

Paragraph 195 states:

“The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”

The UK Biodiversity Framework (2011-2020).

The UK Biodiversity Framework is an important framework that is owned, governed and implemented by the four UK countries, assisted by Defra and JNCC in their UK co-ordination capacities. Although differing in details and approach, the four UK countries have published strategies which promote the same principles and address the same global targets: joining-up our approach to biodiversity across sectors; and identifying, valuing and protecting our ‘Natural Capital’ to protect national well-being now and in the future. This new framework has been developed to enhance the recovery of priority habitats and species in England (published under section 41 of the NERC Act 2006), thereby contributing to the delivery of the England Biodiversity Strategy. The framework has been developed and endorsed by the England Biodiversity Group and wider partnership. It is the starting point for a more integrated approach to biodiversity conservation in England, building on the strengths of the former UK Biodiversity Action Plan (BAP) process and improving those areas where insufficient progress was being made.

Mid Sussex District Plan

The Mid Sussex District Plan 2014 – 2031 (Mid Sussex District Council, 2018) sets out the relevant policies for the control of development with regards to the natural environment and biodiversity.

DP37: Trees, Woodland and Hedgerows Strategic Objectives:

- 3) To protect valued landscapes for their visual, historical and biodiversity qualities;
 - 4) To protect valued characteristics of the built environment for their historical and visual qualities;
- and



5) To create and maintain easily accessible green infrastructure, green corridors and spaces around and within the towns and villages to act as wildlife corridors, sustainable transport links and leisure and recreational routes.

Evidence Base: Green Infrastructure mapping; Mid Sussex Ancient Woodland Survey, Tree and Woodland Management Guidelines, Tree Preservation Order records.

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; and
- prevents damage to root systems and takes account of expected future growth; and
- where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and
- has appropriate protection measures throughout the development process; and
- 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; and
- 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; and

- the contribution of the trees to the character and visual amenity of the local area; and
- the amenity and nature conservation value of the trees; and
- 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 Strategic Objectives:

- 3) To protect valued landscapes for their visual, historical and biodiversity qualities; and
- 5) To create and maintain easily accessible green infrastructure, green corridors and spaces around and within the towns and villages to act as wildlife corridors, sustainable transport links and leisure and recreational routes.



Evidence Base: Biodiversity 2020; Biodiversity Action Plan; Biodiversity Opportunity Areas; Green Infrastructure mapping; Habitats and Species Records; Mid Sussex Ancient Woodland Survey; Mid Sussex Infrastructure Delivery Plan; The Natural Choice: Securing the Value of Nature; West Sussex SNCI Register.

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.

Geodiversity will be protected by ensuring development prevents harm to geological conservation interests, and where possible, enhances such interests. Geological conservation interests include Regionally Important Geological and Geomorphological Sites.

DP39: Sustainable Design and Construction Strategic Objectives:

1) To promote development that makes the best use of resources and increases the sustainability of communities within Mid Sussex, and its ability to adapt to climate change.

Evidence Base: Gatwick Sub Region Water Cycle Study; West Sussex Sustainable Energy Study, Mid Sussex Sustainable Energy Study.

All development proposals must seek to improve the sustainability of development and should where appropriate and feasible according to the type and size of development and location, incorporate the following measures:

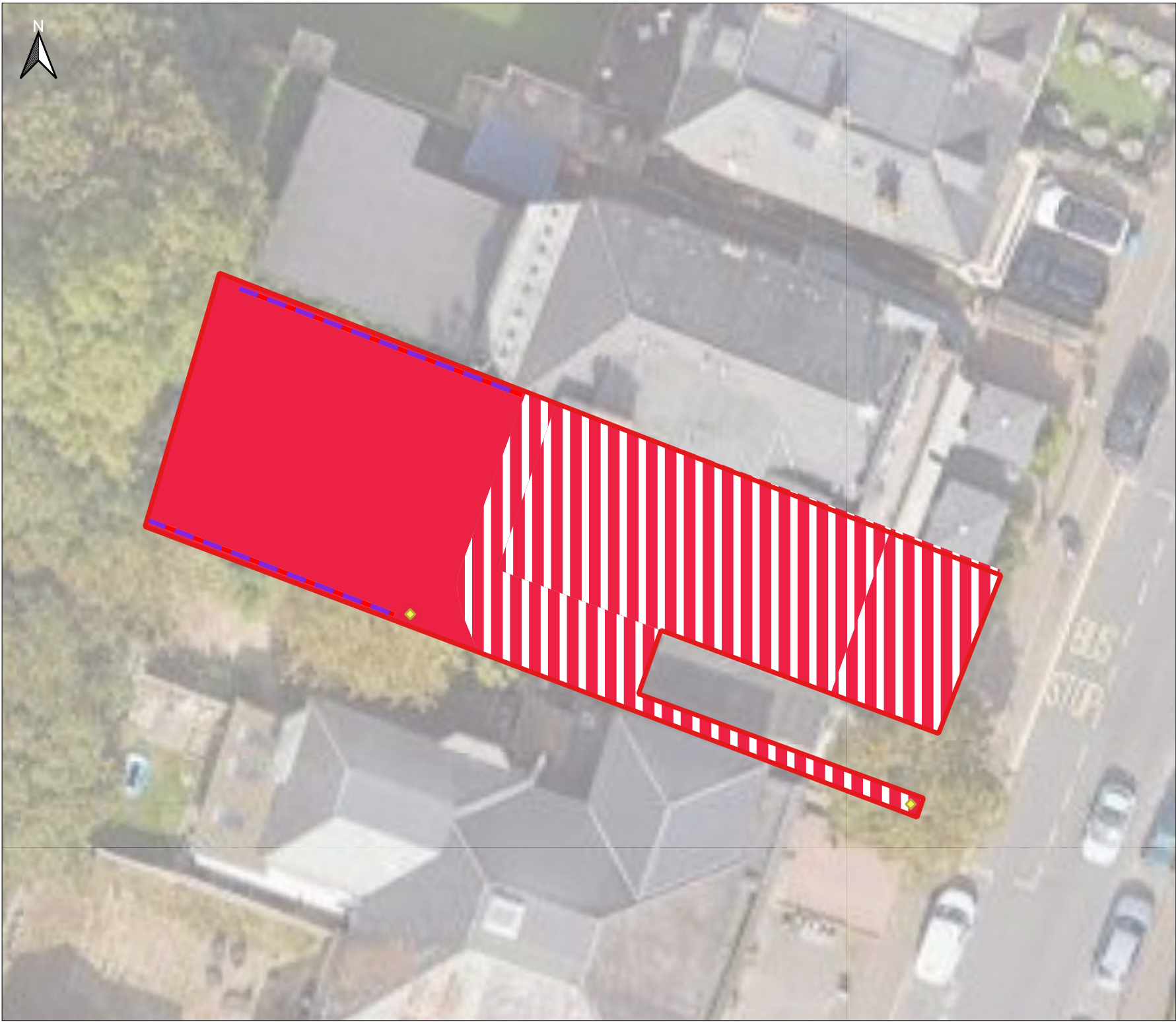
- Minimise energy use through the design and layout of the scheme including through the use of natural lighting and ventilation;
- Explore opportunities for efficient energy supply through the use of communal heating networks where viable and feasible;



- Use renewable sources of energy;
- Maximise efficient use of resources, including minimising waste and maximising recycling/re-use of materials through both construction and occupation;
- Limit water use to 110 litres/person/day in accordance with Policy DP42: Water Infrastructure and the Water Environment;
- Demonstrate how the risks associated with future climate change have been planned for as part of the layout of the scheme and design of its buildings to ensure its longer-term resilience.



Appendix III: Ecological Walkover Survey Map



LEGEND:

-  Site Boundary
-  Existing Medium Urban Tree
-  Non-native and ornamental hedgerow
-  Developed land; sealed surface
-  Bare ground

STATUS: FOR INFORMATION ONLY



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CLIENT: Robblewood Projects Ltd

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TITLE: Appendix II: Baseline Habitat Map

SCALE AT A4: 1:228.3	DRAWN: DB	APPROVED: NC
PROJECTION: EPSG:27700	DATE: 11/04/26	DATE: 15/04/26

DRAWING No: PJC/6916E/26/A2/V1



Appendix IV: Site Photographs



Photograph 1: Eastern elevation of building B1.



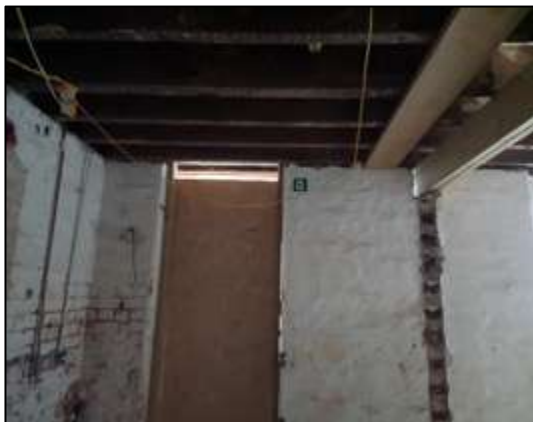
Photograph 2: Dormer on the eastern elevation exhibiting a missing piece of panelling.



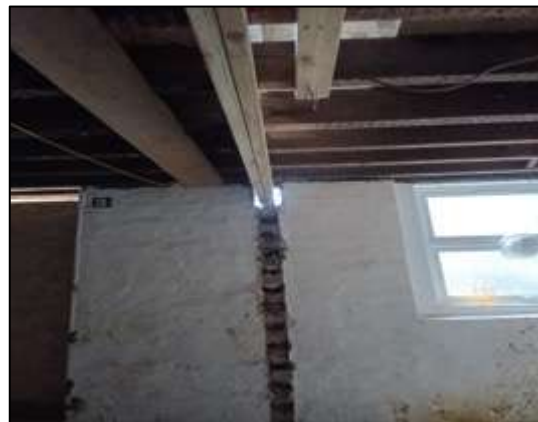
Photograph 3: Southern elevation of building B1.



Photograph 4: Western elevation of building B1.



Photograph 5: Gap above the boarding on the western elevation of the basement of building B1.



Photograph 6: Access into the basement by a joist cavity on the western elevation of building B1.



Photograph 7: Missing flooring above the basement allowing access into the main building from basement level.



Photograph 8: The western aspect of the Site.



Photograph 9: Stripped back ceilings and floor within the roof void of building B1.



Photograph 10: The southern elevation of the roof void in building B1.



Photograph 11: The western elevation of the roof void in building B1.



Photograph 12: Stripped ceiling within the roof void of building B1 exhibiting both lined and unlined areas of roof.



Photograph 13: Missing flooring in the roof void of building B1.



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