



Preliminary Ecological Appraisal Report

Land at Caldyne Park, Turners Hill Road, Crawley, West
Sussex, RH10 4NB.

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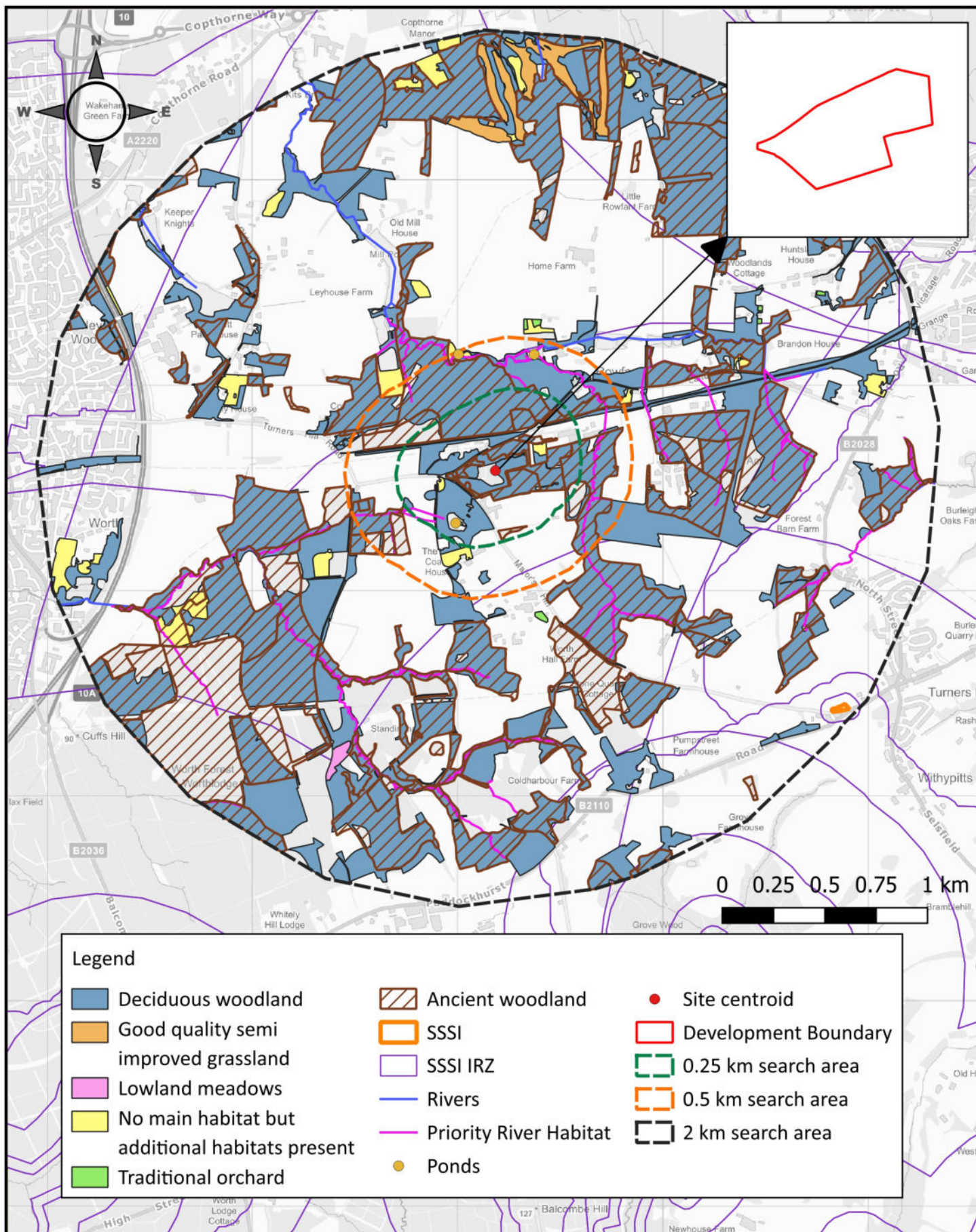
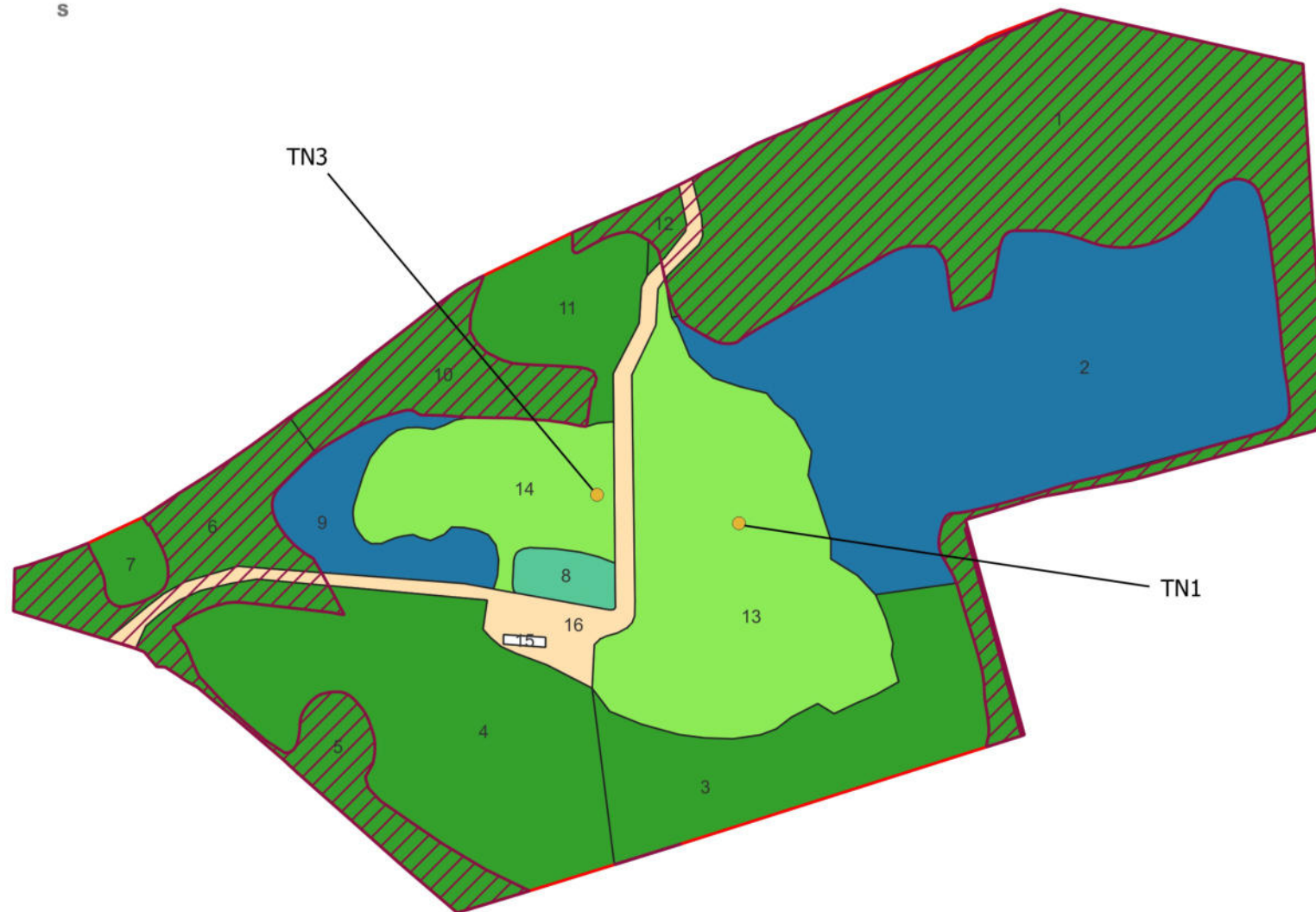
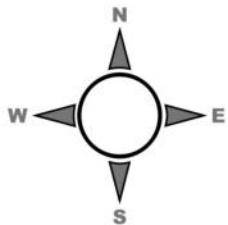


Figure title: Site Location and Desk Study Results			Client: C-DDA-001-001-001 DD Architects	
Site location: Land at Caldyne Park, Turners Hill Road, Crawley, West Sussex, RH10 4NB				
Figure number: 1	Date drawn: 19/01/2026	Scale at A4: 1:25000		
Revision: 1	Cartographer: AO	Approver: JB		



Legend

- Development Boundary
- UK Habitat Classification
- g4 - Modified grassland
- u1b - Developed land, sealed surface (building)
- u1c - Artificial unvegetated unsealed surface
- w1f - Lowland mixed, deciduous woodland
- w1g - Other broadleaved woodland
- w1h - Other woodland - mixed
- 28 - Ancient woodland site
- TN: Target note
- 1-16: Habitat reference number

Figure Title:
UK Habitat Classification Survey Results

Client/ Project Reference:
DD Architects
C-DDA-001

Figure number: 2	Revision: 1	Scale at A4: 1:2000
Cartographer: AO	Date drawn: 19/01/2026	Approver: HB

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Photo 1: Displaying a parcel of ancient woodland (Habitat reference: 1) within the eastern section of the development boundary.



Photo 2: Displaying a parcel of modified grassland (Habitat reference: 13) within the centre of the development boundary.



Photo 3: Displaying a parcel of lowland mixed deciduous woodland (Habitat reference: 3) within the development boundary.



Photo 4: Displaying a parcel of ancient woodland (Habitat reference: 6) within the western section of the development boundary.



Photo 5: Displaying an ancient woodland parcel (Habitat reference: 12) and a lowland mixed deciduous woodland parcel (Habitat reference: 11)



Photo 6: Displaying building B1 within the development boundary.



Figure Title: UK Habitat Classification Survey – Photographs			Client: DD Architects
Site Location: Land at Caldyne Park, Turners Hill Road, Crawley, West Sussex, RH10 4NB			Project Ref: C-DDA-001
Figure No: 3	Revision No: 1	Scale: n/a	
Cartographer: HB	Date Drawn: 05/01/2025	Reviewed By: HB	



1. Summary and Recommendations

Proposals	• DD Architects on behalf of their client is proposing a development on Land at Caldyne Park, Turners Hill Road, Crawley, West Sussex, RH10 4NB (grid reference: TQ 32157 36563). • The proposals include the demolition of an existing storage building (building B1); the construction of a four-bedroom dwelling and associated landscaping within the development boundary.
Surveys	• A desk study was conducted that included the purchase of records from the Sussex Biodiversity Record Centre. • A site visit was completed that included a UK Habitat Classification Survey and an appraisal of the habitats within the development boundary to act as ecological receptors.
Impact Assessment	• The development will not adversely impact any statutory or non-statutory designated sites. • Mitigation will be required within the design and construction phase of the development to ensure the long-term safeguarding and promote the conservation of the ancient woodland and lowland mixed deciduous woodland that falls within the development boundary and that qualifies as a Habitat of Principal Importance (HPI). • Based upon the desk study results, the habitats recorded within the development boundary and the development proposals, badgers and other mammal burrows, bats (commuting and foraging), nesting birds, hazel dormice, hedgehogs, reptiles and protected plants are a material consideration for the development. • No buildings, structures or trees with features suitable for roosting bats will be adversely impacted by the development. • It is not anticipated that the development will generate significant levels of pollution due to its small scale, however, mitigation will be required during the construction phase of the development to ensure there is no on-site or off-site pollution to habitats or water sources. • The development will be required to achieve a measurable net gain for biodiversity as defined by The Environment Act, 2021, as well as incorporate 'non-measurable' ecological enhancements into the design of the development in line with national and local planning policy.



Recommendations	The recommendations below represent a summary only. The full recommendations of this report are outlined in section 6. Mitigation • The mitigation measures outlined in this report for ancient woodland, HPI woodland, non-priority woodland, badgers and other mammal burrows, bats (flightlines), hedgehogs, nesting birds, reptiles, hazel dormice, protected plants, invasive non-native species and pollution prevention should be followed during the construction phase of the development. • Construction Environmental Management Plan (CEMP) should be prepared and adhered to during construction to minimise ecological impacts and ensure appropriate habitat protection measures are implemented.
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2. Introduction

2.1 Development Location

- 2.1.1 DD Architects on behalf of their client is proposing a development located on Land at Caldyne Park, Turners Hill Road, Crawley, West Sussex, RH10 4NB – Grid reference: TQ 32157 36563 (See Figure 1). The above address is hereafter referred to as ‘the site’.
- 2.1.2 The local planning authority for the site’s location is Mid-Sussex District Council (MSDC).

2.2 Development Proposals

- 2.2.1 The development proposals include the conversion of a brownfield site into a residential property (as per DD Architects Drawing number: 1608 – SK20 Revision B). The proposals include:
- Demolition of an existing storage building (building B1);
 - The construction of a four-bedroom dwelling; and
 - Associated landscaping within the development boundary.
- 2.2.2 The proposals above are hereafter referred to collectively as ‘the development’ in this report. The footprint of the works and their immediate surroundings are hereafter referred to as the ‘development boundary’.

2.3 Ecology Background

- 2.3.1 An Ecological Scoping Survey (ESS) was completed by Calumma Ecological Services in 2014. Based on the recommendations of the ESS report, protected species surveys for hazel dormice (Verdant Ecology, 2024) and reptiles (Verdant Ecology, 2024) were completed within suitable habitat present within the development boundary, with likely absence concluded in both instances.

2.4 Brief and Objectives

- 2.4.1 Arun Ecology Ltd were commissioned by the applicant to undertake a Preliminary Ecological Appraisal (PEA) for the development.
- 2.4.2 The key objectives of a PEA, as per CIEEM guidance (CIEEM, 2017) are as follows:
- Identify the likely ecological constraints associated with the development;



- Identify any mitigation measures likely to be required, following the ‘mitigation hierarchy’, as per BS42020:2013 Clause 5:2 (BSI, 2013);
- Identify any additional surveys that may be required to inform an Ecological Impact Assessment (ECiA); and
- Identify the opportunities offered by the development to deliver ecological enhancements and net gains for biodiversity.

2.4.3 The brief agreed with the applicant included:

- The undertaking of a desk study search obtaining records of designated sites, Habitats of Principle Importance (HPI) and ancient woodland as well as purchasing records of protected species and species of conservation concern;
- Undertake a UK Habitat Classification Survey (hereafter UKHab Survey) to record the habitats within the development boundary, assess their conservation value and suitability to act as ecological receptors for protected species and species of conservation concern, including a detailed assessment of the suitability of structures and trees to support roosting bats; and
- Provide a PEA report supported by digitized mapping that presents the methods and results of the desk study and the UKHab Survey within the development boundary. The report will also include an initial impact assessment of the development and any recommendations, including opportunities for ecological enhancement.



3. Method

3.1 Preliminary Ecological Appraisal

General Approach

- 3.1.1 The PEA was carried out in accordance with the CIEEM Guidelines for Preliminary Ecological Appraisal (CIEEM, 2017) and the CIEEM Guidelines for Ecological Impact Assessment (CIEEM, 2018).

3.2 Desk Study

- 3.2.1 The study area for the desk study at this stage of the development is based upon a provisional '*zone of influence*'. *The 'zone of influence' is defined as per CIEEM guidance as 'the area over which ecological features may be affected by biophysical changes as a result of the proposed project and associated activities' (CIEEM, 2018).*

- 3.2.2 The provisional zone of influence for the development where data was sought is set as the following:

- RAMSAR, Special Conservation Areas (SACs) and Special Protection Areas (SPAs), (including potentially designated sites), Sites of Specific Scientific Interest (SSSI) and locally designated sites – 2 km;
- All other non-statutory designated sites – 1 km;
- Habitats of Principle Importance (HPI), Ancient woodland, and Main Rivers – 2 km;
- Ponds – 0.5 km; and
- Protected Species, Species of Principle Importance (SPI) and other species of conservation concern – 1 km.

- 3.2.3 Sources of information within the study area for the desk study were as follows;

- The Multi-Agency Geographical Information for the Countryside (MAGIC);
- Government open-source GIS datasets;
- Mid Sussex District Adopted Local Plan 2014-2031 (2018);
- Satellite images (powered by google via QGIS 3.38); and
- Purchased records from Sussex Biodiversity Record Centre (SxBRC).



3.3 Field Habitat Survey

UK Habitat Classification Survey

- 3.3.1 The field survey was undertaken using the UKHab Survey methodology (UKHab, 2023a) to record the habitat types within the development boundary. The study area for the UKHab Survey was defined as all of the land within the development boundary (see Figure 2).
- 3.3.2 The UKHab Survey has 5 hierarchical levels of habitat classification that aligns with those outlined under national legislation and planning policy. Habitats were mapped in the field using the primary habitat codes described in the UKHab Survey Professional Edition to levels 3, 4 or 5 (UKHab, 2023b).
- 3.3.3 Secondary habitat codes and target notes were used where necessary to describe features deviating from the primary habitat classification.
- 3.3.4 To identify each habitat, the dominant plant and other readily identified species were recorded and their abundance within the development boundary was measured using the DAFOR scale (Stace, 2019).

3.4 Site Habitat Suitability Assessment

General Approach

- 3.4.1 The habitat within the development boundary was appraised for its suitability to support protected species and species of conservation concern at the time of the field habitat survey with regard to the Guidelines for Preliminary Ecological Appraisal (CIEEM, 2017) and BS42020:2013 Biodiversity – Code of Practice for Planning and Development (BSI, 2013). The species-specific guidance and references used in the appraisal are outlined in Table 1 below.

Table 1 – References used to assess the suitability of habitat within the development boundary to support protected species and species of conservation concern.

Group/ taxa	Habitat Appraisal References
Amphibians/ GCN	• GCN Habitat Suitability Index (Oldham et al. 2010 and ARG UK 2010);and • Great Crested Newt Conservation Handbook (Langton et al, 2001).
Bats	• Bat Conservation Trust Good Practice Guidelines (Collins, 2023).
Birds	• A Field Guide to Monitoring Nests (Ferguson-Lees et al, 2011); and • Barn Owl Tyto alba Survey Methodology and Techniques for use in Ecological Assessment (Shawyer, 2011).
Mammals	• Surveying Badgers (Harris et al, 1989) and Badger Trust Best Practice Guidelines (Badger Trust, 2023);



	• The Dormouse Conservation Handbook (Bullion, S., Wolton, R. & White, I. 2025); • UK BAP Mammals Interim Guidance for Survey Methodologies, Impact Assessment and Mitigation (Cresswell, et al, 2012); • Otter (Woodroffe, 2007), Hedgehog (Morris, 2011); Water shrew (Carter, 2006) - Mammal Society Species Series; and • Water Vole Field Signs and Habitat assessment (Dean, 2022) and Water Vole Mitigation Handbook (Dean et al, 2016).
Reptiles	• Herpetofauna Workers' Manual (Gent & Gibson, 2003); and • Reptile Habitat Management Handbook (Edgar, 2010).
Invertebrates	• Good Planning Practice for Invertebrates (Buglife, 2015); and • Organising Surveys to Determine Site Quality for Invertebrates (English Nature, 2005).

Bats – Preliminary Roost Assessment

- 3.4.2 A bat preliminary roost assessment (PRA) of structures and trees as well as an assessment of the habitat within the development boundary for bats was carried out in accordance with the Bat Conservation Trust Good Practice Guidelines for Ecologists (Collins, 2023).
- 3.4.3 A ground level inspection of the exterior of any structures within the development boundary, and any trees that will be adversely impacted by the development, was undertaken with the aid of torchlight and binoculars to search for bat PRFs that might provide suitable crevices or access/egress points to voids or cavities for roosting bats.
- 3.4.4 Where accessible and safe to do so, a search for signs of bats such as bat specimens, droppings, urine staining and audible sound (such as social calls) was also undertaken at each structure or tree. This included an internal inspection of roof voids at structures and the use of an endoscope to inspect any accessible bat PRFs.
- 3.4.5 A classification based upon the roosting suitability for bats was assigned for each structure and tree that was inspected within the development boundary as well as the overall suitability of habitat. The classification descriptions are detailed below in Table 2 for structures and Table 3 for trees.



Table 2 – Suitability assessment for a proposed development site for bats, as adapted from BCT Good Practice Guidelines (Collins, 2023).

Potential Suitability	Definition	
	Roosting Habitat	Potential Flight Paths and Foraging Habitat
None	No habitat features on-site likely to be used by any roosting bats at any time of year (i.e. a complete absence of crevices/ suitable shelter at all ground/ underground levels).	No habitat features on site likely to be used by any commuting or foraging bats at any time of the year (i.e. no habitats that provide continuous lines of shade/ protection for flight lines or that generates shelter for insect populations that is available to foraging bats).
Negligible	No obvious habitat features on site likely to be used by roosting bats, however, small element of uncertainty remains as bats can use small and apparently unsuitable features on occasion.	No obvious habitat features on site likely to be used as flight paths or by foraging bats; however, a small element of uncertainty remains in order to account for non-standard bat behaviour.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically at any time of the year. However, these potential roosting 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 (i.e. unlikely to be suitable for maternity and not a classic cool/stable hibernation site but could be used by individual hibernating bats).	Habitat that can be used by a small number of bats as flightpaths such as a gappy hedgerow or unvegetated stream but isolated i.e. not very well connected to the surrounding landscape by other habitats. Suitable, but isolated habitat that can be used by small numbers of foraging bats such as a lone tree (not in parkland situation) or a patch of scrub.
Moderate	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, with respect to roost type only, such as maternity or hibernation roosts.	Continuous habitat connected to the wider landscape that could be used by bats for flight paths such as lines of trees, scrub and linked back gardens and for foraging such as trees, scrub grassland and water.
High	A structure with one or more potential roosting sites that are obviously suitable for use by a larger number of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions, and surrounding habitat. These structures have the potential to support high conservation status roosts, e.g. maternity or classic cool/stable hibernation sites.	Continuous, high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by bats for flight paths such as river valleys, streams, hedgerows, lines of trees and woodland edge. High quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined water courses and grazed parkland. The site is close to and connected to known bat roosts.



Table 3 – Guidelines for assessing the suitability of trees for bats, adapted from BCT Good Practice Guidelines (Collins, 2023).

Suitability	Definition
None	Either no PRFs in the tree or highly unlikely to be any present.
FAR	Further assessment required to establish if PRFs are present in the tree.
PRF	A tree with a least one PRF present.

3.5 Survey Dates and Conditions

3.5.1 Details on the date, timing and weather conditions recorded during the survey are provided below in Table 4.

Table 4 – Field Survey Information.

Date	Survey Type	Survey Timings		Temperature (°C)		Rain	Wind (Beaufort scale)
		Start	Finish	Start	Finish		
09/04/2024	UK Hab Survey	14:00	18:00	14	14	None	2

3.6 Surveyors

3.6.1 The field survey was undertaken by Joseph Baker BSc. Joseph Baker has over 8 years of professional consultancy experience and is adequately trained to carry out UK Hab Surveys. Joseph Baker is also registered to use the Level 2 Class Licence to survey bats and Level 1 Class Licence to Survey GCN.

3.7 Limitations

3.7.1 No survey limitations were recorded during the UK Hab Survey.



4. Results

4.1 Desk Study

Designated Sites

- 4.1.1 The results of the desk study search for statutory and non-statutory designated sites showed that there were no relevant designated sites within 2 km of the development boundary. Nor did the development boundary fall within the impact risk zones of any relevant designated sites.

Ancient Woodland

- 4.1.2 There were eighty-four ancient woodland parcels returned within 2 km of the development boundary (see Figure 1). The nearest ancient woodland parcel was within the development boundary.

Habitats of Principle Importance

- 4.1.3 Details on the number of HPI, the habitat type and the distance from the development boundary to the closest HPI parcel are detailed in Table 5 (see Figure 1).

Table 5 - Habitats of Principle Importance returned from the desk study search within 2 km of the development boundary.

Habitat of Principle Importance		
Habitat Type	Number of HPI parcels within 2 km	Distance and direction of nearest HPI parcel and other notable parcels
Deciduous woodland	110	The nearest deciduous woodland parcel is located within the development boundary.
Traditional orchard	6	The nearest traditional orchard is located 0.54 km north of the development boundary.
Lowland meadows	1	The nearest lowland meadow parcel is located 1.34 km southeast of the development boundary.
Good quality semi-improved grassland	8	The nearest good quality semi-improved grassland is located 1.54 km north of the development boundary.
No main habitat but additional habitats present	30	These parcels include deciduous woodland, traditional orchard and good quality semi-improved grassland; and



		• There are six parcels of this habitat category within 0.5 km of the development boundary.
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- 4.1.4 Three ponds were recorded within 0.5 km of the development boundary (see Figure 1). The nearest pond is located 0.13 km southwest of the development boundary.
- 4.1.5 Thirty-seven main river parcels were returned within 2 km of the development boundary (see Figure 1). There were also ninety-nine parcels listed as priority river habitats under the national inventory. The nearest main river parcel is located 0.35 km north of the development boundary.

Protected Species and Other Species of Conservation Concern

- 4.1.6 No European Protected Species Licenses (EPSLs) were granted within 1 km of the development boundary.



4.2 UK Habitat Classification Survey Results

4.2.1 The habitats recorded during the UK Hab Survey within the development boundary are described below in Table 6 (see Figure 2 and Figure 3).

Table 6 – Habitats recorded within the development boundary during the UK Habitat Classification Survey.

Habitat Reference (Figure 2)	UK Hab Survey Classification Code	Approx. Area sqm	Summary and Species List
Woodland			
1	Primary: Lowland mixed deciduous woodland Secondary: Ancient woodland site, semi-natural woodland Code: w1f 28 30	12790	There is a parcel of woodland located in the eastern section of the site, listed on the national inventory as ancient woodland. Much of the parcel was inaccessible during the UKHab survey due to thick <i>Rhododendron</i> cover however; a species list and habitat description was compiled from accessible areas within the parcel and from adjacent habitat parcels. The woodland appears to be heavily grazed, with approximately 50 deer recorded within the parcel during the survey. Few ancient woodland indicator species were recorded within the accessible areas, limited to occasional occurrences of wood anemone and wood sorrel. The limited presence of ancient woodland indicator species may reflect grazing pressure. The shrub layer was sporadic, with some sections of dense undergrowth and other areas remaining open and characterised by bare ground. <i>Rhododendron ponticum</i> was abundant across the parcel and is suppressing the native shrub layer. Species recorded: Canopy: Pedunculate oak (A), sweet chestnut (O), sycamore (F), ash (O), holly (F), Goat willow (wet areas) (O), silver birch (A), poplar sp. (O), hornbeam (O), field maple (O) Shrub layer: Hawthorn (O), hazel (O), blackthorn (O), <i>Rhododendron ponticum</i> (A). Ground layer: Ivy (F), false brome (O), common bent (O), wood anemone (R), wood sorrel (R).



2	Primary: Other broadleaved woodland Secondary: Plantation Code: w1g 29	12066	There is a large other broadleaved woodland parcel located in the eastern section of the site. The woodland was planted post-war following the clearance of ancient woodland. Sweet chestnut appears to have initially been planted, with subsequent semi-natural succession and colonisation by a mix of broadleaved species. Several woodland rides and open areas are present within the parcel, with several failed, fallen and mature trees, indicating a varied age structure. This parcel is listed as HPI woodland on the national inventory; however, it was classified as non-HPI woodland during UKHab survey due to the species composition and structure. The shrub layer is dominated by rhododendron, which is likely to be suppressing native regeneration. Ground flora was absent, with the parcel characterised by bare ground. <u>Species recorded:</u> Canopy layer: Sweet chestnut (D), sycamore (F), hornbeam (F), silver birch (F), ash (O), beech (O), goat willow (R). Shrub Layer: Rhododendron ponticum (D), hazel (F)
3	Primary: Lowland mixed deciduous woodland Code: w1f	4188	There is a large stand of silver birch that forms a lowland mixed deciduous woodland parcel along the southern development boundary. The understorey and ground layer of the woodland are sparsely vegetated with bare ground abundant. <u>Species recorded:</u> Canopy layer: Silver birch (D), European beech (R), sweet chestnut (R). Shrub layer: Rhododendron ponticum (O), Hazel, (O), Yew (R). Ground layer: Primrose (R), bracken (R), English bluebell (R), hard rush (R), haircap moss (R), lords and ladies (R), wood anemone (R).



4	Primary: Lowland mixed deciduous woodland Code: w1f	6779	A parcel of lowland mixed deciduous woodland was recorded in the south-western section of the site. The ground layer is species-poor and largely characterised by bare ground, likely reflecting high deer grazing pressure and the dominance of rhododendron within the shrub layer. The parcel shows a transition in canopy composition, with silver birch remaining abundant in the southern section, grading into increased dominance of pedunculate oak towards the northern extent. Rhododendron is abundant throughout the parcel and is forming dense stands, suppressing native shrub and ground flora. No ancient woodland indicator species were recorded during the survey. <u>Species recorded:</u> Canopy: Silver birch (A), pedunculate oak (O), sweet chestnut (O), sycamore (O), ash, holly, field maple (O). Shrub layer: Rhododendron ponticum (D), hawthorn (O), hazel (O), blackthorn (O), holly (R). Ground layer: Ivy.
5	Primary: Lowland mixed deciduous woodland Secondary: Ancient woodland site, semi-natural woodland Code: w1f 28 30	1979	A parcel of lowland mixed deciduous woodland was recorded in the south-western section of the site. The parcel lacks a well-developed understory, with the shrub layer present only in sporadic patches. Ancient woodland indicator species were more frequent in the northern part of the parcel; however, moving southwards, rhododendron becomes increasingly dominant and ground flora correspondingly sparser. <u>Species recorded:</u> Canopy: Pedunculate oak (D), hornbeam (O), sycamore (O), silver birch (O), ash (O). Shrub: Rhododendron ponticum (O), holly (O), hawthorn (O), hazel (O), field maple (O). Ground layer: English bluebell (F), wood sorrel (O), wild garlic (O), cinquefoil (O), daffodil (O), lords and ladies (O), primrose (O), dog violet (R), bracken (R), garlic mustard (R), hair cat moss (R), guelder rose (R).



6	Primary: Lowland mixed deciduous woodland Secondary: Ancient woodland site, semi-natural woodland Code: w1f 28 30	2082	A parcel of lowland mixed deciduous woodland was recorded in the western section of the site. The habitat characteristics and species composition are similar to adjoining habitat parcel 5. The parcel lacks a well-developed understory, with the shrub layer present only in sporadic patches. Snake's head fritillary was recorded in the western section of the parcel. Species recorded: Canopy: Pedunculate oak (D), hornbeam (O), sycamore (O), silver birch (O), ash (O). Shrub: Rhododendron ponticum (O), holly (O), hawthorn (O) hazel (O), field maple (O). Ground layer: English bluebell (F), wood sorrel (O), wild garlic (O) cinquefoil (O), daffodil (O), lords and ladies (O), bracken (O), dog violet (R), garlic mustard (R), hair cat moss (R), guilder rose (R), snake's head fritillary (R).
7	Primary: Lowland mixed deciduous woodland Code: w1f	445	A small parcel of lowland mixed deciduous woodland was recorded in the western section of the site. This parcel is a historically cleared section of ancient woodland. The habitat characteristics and species composition are broadly similar to those of adjacent habitat parcel 6; however, this parcel supports notably fewer ancient woodland indicator species. The canopy composition shows a greater proportion of silver birch and sycamore compared to parcel 6. The shrub layer is very poorly developed and, where present, is dominated by rhododendron. The ground layer was dominated by bare ground. Species recorded: Canopy layer: Sweet chestnut (D), sycamore (F), hornbeam (F), silver birch (F), ash (O), beech (R). Shrub Layer: Rhododendron ponticum (D), hazel (O), field maple (O), holly (R). Ground layer: Bracken (O), English bluebell (R).
8	Primary: Other woodland - mixed Code: w1h	473	A small parcel of other woodland – mixed is located within the central area of the site. The canopy comprises a mixture of deciduous and coniferous tree species. The shrub layer is dominated by rhododendron, which is forming dense stands and suppressing native vegetation. Consequently, the ground layer is sparsely vegetated, with extensive areas of bare ground. Species recorded: Canopy layer: Pine sp. (A), silver birch (O), cherry sp. (R). Shrub layer: Rhododendron ponticum (D), hazel (O), bramble (O). Ground: False brome (R), wood avens (R), herb Robert (R), soft rush (R), cork screw rush (R).



9	Primary: Other broadleaved woodland Code: w1g	1584	A parcel of other broadleaved woodland is located in the central section of the site. This parcel is listed as HPI woodland on the national inventory; however, it was classified as non-HPI woodland during the UKHab survey due to its current structure, species composition and condition. The woodland is dominated by young, even-aged trees, with only two mature pedunculate oak recorded within the parcel. The shrub and ground layers are very poorly developed and largely absent. In addition, the shrub layer is dominated by the invasive non-native species <i>Rhododendron ponticum</i>, which is likely to be suppressing native regeneration and ground flora. The woodland appears to have been established through planting, with a predominantly even-aged structure. In combination with its limited native species diversity, absence of a characteristic ground flora and dominance of invasive species, this means the parcel does not meet the criteria for priority lowland mixed deciduous woodland. Species recorded: Canopy layer: silver birch (F), ash (F), Holly (O), Pine sp (O), pedunculate oak (R). Shrub layer: <i>Rhododendron ponticum</i> (A).
10	Primary: Lowland mixed deciduous woodland Secondary: Ancient woodland site, semi-natural woodland Code: w1f 28 30	1961	A parcel of lowland mixed deciduous woodland was recorded in the northern section of the site. The woodland lacks a well-developed understorey, with the shrub layer present only in sporadic patches and composed solely of rhododendron. Extensive areas of bare ground are present throughout the parcel. Species recorded: Canopy: Pedunculate oak (D), sycamore (A), hornbeam (O), silver birch (O), ash (O), horse chestnut (O), cherry (R). Shrub: <i>Rhododendron ponticum</i> (A). Ground layer: English bluebell (F), wood anemone (F), wood sorrel (O), wild garlic (O) cinquefoil (O), daffodil (O), lords and ladies (O), bracken (O), dog violet (R), garlic mustard (R), hair cat moss (R), guelder rose (R), snake's head fritillary (R).
11	Primary: Lowland mixed deciduous woodland Code: w1f	1871	A parcel of lowland mixed deciduous woodland was recorded within the northern section of the site. The woodland supports a mixed canopy dominated by silver birch. The shrub layer is poorly developed and largely dominated by rhododendron, with occasional hawthorn, hazel and blackthorn present. The ground layer is very sparse and species-poor, with ivy forming the principal ground cover. No ancient woodland indicator species were recorded during the UKHab survey, and the overall structure and floristic diversity of the parcel is limited. Canopy: Silver birch (A), pedunculate oak (O), sweet chestnut (O), sycamore (O), ash (O), holly (O), field maple (O). Shrub layer: <i>Rhododendron ponticum</i> (F), hawthorn (O), hazel (O), blackthorn (O). Ground layer: Ivy (O)



12	Primary: Lowland mixed deciduous woodland Secondary: Ancient woodland site, semi-natural woodland Code: w1f 28 30	378	A parcel of lowland mixed deciduous woodland was recorded within the northern section of the site. The habitat characteristics and species composition recorded within this parcel are almost identical to those recorded in habitat parcel 11; however, wood anemone was also recorded within this parcel. Species recorded: Canopy: Silver birch (A), pedunculate oak (O), sweet chestnut (O), sycamore (O), ash (O), holly (O), field maple (O). Shrub layer: Rhododendron ponticum (F), hawthorn (O), hazel (O), blackthorn (O). Ground layer: Ivy (O), wood anemone (R)
Grassland			
13	Primary: Modified grassland Code: g4	7267	A parcel of modified grassland occupies the central area of the development boundary. The sward height is variable, comprising tightly grazed areas approximately 50 mm in height, interspersed with tussocks of sedges and rushes reaching up to 1 m. The grassland is situated on a former ancient woodland clearing where soils have been significantly disturbed — ancient woodland soil was inadvertently removed and replaced first with aggregate and later with clay. Subsequent attempts to re-establish woodland through planting have failed, leaving the area as open grassland. The vegetation is species-poor, supporting only 4–5 species per m², and no invasive non-native species were recorded. This grassland is dominated by rushes and sedges, indicating damp or seasonally wet conditions likely associated with the disturbed and variable substrates. In our professional judgement, the assemblage does not correspond well with either modified or other neutral grassland communities within the UKHab classification. Given its species poor assemblage and some nutrient and disturbed ground species being abundant, it is more consistent with modified grassland on reworked soil in our professional opinion. Species recorded: Grasses/sedges/rushes: Pendulous sedge (A), hard rush (A), annual meadow-grass (A), common bent (F), perennial rye-grass (O). Forbs: Common nettle (F), dead-nettle (O), English cinquefoil (O), silverweed (O), horseshoe vetch (O), lady's smock (O), teasel (O), fiddle dock (O), field sorrel (O), lesser celandine (R), hairy bittercress (R), common dog-violet (R), goat's-rue (R).
14	Primary: Modified grassland Code: g4	287	Parcel 14 has an identical species composition and assemblage as modified grassland parcel 13.



Urban			
15	Primary: Developed land, sealed surface Secondary: Building Code: u1b5	38	There is a building located in the centre of the site. The building is a disused portacabin office.
16	Primary: Artificial unvegetated, unsealed surface Code: u1c	1972	There is an area of artificial unvegetated, unsealed surface that is used as a track that runs from the north of the site, through the centre of the site and then to the west of the site.



4.3 Site Habitat Suitability Assessment

- 4.3.1 An assessment of the habitat within the development boundary to act as an ecological receptor for protected species and species of conservation concern, based upon the desk study results and the habitats recorded during the UK Hab Survey is provided below in Table 7. The bat PRA results are summarised below and given in full in Table 9, Appendix I.

Table 7 – Site habitat assessment for protected species and species of conservation concern.

Species/Group	Site Assessment and Rationale
GCN and Other Amphibians	• There were no records of GCN returned from the desk study search within 1 km of the development boundary. There are three ponds located within 500 m of the site. Arun Ecology visited Pond 1, which is located 130 m southeast of the site in 2024, and can confirm this pond is stocked with carp. There are a further two ponds located 450 m and 395 m north of the development boundary, which are both fishing ponds. There are minor roads separating both ponds from the site. • The habitat within the development boundary includes lowland mixed deciduous woodland and other broadleaved woodland that provides suitable resting places for GCN. The refugia (see TN3, Figure 2) within modified grassland also provides resting places for GCN within the site, however, the structure of the grassland is unsuitable as a permanent resting place for GCN. • Based on the above points, it is reasonably unlikely that GCN would be encountered within the development boundary given the lack of suitable breeding habitat within 0.5 km of the development boundary.
Bats	• Records of bats (including SPI) were returned from the desk study search within 1 km of the development boundary. • There are no buildings with suitability for roosting bats within the site. The lowland mixed deciduous woodland and other broadleaved woodland parcels provide potential roosting places for bats. • The modified grassland within the site also provides suitable foraging habitat for bats, albeit, of lower quality, reflecting poor condition of the grassland. The habitats within the site connect well to the wider landscape which includes adjacent woodland habitats. As such, commuting and foraging bats could be encountered within the development boundary.



Birds	• Several records of birds including species of conservation concern were returned from the desk study search within 1 km of the development boundary. • The lowland mixed deciduous woodlands, other broadleaved woodlands, building B1 and refugia (see TN1, Figure 2) provide suitable habitat for nesting birds within the site. The modified grassland provides insufficient cover for ground nesting birds, lending to its tightly cropped structure. • The overall quantity and quality of available habitat for nesting birds within the main footprint of the development is insufficient to support important bird assemblages and populations of conservation concern.
Terrestrial mammals (non-bats)	• Badgers: No evidence of badgers, including badger setts or field signs were recorded within the development boundary at the time of the UK Hab survey. The development boundary includes modified grassland, lowland mixed deciduous woodland and other broadleaved woodland that are habitats typically providing foraging and sett making opportunities, given the rural setting. • Hazel dormice: Previous surveys have indicated that hazel dormice are likely absent from the site. The lowland mixed deciduous woodland and other broadleaved woodland are habitats typically associated with hazel dormice, however, the condition of the habitats within the site is sub-optimal for the species due to the poor understorey layer and breaks in habitat. • Hedgehogs: Records of hedgehogs were returned from the desk study search within 1 km of the development boundary. The lowland mixed deciduous woodland and other broadleaved woodland provide both foraging and resting opportunities for hedgehog, while the modified grassland also provides foraging opportunity for hedgehog. Therefore, hedgehogs are reasonably likely to be encountered within the development boundary. • Otters and water voles: No records of otter or water vole were returned from the desk study search within 1 km of the development boundary. The nearest lotic waterbody is a tributary stream located approximately 0.35 km from the development boundary. Given, the lack of nearby records, distance to the waterbody and separating roads, in our professional judgement it is reasonably unlikely the habitat within the development boundary will be associated with these species, or that their burrows or holts will be encountered. • Other mammals: Several rabbit burrows were recorded throughout the development boundary. It is possible other mammals including fox, and small mammals could be encountered within the development boundary, based on the habitats present.



Reptiles	- The modified grassland parcels within the development boundary have unfavourable structure for reptiles as a permanent resting place due to the tightly cropped structure of the grassland. This supports previous negative survey results for reptiles at the site that concluded common reptiles are likely absent. The woodland habitats within the development boundary are heavily shaded and lack open areas or edges with suitable habitat interfaces for reptiles. All other habitat types recorded within the development boundary are habitats not typically associated with reptiles. - Based on the above points, reptiles are reasonably unlikely to be present within the development boundary.
Invertebrates	- Several records of invertebrates including species of conservation concern were returned from the desk study search within 1 km of the development boundary. - The habitats within the development boundary include lowland mixed deciduous woodland, ancient woodland and other broadleaved woodland that provide habitats of higher value for invertebrates, albeit, they are generally in poorer condition within the site. Modified grassland parcels within the site provided limited value for invertebrates due to their poor condition. - Based on the above points it is reasonably unlikely that any important assemblages or populations of conservation concern will be encountered within the immediate footprint of the development.
Plants, Lichens and Fungi	- Snakehead fritillary, which is listed under schedule 8 of the Wildlife & Countryside Act, 1981 was recorded within lowland mixed deciduous woodland (parcel 6). No other European or any other nationally protected plants, SPI or other species of conservation concern were recorded within the development boundary. - The habitat within the development boundary includes lowland mixed deciduous woodland, including ancient woodland parcels, which can be associated with species of conservation concern. However, all habitats within the development boundary, were relatively species poor, most likely reflecting historic use and disturbance of the site as well as the abundance of rhododendron and other non-native species on the site. - The likelihood of other species of conservation concern being recorded within the development boundary is discussed in Section 5.
Non-native and Invasive Species	Rhododendron sp. which is listed under Schedule 9 of the Wildlife & Countryside Act, 1981 is extensively distributed across the woodland parcels within the development boundary. Other non-native species such as cherry laurel are also prevalent.



5. Legislation and Planning Policy

5.1.1 A summary of the relevant legislation and planning policy that could be a material consideration to the development is provided below in Table 8. Further details of the UK legislation and planning policy relevant to the qualifying features in this section are detailed in Appendix II.

Table 8 – Legislation and planning policy evaluation of the development.

Ecological Feature	Relevant Legislation & Planning Policy	Impact Assessment and Legal Compliance	Rationale and Comments
Habitats			
Irreplaceable habitat	- National Planning Policy Framework, 2024; and - Mid Sussex District Plan, 2018 –Policy DP37 and DP38.	Mitigation required	- There are five parcels of ancient woodland located within the development boundary. There is potential for ancient woodland to be adversely impacted as part of the development and BNG proposals without appropriate avoidance and mitigation measures during the construction and operational phases of the development. - Additional measures will be required to prevent indirect impacts, including controls on pollution, surface water runoff, and artificial lighting. - The recommendations outlined in Section 6 of this report should be followed to minimise impacts to ancient woodland parcels.
Habitats of Principle Importance	- Natural Environment & Rural Communities Act, 2006 – Section 40/41; - National Planning Policy Framework, 2024; and - Mid Sussex District Plan, 2018 – Policy DP37 and DP38.	Mitigation required	- There are parcels of lowland mixed deciduous woodland within the development boundary that meet the criteria as HPI. The development design avoids direct impacts to deciduous woodland within the site, however, mitigation will be required during the construction and operational phases of the development to ensure deciduous woodland is not adversely impacted. - The recommendations outlined in section 6 should be followed to ensure the development proceeds lawfully.



Non-priority woodland	Mid Sussex District Plan, 2018.	Mitigation required	- There are several parcels of non-priority woodland within the development boundary. - Mitigation will be required within the design of the development to ensure the retention of the above features, where reasonably practical. Mitigation will also be required during the construction phase of the development to prevent any damage and degradation to woodland. - The recommendations outlined in section 6 of this report should be followed to ensure the development is compliant with local planning policy.
Pollution Prevention	- Environmental Protection Act, 1990; and - National Planning Policy Framework, 2024.	Mitigation required	- Pollution prevention measures should be incorporated into the construction phase of the development to avoid onsite and offsite pollution to habitats and the nearby waterbodies. - Mitigation measures will be required within the design of the development to ensure that there are no significant increases in the levels of light pollution as a result of the installation of artificial lighting as part of the development. - The recommendations outlined in section 6 should be followed to ensure the development proceeds lawfully.
Biodiversity Net Gain and Ecological Enhancements			
Biodiversity Net Gain	- The Environment Act, 2021; and - National Planning Policy Framework, 2024.	Compliant	A BNG assessment will be submitted with the planning application that demonstrates an uplift (exceeding 30%) in the baseline biodiversity value of the site.
Ecological Enhancement	- National Planning Policy Framework, 2024; and - Mid Sussex District Plan, 2018 –Policy DP38.	Compliant	In addition to the measurable net gains outlined within the BNG assessment that will be submitted with the planning application, non-measurable net gains (ecological enhancements) are also required within the design of the development to ensure it is compliant with national and local planning policy.



			The details and specifications of the proposed ecological enhancements are outlined within the Habitat Management and Monitoring Plan (HMMP) submitted with the planning application.
Protected Species and Species of Conservation Concern			
Badgers	Badger Protection Act, 1992.	Precautionary mitigation advised	- No badger setts or evidence of badgers were recorded within the development boundary, however, due to the habitats within the development boundary, it's rural location and proximity to typical badger habitats (such as ancient and deciduous woodland), it is possible that badger setts could be created within the development boundary and potentially be encountered prior to the commencement of the development. - The recommendations outlined in section 6 should be followed to ensure the development proceeds lawfully.
Bats	- Conservation of Habitat & Species Regulation, 2017; - Wildlife & Countryside Act, 1981 – schedule 5; and - Natural Environment & Rural Communities Act, 2006 – Section 40/41.	Mitigation required	- Based on the current development plans, no buildings or trees with suitability for roosting bats will be impacted by the development. As such, it is not anticipated that the development will result in adverse impacts on bats or their roosts. - The lowland mixed deciduous woodland and other broadleaved woodland habitats have trees with suitability for roosting bats, however, these habitats will be retained as part of the development. As such, roosting bats in trees are reasonably unlikely to be harmed directly by the development proposals. Enhancement as part of BNG on-site could include works to woodlands within the development boundary, and as such roosting bats will need to be considered as part of any future HMMP for the site. - For the reasons outlined in the pollution prevention section, the development will be required to mitigate new light pollution from the installation of artificial lighting to ensure it does not adversely impact potential bat flightlines within the site.



			The recommendations outlined in section 6 should be followed to ensure the development proceeds lawfully.
Birds	- Wildlife & Countryside Act, 1981 – Section 1 and Schedule 1; and - Natural Environment & Rural Communities Act, 2006 – Section 40/41.	Mitigation required	- The development will involve the removal of modified grassland, refugia piles, planting tubes, and a building that may provide nesting habitat for birds. Without appropriate mitigation, nesting birds could be adversely affected during the construction phase of the development. - Based on the available habitat within the main footprint of the development, it is reasonably unlikely that important assemblages or populations of birds of conservation concern will be adversely impacted by the development. - The recommendations outlined in section 6 of this report should be followed to ensure the development proceeds lawfully.
Great crested newts	- Conservation of Habitat & Species Regulations, 2017; - Wildlife & Countryside Act, 1981 – schedule 5; and - Natural Environment & Rural Communities Act, 2006 – Section 40/41.	Adverse impacts/offence reasonably unlikely.	In our professional opinion, the development is reasonably unlikely to result in harm to great crested newts (GCN) due to: - The presence of known fish populations in the nearest pond to the site, the sufficient distance to other nearby ponds, the presence of minor land barriers, and the availability of extensive suitable habitat for GCN to the north of the site. - The retention of habitat within the development boundary that is suitable as GCN resting places, with only habitats of low suitability (modified grassland, building B1 and artificial unvegetated, unsealed surface) being removed. Based on the above, we consider it reasonably unlikely that the development will adversely affect GCN at a population level. This conclusion is further supported by the proposed habitat enhancements, which will increase the availability of suitable terrestrial and breeding habitat for GCN within the development boundary. Using the Natural England Risk Assessment Tool—and excluding the pond 150 m from the site due to its large fish population—the assessment assumes GCN



			presence at the ponds located 450 m and 395 m north of the development boundary. Under these conditions, the tool returned a score indicating that an offence is very unlikely. In our professional opinion, this confirms that the risk of an offence being committed in relation to GCN is acceptably low and that it is reasonably unlikely any licensable actions will be required for the development.
Hazel dormice	• Conservation of Habitat & Species Regulations, 2017; • Wildlife & Countryside Act, 1981 – schedule 5; and • Natural Environment & Rural Communities Act, 2006 – Section 40/41.	Mitigation required	• There are various parcels of ancient woodland, lowland mixed deciduous woodland, other broadleaved woodland and other woodland - mixed onsite that are broadly habitat types suitable for hazel dormice. Previous surveys conducted in 2019 (Verdant Ecology, 2024) of suitable hazel dormouse habitats within the site concluded a likely absence of hazel dormice. • All woodland within the development boundary will be retained as part of the development and mitigation measures have been recommended in section 6 to safeguard the woodland during the construction phase. • Based on the above points, the development is reasonably unlikely to result in harm to individual hazel dormice or adversely impact any habitat associated with a hazel dormouse population. • Enhancement as part of BNG on-site could include works to woodlands within the development boundary. During these enhancement works, the PMoW for hazel dormice (submitted as part of the planning application) should be followed.
Hedgehogs	• Natural Environment & Rural Communities Act, 2006 - Section 41; and • Wild Mammals (Protection) Act, 1996.	Mitigation required	• It is reasonably likely that individual hedgehogs may be present within the development boundary, and without appropriate mitigation, there is a risk they could be inadvertently harmed by actions prohibited under the Wild Mammals (Protection) Act 1996. • The mitigation measures outlined in Section 6 should therefore be followed to ensure the development proceeds lawfully.



Reptiles	- Conservation of Habitat & Species Regulations, 2017 (Sand Lizard & Smooth Snake only); - Wildlife & Countryside Act, 1981 – schedule 5; and - Natural Environment & Rural Communities Act, 2006 – Section 40/41.	Mitigation required	- Previous surveys conducted in 2019 (Verdant Ecology, 2024) of suitable habitats within the site concluded a likely absence of reptiles. - The habitats currently present within the development boundary lack the structural characteristics required to provide suitable permanent resting places for reptiles. - Based on the above, it is considered reasonably unlikely that reptiles have colonised the site or that they will be adversely affected by the development. - The recommendations outlined in section 6 should be followed to ensure that the risk of encountering reptiles within the footprint of the development remains acceptable low.
Other Mammal Burrows	Wild Mammals Protection Act, 1996.	Mitigation required	- Rabbit burrows have been recorded within the development boundary. Given the location of the site and the habitats present within the development boundary, it is possible that mammal burrows of other species could also be encountered within the development boundary prior to the commencement of the development. - As such, it is possible that mammals could be inadvertently harmed with methods prohibited under the Wild Mammals Act, 1996 whilst inhabiting their burrows without appropriate mitigation. - To ensure the development proceeds lawfully the mitigation outlined in section 6 should be followed.
Otters	- Conservation of Habitat & Species Regulation, 2017; - Wildlife & Countryside Act, 1981 – schedule 5; and - Natural Environment & Rural Communities Act, 2006 – Section 40/41.	Compliant/ adverse impacts reasonably unlikely	The development is reasonably unlikely to result in harm to individual otters or adversely impact their breeding and resting places. Therefore, the conservation status of otter will not be adversely impacted by the development.



Water Voles	- Wildlife & Countryside Act, 1981 – schedule 5; and - Natural Environment & Rural Communities Act, 2006 – Section 40/41.	Compliant/ adverse impacts reasonably unlikely	The development is reasonably unlikely to result in harm to individual water voles or adversely impact any burrows or habitat associated with water vole populations.
Invertebrates	- Conservation of Habitat & Species Regulations, 2017 – Schedule 2; - Wildlife & Countryside Act, 1981 – Schedule 5; and - Natural Environment & Rural Communities Act, 2006 – Section 40/41.	Adverse impacts/ offence reasonably unlikely	- Habitats within the development boundary that broadly have value for invertebrates include ancient woodland, lowland mixed deciduous woodland, other broadleaved woodland, and other woodland – mixed. Despite this, the woodland habitats present were all in poor condition (with the exception of parcel 6 which was in moderate condition). - Furthermore, habitat removal as part of the development is limited to modified grassland, artificial unvegetated, unsealed surface and building B1, which are botanically poor parcels (or parcels with no associated vegetation), making it unlikely that the development would impact protected or notable invertebrate species. - Based on the above points, the development is reasonably unlikely to result in any adverse impacts to any European protected invertebrate species, nationally protected species, important populations of SPI or nationally or locally important assemblages of conservation value. - Ecological enhancements as part of the design (see HMMP) will provide a net improvement in habitat availability and quality for invertebrates within the development boundary.
Invasive non-native species	- Wildlife & Countryside Act, 1981 – Schedule 9; and - Invasive Alien Species Order, 2019.	Mitigation required	- Extensive stands of <i>Rhododendron ponticum</i> are present within the development boundary. Mitigation will therefore be required during the construction phase and as part of on-site habitat enhancement works to ensure this species is not intentionally or accidentally spread beyond the site. - To ensure the development proceeds lawfully the mitigation outlined in section 6 should be followed.



Protected Plants, Fungi and Lichens	• Conservation of Habitat & Species Regulations, 2017 – Schedule 5; • Wildlife & Countryside Act, 1981 - Schedule 8; and • Natural Environment & Rural Communities Act, 2006 – Section 40/41.	Mitigation required	• Snakehead fritillary (<i>Fritillaria meleagris</i>) was recorded on site, but the development does not involve removal or disturbance of the ancient woodland where it occurs. • Development is limited to modified grassland, artificial unvegetated, unsealed surface, and building B1, which are botanically poor, making it unlikely to impact protected or notable plant species. • Given the ancient woodland and associated rare plant assemblages, these habitats will be managed through a Woodland Management Plan outlined within the Habitat Management and Monitoring Plan (HMMP), supporting their long-term conservation and contributing to Biodiversity Net Gain (BNG). • To ensure the development proceeds lawfully the mitigation outlined in section 6 should be followed.
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6. Requirements and Recommendations

6.1 Background

- 6.1.1 The recommendations included in this section are based upon the mitigation hierarchy (avoidance, mitigation, and compensation; BSI, 2013) and takes consideration of government circular: Biodiversity and Geological Conservation Circular 06/2005.
- 6.1.2 Mitigation is not discussed where further surveys are required to inform such mitigation or compensation, unless in our professional judgement it would not be proportionate to request further surveys as the risk of a legal offence being committed as a result of the development is acceptably low.

6.2 Habitat Mitigation

Ancient Woodland

- 6.2.1 To safeguard the ancient woodland within the development boundary from damage or degradation during the construction phase of the development, specialist arboricultural advice should be sought.
- 6.2.2 As a minimum, the following mitigation measures should be followed to ensure that there are no adverse impacts that arise as a result of the development on ancient woodland and that the long-term restoration and conservation of the ancient woodland habitat is promoted:
- A clearly defined 15m buffer zone shall be established between the construction works and the edge of the ancient woodland, which shall be designated as an Ecological Protection Zone (EPZ) and demarcated using temporary fencing and signage. The buffer zone should also encompass Root Protection Areas of all trees within the ancient woodland where possible. No construction activities, storage of materials, refuelling, or ground disturbance shall occur within this zone;
 - The above recommendations will not be applicable to the ancient woodland that borders the existing track, as it would be impractical and disproportionate to achieve such measures, given the track is already in place. Instead, fencing should be placed along the boundary between the track and the ancient woodland.
 - To minimise the impact of the development on the ancient woodland, the existing track (that runs from the north to the centre of the site) will be covered in low-impact matting to prevent soil compaction. Heavy machinery and plant should enter the site via the other existing track (that runs from the west to the centre of the site) as this is already sufficiently wide for this purpose.



Habitat of Principle Importance

- 6.2.3 To safeguard the lowland mixed deciduous woodland within the development boundary from damage or degradation during the construction phase of the development, specialist arboricultural advice should be sought. The Root Protection Areas (RPAs) of all trees on the HPI woodland edge must be safeguarded throughout the construction phase. An Arboricultural Impact Assessment and Method Statement (prepared in accordance with BS 5837:2012) should be commissioned to define RPAs, specify construction exclusion zones, and set out tree protection fencing.
- 6.2.4 To ensure the long-term safeguarding of the lowland mixed deciduous woodland within the development boundary, a protective buffer along the edge of the woodland should be established as part of the landscaping plans for the development (where reasonably practical). The buffer should:
- As a minimum encompass the root protection zones of mature trees on the edge of the lowland mixed deciduous woodland;
 - Allow the establishment of semi-natural habitat within the woodland buffer that could include grassland and scrub (natural scrub succession); and
- 6.2.5 The above recommendations will not be applicable to the lowland mixed deciduous woodland that borders the existing track, as it would be impractical and disproportionate to achieve such measures, given the track is already in place.
- 6.2.6 Additional mitigation measures to protect woodland parcels during delivery of proposed enhancement works, which contribute to Biodiversity Net Gain, are detailed within the submitted Habitat Management and Monitoring Plan (HMMP).

Non-priority Woodland

- 6.2.7 To safeguard the non-priority woodland parcels within the development boundary from damage or degradation during the construction phase of the development, an Arboricultural Impact Assessment and Method Statement (prepared in accordance with BS 5837:2012) should be commissioned to define RPAs, specify construction exclusion zones, and set out tree protection fencing.

Invasive Non-Native Species (INNS)

Rhododendron

- 6.2.8 The mitigation measures for ancient, priority and non-priority woodland outlined in section 6.2 during the construction phase of the development are deemed to be



sufficient to ensure that there is no further spread of the identified Schedule 9 listed species (*Rhododendron*).

- 6.2.9 The BNG Assessment and HMMP submitted in support of this planning application include woodland enhancement measures that incorporate the removal of *Rhododendron ponticum* in a controlled manner. As such, no further recommendations are proposed in regard to INNS within this report.

Pollution Prevention Measures

- 6.2.10 The following pollution prevention measures should be followed during the construction phase of the development to ensure that there is no onsite or offsite pollution to nearby habitats (including ancient and deciduous woodland parcels) and watercourses:

- Safe storage of fuels, oils and chemicals within the development boundary (such as on hardstanding) with appropriate spill kits (for the scale of activities) available on-site at all times;
- Appropriate locating and storage of construction materials outside of the root protection zone of woodland and trees within the development boundary;
- Safe disposal of any contaminated water or soil and general waste within the development boundary or with appropriate offsite management;
- Appropriate locating of mixing stations and inclusion of dust prevention measures where required within the development boundary;
- Monitoring and prevention of water and silt run-off from construction areas including the installation of silt traps where appropriate; and
- Where possible the use of fertiliser and herbicides should be minimised as part of on-going site management.

- 6.2.11 To ensure the development avoids adverse impacts on bat foraging and commuting habitats that are located within and immediately adjacent to the development boundary, any lighting as part of the proposed development should be installed in line with current guidance issued by the Bat Conservation Trust and Institute of Lighting Professionals: Guidance Note 08/23: Bats and Artificial lighting in the UK (BCT & ILP 2023).

- 6.2.12 The lighting strategy for the site as a minimum should aim to:

- Avoid illumination of the woodland parcels within the development boundary; and



- Minimise the overall levels of light pollution within the site as a result of the development by:
 - Selecting appropriate lighting sources such as LED lighting that lack UV components, have peak wavelengths higher than 550 nm and that have a warm white light (2,700 kelvin or lower);
 - Appropriate fitting of lighting to include horizontal mounting with no light output above 90° and/or no upward tilt, or as a last resort the use of baffles, hoods or louvres to reduce light spill and direct lighting to only where it is needed;
 - Using light only when necessary, within the site, by using timers and motion sensors; and
 - Providing natural screens in landscaping plans to break up artificial light where light spill cannot be avoided.

Construction Environmental Management Plan

- 6.2.13 Due to the presence of ancient woodland, lowland mixed deciduous woodland, and invasive non-native species within the development boundary, a Construction Environmental Management Plan (CEMP) should be prepared and adhered to during construction to minimise ecological impacts and ensure appropriate habitat protection and biosecurity measures are implemented.

6.3 Protected Species Mitigation

Badger and Other Mammal Burrows

- 6.3.1 In the unlikely event that a burrow entrance of a mammal is discovered within the development boundary that could be of a suitable size for badgers, the following actions should be taken:
- Works paused and an ecologist consulted regarding any likely burrow or badger sett;
 - A suitable buffer (as advised by an ecologist) established and clearly marked around the suspected badger sett; and
 - Any badger sett or mammal burrow that could be in use by badgers that is reasonably likely to be impacted by the development should be monitored for an appropriate period by an ecologist and the appropriate licencing requirements obtained.



- 6.3.2 To ensure the development proceeds lawfully, any rabbit or fox burrows found within the immediate area of the development should not be tracked over by machinery and those that will be impacted as part of the development should be dug out with hand tools to prevent unlawful methods of killing (such as those outlined under the Wild Mammals (Protection) Act, 1996).

Bats

- 6.3.3 To ensure the development avoids adverse impacts on flightlines for bats, the recommendations outlined for Pollution Prevention Measures in section 5.3 should be followed.
- 6.3.4 The current plans indicate that no trees will be removed as part of the development. If this is to change, and any trees are required to be removed (such as during woodland enhancement set out in the BNG and HMMP), they will require a GLTA prior to felling to assess their suitability for roosting bats and to determine whether further surveys are required to confirm the presence or probable absence of roosting bats.

Nesting Birds

- 6.3.5 To ensure that the development is compliant with the legislation and planning policy relating to nesting birds, the removal of structures, buildings and any vegetation with suitability for nesting birds (such as trees or rhododendron) within the development boundary should ideally be completed outside of the breeding bird season (typically March – September). If it is not possible to avoid the breeding bird season to complete these works, a pre-works inspection by an appropriately qualified ecologist should be undertaken.
- 6.3.6 If an active bird nest or nesting activity is recorded within the development boundary during the pre-works inspection or at any other time during the development (such as the storage of building materials) the nest should be protected from damage and destruction (including disturbance that may cause the nest to be abandoned). A protective buffer should be implemented around any active nests (the size to be determined based on the professional judgement of an ecologist or environmental manager) and works in and around these areas should be controlled or delayed until the chicks have fledged.

Hazel Dormouse

- 6.3.7 Although hazel dormice are considered to be likely absent from the woodland parcels within the development boundary, a precautionary approach should still be followed as outlined by MSDC. The mitigation for ancient, HPI and non-priority woodland as



set out in section 6.2 is deemed to be sufficient for the construction and operational phases of the development.

- 6.3.8 A precautionary method of works (PMoW) for hazel dormice should be followed during the proposed on-going woodland enhancement as part of the BNG and HMMP proposals. A PMoW for hazel dormice has been submitted with the planning application.

Hedgehogs

- 6.3.9 Where reasonably practicable, measures should be implemented to avoid the unnecessary killing or injury of hedgehogs during construction activities. Contractors and stakeholders should remain vigilant for hedgehogs around vegetation, debris, or stored materials. Any hedgehog encountered should be carefully relocated to a safe location, either within retained on-site habitat or off-site. Additionally, all excavations should be securely covered each night or fitted with suitable escape ramps to prevent nocturnal mammals, including hedgehogs, from becoming trapped.

Reptiles

- 6.3.10 To ensure that the risk of encountering reptiles within the footprint of the development remains acceptable low:
- Habitats within the footprint of the development should be kept short to prevent reptiles colonising this area;
 - A tidy construction area should be targeted, with appropriate storage of building materials (off ground where reasonably practical) to prevent the unintended creation of refugia and hibernacula for reptiles; and
 - Where reasonably practical, any holes or excavation within the development boundary should be kept covered when not in use to prevent reptiles becoming trapped, checked regularly when not covered, and have an escape ramp installed to allow reptiles to escape; and
- 6.3.11 In the unlikely event an individual reptile is encountered within the development boundary, the reptile should be encouraged to move to safety, or alternatively, advice from an ecologist should be sought, prior to moving the reptile.



Protected Plants, Fungi and Lichens

- 6.3.12 Snakehead fritillary (*Fritillaria meleagris*) was recorded on site, however, the development does not involve removal or disturbance of the ancient woodland where it occurs.
- 6.3.13 The mitigation measures for ancient woodland outlined in section 6.2 during the construction phase of the development are deemed to be sufficient to protect protected plant species within the ancient woodland.



7. Conclusion

- 7.1.1 Mitigation will be required within the design and construction phase to ensure the development proceeds lawfully. Furthermore, the development will be required to implement ecological enhancements as part of the development.
- 7.1.2 The recommendations outlined within this report demonstrate how the above can be achieved as part of the development.



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Appendix I - Bat Preliminary Roost Assessment Results

Table 9 – Bat Preliminary Roost Assessment Results.

Building no.	Description	External Inspection	Internal inspection	Evidence of bats	Bat roost potential	Rational and potential roosting features recorded
B1	Building B1 is a metal framed storage building with a flat roof.	Yes	Yes	None recorded	Negligible	No bat PRFs were recorded on the exterior or interior of building B1.



Appendix II – Legislation & Planning Policy

8.2 Background

- 8.2.1 This section provides a summary of the legislation and planning policy that could be relevant to the development. Where possible we have limited this section to the areas relevant to this report. This means the legislation and planning policy outlined below is not included in its entirety.
- 8.2.2 This section does not constitute legal advice, and only, represents the interpretation and professional judgement of the ecologists named in this report, on the legislation and planning policy deemed relevant to the development.

8.3 RAMSAR Convention

- 8.3.1 RAMSAR sites are wetlands of international importance that have been designated under the criteria of the RAMSAR Convention on Wetlands for containing representative, rare or unique wetland types or for their importance in conserving biological biodiversity (JNCC, 2019).
- 8.3.2 The National Planning Policy Framework (NPPF, 2024) outlines the level of consideration that should be given to RAMSAR sites in Planning. Paragraph 187 states that RAMSAR and potential RAMSAR sites should be given the same protection as 'habitat sites' defined as those afforded protection under the Conservation of Habitat and Species Regulations (2017), such as Special Protection Areas or Special Areas of Conservation.

8.4 Conservation of Habitat and Species Regulations, 2017

- 8.4.1 The Conservation of Habitats and Species Regulations, 2017 transposes the EC Habitats Directive and some elements of the EC Bird Directive into national law in England and Wales. The objective of the Habitats Directive is to protect biodiversity through the conservation of natural habitats and species of wild fauna and flora. The directive lays down rules for the protection, management and exploitation of such habitats and species.

Protected Species

- 8.4.2 The regulations include provisions that prohibit certain actions from the protection of species listed under Annex II of the Habitat Directive. It is a criminal offence for a person to 'intentionally or recklessly' take the following action:
- Deliberately capture, injure or kill any wild animal of a European Protected Species (EPS);



- Deliberately disturb wild animals of any such species in such a way as to be likely to affect significantly the local distribution or abundance of the species to which they are likely to belong;
- Deliberately take or destroy eggs of any such wild animal;
- Deliberately pick, collect, uproot or destroy a wild plant of an EPS; and
- Keep transport, sell or exchange, or offer for sale or exchange, any live or dead wild animal or plant of an EPS, or any part of or anything derived from such an animal or plant.

8.4.3 The disturbance of such animals includes in particular; any disturbance that is likely to impact their ability;

- To survive, to breed or reproduce, or to rear or nurture their young;
- In case of animals of a hibernating or migratory species, to hibernate or migrate; or
- To affect significantly the local distribution or abundance of the species to which they belong.

Protected Sites

8.4.4 The Conservation of Habitats and Species Regulations, 2017 puts an obligation on the appointed appropriate authority for England & Wales to establish priorities for a network of nationally important sites.

8.4.5 The aforementioned sites, often referred to as European protected sites are formed of two types of sites, Special Protection Areas (sites specifically designated for birds) and Special Areas of Conservation (specifically designated for fauna and flora). The objective is for all species and habitats covered by these sites to contribute towards the maintenance and restoration of their favourable conservation status.

8.4.6 Designation can include but is not limited to the following reasons:

- A natural habitat type specified in Annex I of the Habitat Directive;
- A species specified in Annex II of the Habitats Directive;
- For the coherence of the national network of protected sites; and
- For threats of degradation or destruction to which the sites are exposed.



8.5 Wildlife and Countryside Act, 1981 (as amended)

- 8.5.1 The Wildlife and Countryside Act, 1981 (as amended) primarily transposes the UK Governments obligations under the Bird Directive and Bern Convention into law. The act outlines provisions for the protection of nationally important sites for nature conservation and provides protection at different levels for certain animals and plants, including certain prohibitions.

Protection of Birds

- 8.5.2 Part 1 – Section 1 includes certain prohibitions for the protection of birds which make it a criminal offence for a person to:

- Intentionally kill, injure or take any wild bird;
- Intentionally take, damage, or destroy 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 any one's possession or control any egg or part of an egg which has been taken in contravention of the Act or the Protection of Birds Act, 1954;
- Use traps or similar items to kill, injure or take wild birds;
- Have in one's possession or control any bird of a species occurring on schedule 4 of the Act unless registered, and in most cases ringed, in accordance with the secretary of state's regulations; and
- 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 independent young of such a bird.

Protection of Animals

- 8.5.3 Part 1 – Section 9 of the act includes certain prohibitions for the protection of certain animals named in schedule 5. In summary offences include:

- If any person intentionally or recklessly kills, injures or takes any wild animal included in schedule 5;
- If any person has in his possession or control any live or dead wild animal included in schedule 5, or any part of, or anything derived from, such an animal;



- If any person intentionally or recklessly damages or destroys, or obstructs access to, any structure or place which any wild animal included in schedule 5 uses for shelter or protection; or
- Disturb any such animal while it is occupying a structure or place which it uses for that purpose; and
- Sells, offers or exposes for sale, or has in their possession or transports for the purpose of sale, any live or dead wild animal included in schedule 5, or any part of, or anything derived from, such an animal, or publishes or causes to be published any advertisement likely to be understood as conveying that they buy or sell, or intends to buy or sell, any of those things.

Protection of Plants

8.5.4 Part 1 – Section 13 includes certain prohibitions for the protection of certain wild plants named in schedule 8. In summary offences include if any person:

- Intentionally picks, uproots or destroys any wild plant included in schedule 8, or not being an authorised person, intentionally uproots any wild plants not included in that schedule;
- Sells, offers or exposes for sale, or has in their possession or transports for the purpose of sale, any live or dead wild plant included in schedule 8, or any part of, or anything derived from, such a plant; or
- Publishes or causes to be published any advertisement likely to be understood as conveying that they buy or sell, or intends to buy or sell, any of those things.

Invasive Species

8.5.5 Part 1 – Section 14 includes certain prohibitions for the introduction of certain invasive species named in schedule 9 of the act. In summary offences include if any person:

- Subject to the provisions of this part, (a) if any person releases or allows to escape into the wild any animal which is of a kind which is not ordinarily resident in and is not a regular visitor to Great Britain in a wild state; or (b) is included in Part of Schedule 9; and/ or
- Subject to the provisions of this part, any person who plants, or otherwise causes to grow, any plant in the wild at a place out with its native range is guilty of an offence.



Sites of Specific Scientific Interest

- 8.5.6 Part 2 – Sections 28-33 of the act set out the law regarding Sites of Specific Scientific Interest (SSSI) by the conservation bodies in England (Natural England) and Wales (Natural Resource Wales) and outlines the offences with respect to SSSI.
- 8.5.7 The offences outlined in the act apply to any person(s), public body, landowner or occupier as well as statutory undertakers or permitted developments. Examples of offences include (but are not limited to):
- Any person intentionally or recklessly damaging or destroying any of the features of special interest of an SSSI, or disturbing wildlife for which the site was notified;
 - Public bodies are not allowed to carry out damaging operations on an SSSI, except where they notified the relevant conservation agency. It is also an offence for a public body to fail to minimise damage on an SSSI or – if damage occurs – to fail to restore a SSSI to its former state; and
 - Statutory bodies have a general duty to take reasonable steps to further to conservation and enhancement of the special feature of SSSI's;
 - Where statutory bodies propose to undertake or permit activities that could affect a SSSI they must consult the relevant statutory nature conservation agency. If the activity cannot be avoided it must be undertaken in a way least damaging to the SSSI; and
 - If you are the owner or occupier of a SSSI, it is an offence to carry out any activity that may likely damage the SSSI without consent from the relevant conservation agency. The law requires that you inform the conservation agency of any changes in the ownership or occupancy.

Other Protected Areas

- 8.5.8 Part 2 – Section 34 to 52 of the act deals with other protected areas within the UK such as limestone pavements, national nature reserves and marine nature reserves. The act allows designation of these sites by the appropriate authority for the purpose of conserving flora and fauna or geological or physiological features of specific interest in an area to protect the site. Furthermore, the act prohibits certain actions in National Parks for certain habitats without consent from local authorities.

8.6 Countryside Right of Ways Act, 2000

- 8.6.1 The Countryside Right of Ways Act, 2000 (CRoW Act, 2000) makes provisions for public access, amends the law for public rights of ways and amends existing law on



nature conservation and the protection of wildlife as well as makes further provisions for Areas of Outstanding Natural Beauty.

Wildlife Legislation

- 8.6.2 Part III of the CRoW Act, 2000 includes provisions for wildlife protection and nature conservation and includes amendments to the Wildlife & Countryside Act, 1981.
- 8.6.3 Schedule 9 of the CRoW Act, 2000 increases powers for the protection and management of SSSI. There are increased powers for appropriate authorities to secure management agreements for SSSI. A duty is placed on public bodies to have regard for the continued conservation and enhancement of SSSI. Furthermore, there are increased penalties for the prosecution of wildlife crime, including for third parties that damage SSSI.
- 8.6.4 Schedule 12 of the CRoW Act, 2000 makes certain offences under the provision of the Wildlife and Countryside Act, 1981 arrestable. Greater powers are given to police and appointed wildlife inspectors under the CRoW Act, 2000 and enables heavier penalties for the prosecution of wildlife crime.

8.7 National Parks and Access to the Countryside Act, 1949

- 8.7.1 This act makes provisions for National Parks and the establishment of a National Parks Commission; to confer on the Nature Conservancy and local authorities' powers for the establishment and maintenance of nature reserves. Part III of the act specifically outlines provisions for the designation of nature reserves.

8.8 Natural Environment & Rural Communities Act, 2006

- 8.8.1 The Natural Environment and Rural Communities Act (NERC), 2006 is primarily intended to implement key aspects of the governments rural strategy published in July 2004. It also addresses a wider range of issues relating broadly to the natural environment.

Section 40

- 8.8.2 Section 40 of the NERC Act, 2006, places a duty on any public authority and statutory undertaker to have due regard for the conservation and enhancement of biodiversity when delivering their functions, extending the provisions outlined under section 74 of the CRoW Act, 2000.
- 8.8.3 The policy goes on to state that conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population of that habitat.



Section 41

8.8.4 Section 41 of the NERC Act, 2006 requires the secretary of state in consultation with Natural England to outline Species of Principle Importance (SPI) and Habitats of Principle Importance (HPI) that in their opinion are important for the conservation of biodiversity.

8.8.5 The secretary of state is required to:

- Take such steps as appear to the secretary of state to be reasonably practicable to further the conservation of the living organisms and types of habitat included in any list published under this section; or
- Promote the taking by other of such steps.

8.8.6 The NERC Act, 2006 also provides some amendments to the Wildlife & Countryside Act, 1981 (as amended) and includes provisions for enforcement powers and the protection of SSSI.

8.9 Protection of Badgers Act, 1992

8.9.1 The Protection of Badgers Act, 1992 makes it a criminal offence to wilfully kill, injure or take any badger, or attempt to do so. It also makes it an offence to intentionally or recklessly damage, destroy or obstruct access to any part of a badger sett.

8.10 Wild Mammals (Protection) Act, 1996.

8.10.1 The Wild Mammals (Protection) Act, 1996 makes provision for the protection of wild mammals from certain cruel acts, and for connected purposes. It would be an offence for any person that mutilates, kicks, beats, nails or otherwise impales, stabs, burns, stones, crushes, drowns, drags or asphyxiates any wild animal with intent to inflict unnecessary suffering.

8.11 The Environment Act, 2021

8.11.1 The Environment Act, 2021 gained royal ascent on the 9th November, 2021. The act is wide ranging and broadly has the following aim:

‘a bill to make provision about targets, plans and policies for improving the natural environment, for statements and reports about environmental protection; for the office of environmental protection; about waste and resource efficiency; about air quality; for the recall of products that fail to meet environmental standards, about water, about nature and biodiversity; for conservation covenants; about the regulation of chemicals, and for connected purposes’.



Nature and Biodiversity

- 8.11.2 Part 6 – Sections 98 - 101 of the act outlines provisions for biodiversity gain in planning.
- 8.11.3 Schedule 14 makes provision for biodiversity gain to be a condition of planning permission in England.
- 8.11.4 Schedule 14 states that, the biodiversity gain objective is met in relation to development for which planning permission is granted if the biodiversity value attributable to the development exceeds the pre-development biodiversity value of the on-site habitat by at least the relevant percentage.
- 8.11.5 It goes on to state that the biodiversity value attributable to the development is the total of:
- The post development biodiversity value of the on-site habitat;
 - The biodiversity value, in relation to the development, of any registered offsite biodiversity gain allocated to the development; and
 - The biodiversity value of any biodiversity credits purchased for the development.
- 8.11.6 The relevant percentage is set at 10% for biodiversity gain.
- 8.11.7 Part 6 – Section 100 of the act outlines provisions by regulation for the secretary of a register of biodiversity gain sites (known as the biodiversity gain site register).
- 8.11.8 A biodiversity gain site is land where:
- A person is required under the conservation covenant or planning obligation to carry out works for the purpose of habitat enhancement;
 - That or another person is required to maintain the enhancement for at least 30 years after the completion of the works; and
 - For the purpose of schedule 7A to the Town and Country Planning Act, 1990 the enhancement is made available to be allocated (conditionally or unconditionally, and whether for consideration or otherwise) in accordance with the terms of the covenant or obligation to one or more developments for which planning permission is granted.
- 8.11.9 Part 6 – Section 101 states that the secretary of state may make arrangements under which a person who is entitled to carry out the development of any land may purchase a credit from the secretary of state for the purpose of meeting the



biodiversity gain objective referred to in schedule 7A to the Town and Country Planning Act, 1990 and Schedule 2A of the Planning Act, 2008.

8.11.10 A credit is to be regarded for the purpose of that schedule as having such biodiversity value as is determined under the arrangements.

8.11.11 The arrangements may in particular include arrangements relating to:

- Applications to purchase credits;
- The amount payable in respect of a credit of a given value;
- Proof of purchase; and
- Reimbursement for credits purchased for development which is not carried out.

8.12 National Planning Policy Framework (2024)

8.12.1 The National Planning Policy Framework (NPPF, Ministry of Housing Communities and Local Government, 2024) sets out the Government's planning policies for England and how these should be applied. It provides a framework which locally prepared plans for housing and other developments can be produced.

8.12.2 The NPPF supplements Government Circular: Biodiversity and Geological Conservation 06/2005 (Office of the Deputy Prime Minister, 2005).

Conserving and Enhancing the Natural Environment

8.12.3 Paragraph 187 states: Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) 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);
- b) 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;
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) 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;

- 8.12.4 e) 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
- 8.12.5 f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
- 8.12.6 Paragraph 188 states: Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.
- 8.12.7 Paragraph 189 states that: Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.
- 8.12.8 Paragraph 190 states that: When considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:
- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
 - b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
 - c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.



- 8.12.9 Within areas defined as Heritage Coast (and that do not already fall within one of the designated areas mentioned in paragraph 189), planning policies and decisions should be consistent with the special character of the area and the importance of its conservation. Major development within a Heritage Coast is unlikely to be appropriate, unless it is compatible with its special character.

Habitats and Biodiversity

- 8.12.10 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
- b) 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.

- 8.12.11 When determining planning applications, local planning authorities should apply the following principles:

- a) 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;
- b) 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;
- c) 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
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around



developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

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

- a) potential Special Protection Areas and possible Special Areas of Conservation;
- b) listed or proposed Ramsar sites; and
- c) 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.

8.12.13 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.

Ground Conditions and Pollution

8.12.14 Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;
- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

8.13 Biodiversity and Geological Conservation Circular 06/2005

8.13.1 Biodiversity and geological conservation circular 06/2005 provides administrative guidance on the application of the law relating to planning and nature conservation as it applies in England. It complements the national planning policy in the NPPF, 2023 and the Planning Practice Guidance. Broadly the guidance covers designated



sites, the conservation of habitats and species, including outside of designated sites, protected species by law and the duties and powers used by planning authorities.

- 8.13.2 Paragraph 82 of the guidance states that ‘in determining the application for development that is covered by up-to-date standing advice, a planning authority must take into account this standing advice’.

Protected Species and Planning

- 8.13.3 Paragraph 98 of the guidance states ‘the presence of a protected species is a material planning consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat’.
- 8.13.4 Paragraph 98 also states that ‘they (the planning authority) should consider attaching appropriate planning conditions or entering into planning obligations under which the developer would take steps to secure the long-term protection of the species’.
- 8.13.5 Paragraph 99 of the guidance goes on to state: ‘it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision’. Paragraph 99 also states that ‘this is justified only, where there is a reasonable likelihood of the species being present and affected by the development.’

8.14 Mid Sussex District Adopted Local Plan 2014-2031 (2018)

Policy DP37

- 8.14.1 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.
- 8.14.2 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.
- 8.14.3 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.



8.14.4 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;
- 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; 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:
 - 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.

8.14.5 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.



- 8.14.6 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.

Policy DP38

- 8.14.7 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.
- 8.14.8 Designated sites will be given protection and appropriate weight according to their importance and the contribution they make to wider ecological networks.
- 8.14.9 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.



8.15 Birds of Conservation Concern

- 8.15.1 Birds of Conservation Concern is a report compiled by a coalition of the UK's leading bird conservation and monitoring organisations and reviews the conservation status of all regularly occurring birds in the UK, Channel Islands and Isle of Man. The report was first released in 1996 and is currently in its 5th edition, released in 2021.
- 8.15.2 The bird species that breed and overwinter in the UK are assessed against a set of objective criteria and placed on the Green, Amber or Red lists that indicate the levels of conservation concern. The quantitative criteria collected is assessed against the historical decline, recent trends in population and range, population size, localisation, and the level of international importance of each species, as well as its global and European threat status.

8.16 IUCN Red List

- 8.16.1 The international Union for Conservation of Nature (IUCN) Red List of Threatened Species (also known as the IUCN Red List or Red Data Book) is an inventory of the global conservation status of biological species. The inventory is based upon internationally accepted criteria that evaluates the extinction risk of species in all regions of the world. There are two types of red list, the global and national lists. In the UK the IUCN Red List is overseen by an interagency working group that is coordinated by the Joint Nature Conservation Commission.



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