

## **Ecological Advice**

**TO:** Stuart Malcolm  
**FROM:** Mike Bird  
**APPLICATION REF:** DM/21/1345  
**SITE:** Land at Caldryne Park Wallage Lane Rowfant Crawley  
**PROPOSAL:** Proposed new 4-bedroom dwelling. Ecological information received 27/08/2021.  
**DATE:** 5 April 2022

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### Recommendations

To avoid the risk of future encroachment of domestic garden into ancient woodland buffer zones or other semi-natural habitats surrounding the proposal (for example in case the property changes ownership), I would strongly recommend that MSDC ensure that these areas are clearly excluded from residential curtilage and that they cannot be considered part of the garden. Subject to this, I am of the view that overall the proposal offers the opportunity to secure a net gain for biodiversity if long-term positive management of the surrounding woodland is secured along with the other enhancements proposed. If consent is granted, I would recommend the following conditions to secure these enhancements and mitigate any negative impacts:

No development shall commence until the following details have been submitted to, and approved by, the local planning authority:

a method statement and protection plan to mitigate any impacts on wildlife and surrounding habitats during construction, including the location and specification for temporary protective fencing and reasonable avoidance measures to avoid harm to protected species during any vegetation clearance / pruning and full details of the access track specification where it passes through or adjacent to woodland;

a lighting plan showing the demonstrating how any external lighting will be specified and located to avoid light spill and glare impacting surrounding woodland / semi-natural areas; and

an enhancement and long-term (30-year) management plan for surrounding wildlife habitat within the applicants control, setting out long-term aims and objectives, monitoring methods and an initial 5-year action plan (with provisions for review and updating).

The approved details shall be implemented in full unless otherwise approved in writing by the local planning authority.

Reason: to prevent loss of, and contribute to a net gain in, biodiversity, in accordance with policies DP37 and DP38 of the Mid Sussex District Plan and 180 of the NPPF.

Condition 2 (subject to comments about excluding surrounding habitat from residential curtilage)

There shall be no artificial lighting introduced outside of the residential curtilage.

Reason: to prevent significant disturbance of nocturnal wildlife in accordance with DP38 of the Mid Sussex District Plan and 180 of the NPPF

### Comments

I note that the development is within land previously classified as ancient woodland, but that Natural England have accepted evidence that large areas no longer meet the definition and have updated the boundaries in their inventory accordingly. I also note that loss of the ancient woodland is historic (connected with former MOD/defence uses) and appears unconnected with this proposal. This is an important factor in considering its acceptability as it is essential that deliberate clearance or destruction of wildlife habitats prior to submission of planning applications is disincentivised to avoid setting any precedent that could encourage further losses.

The proposal would maintain a minimum distance of 15m between the proposed dwelling and formal garden space and parking / turning areas, as required by Local Plan Policy DP37. However, to prevent encroachment of garden (for example if the property changes hands) into ancient woodland, ancient woodland buffer and recent secondary woodland, it is important that any planning consent ensures that these areas are clearly excluded from the residential curtilage so that planning consent would be required for a change of use. I would defer to the case officer as to whether this requires these areas to be excluded from the redline or if other planning measures are the most appropriate way to achieve this.

I note that proposed access would utilise existing tracks and note that it is proposed to use a SUDs driveway specification to provide a **naturalistic surface**. Whilst there could be some minor localised disturbance to wildlife from vehicles, given it is a single dwelling, I would consider, on balance, that such impacts would be outweighed if a long-term positive management plan for all of the woodland (ancient semi-natural and recent semi-natural) is secured.

The bat survey report submitted appears to be an early draft and doesn't provide any assessment but as the proposal will retain the woodland habitat, enhance a large part of the open grassland and provide an opportunity to secure long-term management of these habitats, the overall impact is likely to be positive and this applies to other protected / notable species, subject to basic precautions during site clearance and construction. **This would be subject to there being no lighting outside of the immediate domestic curtilage and in any lighting in this area being designed to minimise light spill and glare.**

It is suggested that a management plan is secured to cover a 30 year period, this being the expectation under the forthcoming mandatory biodiversity net gain and thus reflective of government expectations.

Mike Bird MCIEEM  
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The contents of this memo are provided under a consultancy agreement between Calyx Environmental Ltd and Mid Sussex District Council. They do not constitute a view for or against a proposal, but represent independent ecological advice on the biodiversity implications of a planning application so that it may be determined in accordance with relevant planning policies and legal obligations.