

COPTHORNE MEADOW

Supplementary Planning Objection and Evidence Report

Tandridge District Council application 2025/1376

Related Mid Sussex application DM/26/0303 | Land North of Borers Arms Road / Copthorne Meadows

REQUESTED OUTCOME

Refusal of application 2025/1376. In the alternative, the application should not be determined until the unresolved ecological, baseline, BNG, protected-species and evidence-integrity matters identified below have been properly addressed.



Historical view – 23 April 2016: established field and mature boundary vegetation before later clearance.

Prepared and submitted by Mario Monella | 8 October 2026

This representation supplements previous objections and focuses on the cumulative photographic and documentary evidence of repeated habitat alteration, the reliability of the current ecological evidence, and the consequences for the planning assessment of a designated SNCI within the Green Belt.

1. Executive summary

I request that Tandridge District Council refuse application 2025/1376. The evidence now available provides a sufficiently robust basis for concluding that the development can not proceed without unacceptable harm to Copthorne Meadow SNCI and its lowland meadow habitat, or that the biodiversity baseline and protected-species assessment remain reliable after repeated physical alteration of the site.

This is not a case about one isolated instance of routine field maintenance. The photographic and video record documents a sequence of substantial changes extending from 2016 through 2026: established trees and boundary vegetation; mechanical clearance in 2019; flowering marsh orchids and a badger sett identified at the time by Badger Trust Sussex; standing water in 2019/2020; extensive mechanical and tree/hedgerow clearance in 2023; burning of cleared material; further ecological recovery by 2026; and renewed large-scale mechanical flailing between 24 and 26 September 2026.

The Council was already on notice that the degradation issue could affect the application baseline. Surrey Wildlife Trust stated on 17 April 2026 that the matter "clearly needs to be clarified prior to the determination of the application" because information about it "could influence the baseline of the application site" [E2].

The Council's own Planning Enforcement Officer then wrote on 20 May 2026:

"It appears that the land has been cleared in anticipation of a positive result to the current planning application."

E1 — Paul Cole, Tandridge Planning Enforcement, email dated 20 May 2026

That statement does not prove unlawful conduct or establish who instructed every operation. It is, however, contemporaneous evidence that the Council itself perceived an apparent relationship between the land clearance and the anticipated planning outcome.

The timing of the latest ecological evidence is now particularly important. The updated badger and bat work was undertaken in July 2026; the invertebrate appraisal in August 2026; the latest Ecology Co-op response was dated 23 September 2026; and further substantial flailing then took place between 24 and 26 September. The latest physical alteration therefore post-dates the principal updated ecological surveys.

The applicant's own invertebrate appraisal remains relevant because it concludes that the site has "good potential to support invertebrate assemblages that are important to conservation" while expressly warning that its one-visit sampling was unproductive, potentially unrepresentative and not a substitute for comprehensive specialist surveys [ECO1].

The September event also has direct wildlife witness evidence. A neighbouring resident has submitted a separate planning objection, not presently visible on the public portal, stating that two badgers ran from the field ahead of the machinery and that a weasel emerged injured during the operation and died. The neighbour has retained a dated photograph of the animal. The neighbour's details can be provided to the Council if verification is required. [E5]

1.1 What I am asking the Council to do

- Refuse application 2025/1376 on the planning and ecological grounds set out in this and my earlier representations.
- If the Council is not prepared to refuse, do not determine the application until the ecological baseline, degradation history, protected-species evidence and effects of the 24–26 September works have been independently resolved.

- Place the photographic, video and documentary evidence on the planning record and have it reviewed by the Council's ecological adviser.
- Clarify who controlled and instructed the 2023 and 2026 clearance works and the evidential basis for the statement that the applicant was not in control of site management.
- Consider credible suspected wildlife-offence evidence separately through the competent authorities; no allegation of guilt is made by this report.

2. A documented pattern of repeated habitat alteration, 2016–2026

The evidence should be read as a chronology. The purpose of the photographs is not to prove an offence by themselves. They establish the visible condition of the site and the occurrence of machinery and clearance operations at recorded dates. Their significance arises from the sequence and from comparison with the applicant's ecological evidence.

Date / period	What the evidence shows	Evidence
2016	Established field, trees and boundary vegetation visible.	P01–P02
2018	Field remains structurally varied, with horses within tall, diverse vegetation.	P03–P04
April 2019	Mechanical tree/vegetation clearance documented; substantial change from 2016 is visible.	P05–P06
July 2019	Flowering wild marsh orchids photographed within the meadow.	P07 / P15
April 2019	Badger-sett entrance photographed; contemporaneously identified by Badger Trust Sussex.	P08 / BT1
2019–2020	Standing water documented after rainfall, providing evidence of existing drainage characteristics.	P09–P10
2020–2022	Field again supports extensive vegetation and grazing with horses.	P11–P12
June 2023	Mechanical flailing/clearance with vehicle registration N484 AKP documented.	P13 / V01
Nov–Dec 2023	Tree and hedgerow removal, clearance and burning documented.	P14/ P16–P18 / V02
Feb–Apr 2024	Nocturnal badger activity recorded / video footage	B1V
2026 survey period	Updated ecology still records conservation-important habitat potential and protected/priority species evidence.	ECO1–ECO3
8 July 2026	Grass snake photographed in the meadow.	P19

Date / period	What the evidence shows	Evidence
23 Sept 2026	Latest Ecology Co-op response issued, immediately before further physical alteration.	E3
24–26 Sept 2026	Further extensive mechanical flailing documented; vehicle registration again N484 AKP.	P20–P22; E5

This chronology matters because the evidence is cumulative. The photographs do not merely show a field being maintained from time to time; they show repeated episodes in which substantial vegetation, trees, hedgerows, scrub and deadwood were removed, followed by periods of ecological recovery, followed again by mechanical clearance. The September 2026 operation is therefore properly understood as the latest event in a documented pattern rather than an isolated act.



P01 | 23 April 2016 – established field and mature trees.



P05 | 16 April 2019 – post-clearance condition. Shown as a before/after comparison only; no ecological causation is inferred from the photographs alone.

2.1 2016–2019: early evidence of material change

The 2016 photograph shows a field enclosed by substantial mature trees and boundary vegetation. By April 2019, photographs show extensive mechanical clearance and a materially different physical appearance. The significance is not merely visual: mature trees, scrub, hedgerows and woodland/grassland interfaces later identified in the applicant's invertebrate report as ecological resources had already been altered.

The photographic evidence from July 2019 also records flowering marsh orchids (*Dactylorhiza* sp.; southern versus northern or Lapland is not definitively resolved). I have not subsequently observed them following the repeated changes in management and clearance. The photographs establish historical presence; they do not by themselves establish when or why the plants ceased to be observed although it is hard to imagine how they would survive repeated soil disturbance given their delicate highly complex symbiotic relationship with fungal networks to survive.



P07 | 15 July 2019 – flowering wild marsh orchids (*Dactylorhiza* sp.) photographed within Copthorne Meadow.

Section 13 of the Wildlife and Countryside Act 1981 makes it an offence, subject to statutory qualifications, intentionally or recklessly to uproot certain wild plants, with additional protection for plants listed in Schedule 8. The planning significance here is therefore primarily evidential and ecological: the historic record should be checked against the botanical baseline and the effect of repeated management on the conditions needed for these plants to persist.



P08 | 26 April 2019 – entrance photographed as a badger sett and identified at the time by Badger Trust Sussex.



P09 | June 2019 – standing water across the field after heavy rain.



P10 | 16 February 2020 | Field standing water / drainage context

2.2 2019–2020: wildlife evidence and hydrology

The 26 April 2019 photograph records a sett entrance. I was advised at the time by Badger Trust Sussex that the feature was a badger sett. This is contemporaneous specialist identification as reported by me; if the original confirmation can be located it should be retained with the evidence bundle. The 2026 badger walkover should be read in that context, not as if the site had no history of badger occupation.

The 2019 and February 2020 photographs also show extensive standing water following rainfall. These images pre-date the present application and provide direct visual evidence of the site's existing drainage characteristics. They do not, on their own, prove that the proposed development drainage strategy is inadequate, but they are material evidence that should be reconciled with any assertion that the site has no significant pre-existing surface-water or drainage constraint.



P11 | 24 July 2020 – field condition and vegetation following earlier disturbance.

2.3 2023: repeated mechanical clearance, tree/hedgerow removal and burning

The 2023 evidence is especially important because it falls within the statutory period relevant to the biodiversity baseline. It comprises the advance land-management letter, contemporaneous photographs and video of mechanical works, photographs of tree and hedgerow removal, and photographs/video of burning.

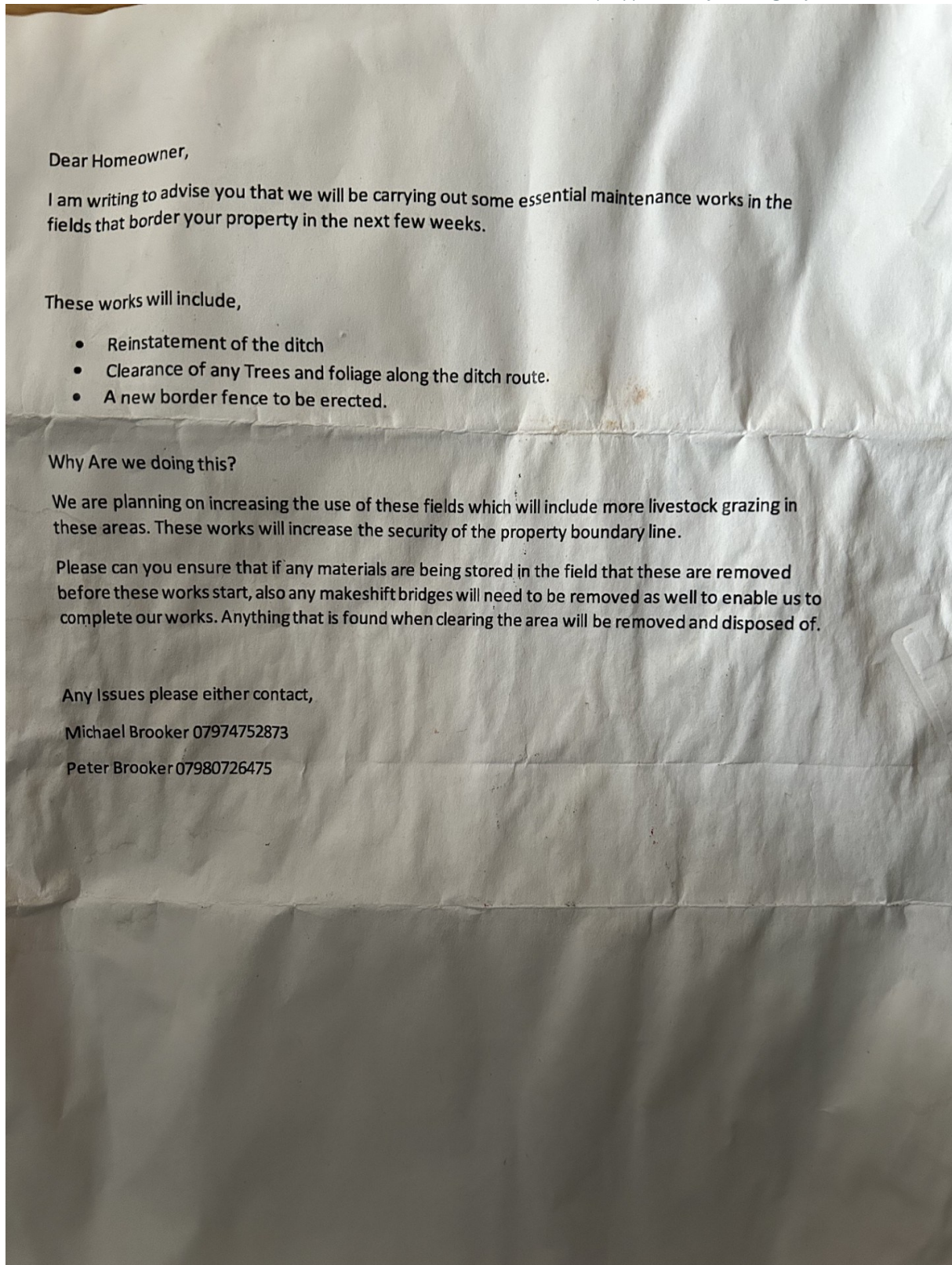


EXHIBIT L1 | Original 2023 hand-delivered land-management letter by one of the named contacts. The letter states that works would include "Clearance of any Trees and foliage along the ditch route", together with increased livestock grazing, and provides Michael Brooker and Peter Brooker as contacts.

The letter is relevant because it is contemporaneous primary evidence of organised land-management works. It does not, by itself, prove who instructed the September 2026 works or establish that the planning applicant

controlled all operations. It does, however, provide evidence that site-management decisions were being actively organised and communicated.



P13 | 22 June 2023 – mechanical clearance; registration N484 AKP visible.



P16 | 23 November 2023 – vehicles and machinery clearing trees and hedgerows.



P17 | 1 December 2023 – hedgerow clearance along an alignment which appears consistent with the proposed perimeter road; Council should verify against the submitted plans.



P14 | 17 November 2023 – burning of cleared material.

Video evidence also records mechanical clearance in June 2023 and burning of tree/hedgerow material in November 2023 [V01–V02]. The same machinery registration, N484 AKP, is visible in the 2023 clearance photographs and again in the September 2026 photographs. A neighbouring resident separately records that the machinery operator told them he had also undertaken the 2023 flailing and had been instructed by the owners

regarding what to remove. That account should be treated as witness evidence requiring verification, but it provides a potentially important link between the operations [E5].

2.4 2026: ecological recovery, then renewed extensive flailing

The 2026 evidence creates an important sequence. Despite the earlier clearance, the August 2026 invertebrate appraisal still assessed the site as having good potential to support conservation-important invertebrate assemblages. It also noted that the southern and eastern fields remained botanically rich and that mature trees and scrub contributed significantly to plant resources, standing deadwood and shelter [ECO1].



P15 | Historical reference image – 15 July 2019: structurally varied meadow and flowering vegetation.



P19 | 8 July 2026 – grass snake photographed having exited Copthorne Meadow. The photograph establishes presence at the recorded date; it is not by itself evidence of later injury or mortality.

The additional September 2026 works therefore do not follow an ecology report describing an ecologically empty field. They follow evidence describing continuing habitat potential and species interest. The further

flailing then removed substantial above-ground vegetation after the principal 2026 surveys had already taken place.



P20 | 24 September 2026 – N484 AKP operating during extensive mechanical clearance.



P22 | 26 September 2026 – field following further extensive flailing.

3. External advice, planning enforcement and the pre-development issue

Following the September 2026 clearance, I contacted Surrey Wildlife Trust and Natural England. Natural England advised me to report the matter to Surrey Police via 101 as a potential wildlife crime. I did so and subsequently supplied evidence to the police at their request.

This wildlife-crime reporting process should be kept distinct from the planning determination as investigations are ongoing. A police decision that the evidence did not establish a criminal offence to the required standard is not equivalent to a finding that habitat alteration is immaterial to planning or ecology. The planning authority

remains responsible for determining whether the ecological evidence supporting the application is adequate and whether the development complies with the development plan and national policy.

3.1 The Council's own description of the clearance

“It appears that the land has been cleared in anticipation of a positive result to the current planning application.”

E1 — Paul Cole, Planning Enforcement, 20 May 2026

The same correspondence then stated that the matter was being treated as ecological rather than planning enforcement. My response challenged that narrow characterisation and pointed out that the Planning Portal biodiversity declaration stated that there had been no habitat degradation after 30 January 2020, while there was evidence of repeated flail cutting and vegetation clearance during the relevant period [E1].

The appropriate question for the planning authority is therefore not whether ordinary agricultural work is always unlawful. It is whether work carried out in anticipation of a favourable planning outcome has altered the ecological condition of a site whose ecological baseline is itself central to determination of the development proposal, and whether the consequences of that alteration have been adequately addressed.

3.2 Control of site management: primary and witness evidence

The 23 September Ecology Co-op response states:

“Notably, the applicant is not in control of the site management.”

E3 — Ecology Co-op, 23 September 2026, Section 6 – Site degradation

Against that statement, there is the original 2023 hand-delivered management letter, the photographic and video record, and the separate neighbouring witness account concerning a discussion with the machinery operator. The operator was reported to have said that he had undertaken the 2023 work and had been instructed by the owners about what should be removed. The same witness records that the machinery registration visible in the September 2026 photographs matched the machine used in 2023 [E5].

I also spoke directly with the people undertaking the winter 2023 clearance and raised the site's SNCI status and asked whether Natural England permission was required. I was told, in substance, that the operator had been hired to clear trees and dig a ditch at significant cost, their actual scope of removal work far exceeded that including hedgerow removal. No Natural England licence or other authorisation was shown to me. I do not suggest that the absence of a document shown to me proves that no authorisation existed; I ask the Council to establish this directly. The photographic record also places the large 2023 fire in close proximity to the area of the historically identified badger setts. Natural England identifies lighting fires, noise and vibration among activities capable of affecting badgers [LAW5].

None of this proves, by itself, that the planning applicant was the operational controller. The Council should nevertheless require the applicant/landowner to identify the person or persons who commissioned the summer and winter 2023, as well as 2026 operations and explain the basis for the consultant's statement that the applicant was not in control of site management.

4. Wildlife evidence over time and the consequences of repeated clearance

4.1 Badgers

The historical record includes the 26 April 2019 sett photograph identified at the time by Badger Trust Sussex. There are multiple videos of nocturnal badger activity from Feb - April 2024 available upon request. The July 2026 walkover states that no direct field signs of badger activity were observed, but also explains that badgers can establish new setts or reoccupy old setts at any time and notes that use by dogs can mask signs [ECO2].

More importantly, a neighbouring resident has provided first-hand evidence of the September 2026 event. The neighbour states that while the flailing was underway, two badgers ran from the field ahead of the machinery into their garden. One of those badgers was independently witnessed by another neighbour [E5].

That evidence does not prove the exact legal status of a particular sett at that moment. It does, however, demonstrate observed badger activity during the actual clearance operation and therefore warrants consideration by the Council's ecologist and the competent wildlife authorities.

4.2 Weasel and wider food-web evidence



E5 supporting image – neighbouring witness's dated photograph of the weasel reported to have emerged injured during the September 2026 flailing and died. This is reproduced as witness evidence, not as an independent veterinary conclusion.

The neighbouring witness states that a weasel emerged from the field during the machinery operation, appeared to have been caught by the machinery, and died in front of the witness [E5]. The photographic record should be preserved and, if necessary, made available to the wildlife crime officers.

The relevant planning point is broader than the legal question of what caused the injury. The invertebrate appraisal describes the site as having good habitat potential and identifies structural diversity, flowering herbs,

scrub, standing deadwood and woodland/grassland interfaces as valuable habitat resources [ECO1]. The loss of such resources through repeated clearance can therefore affect the wider ecological network even where it is not possible to attribute the death of an individual animal conclusively to a specific machine operation.

4.3 Grass snake

A grass snake was photographed on 8 July 2026 within the meadow [P19]. Natural England guidance confirms that grass snakes are protected under the Wildlife and Countryside Act 1981 from intentional killing or injury and are species of principal importance in England. The photograph establishes presence at the recorded date.

The September flailing occurred only a few weeks later. I do not claim that the photographed individual was injured or killed by the later works; there is no evidence to establish that. The planning significance is that a protected and priority reptile species was demonstrably using the habitat shortly before the subsequent large-scale clearance.

4.4 Hazel dormouse

Historical survey evidence associated with the site records common/hazel dormouse presence/absence work, and dormice have been identified in previous objections and ecological evidence as a species of concern. Natural England standing advice states that hazel dormice are European protected species, that their breeding and resting places are protected even when dormice are not present, and that development affecting woodland, hedgerow or scrub should trigger appropriate survey consideration [LAW4].

The Council should therefore ensure that historical dormouse evidence, the current habitat structure and the effects of repeated hedgerow/scrub clearance are reconciled. The absence of a recent positive observation should not by itself be treated as proof that the species or its habitat interest has ceased to be relevant.

5. Testing the updated ecological evidence against its stated limitations

5.1 Invertebrate habitat appraisal

“The habitat potential grading applied to Roundabouts Farm broadly indicates that the site has good potential to support invertebrate assemblages that are important to conservation.”

ECO1 — Terrestrial Invertebrate Habitat Appraisal, Roundabouts Farm, August 2026

That conclusion is important because it is evidence generated by the applicant's own ecological consultant. It should not be reduced to a simple list of common species.

- The survey was principally a one-visit walkover in August 2026.
- Sampling was described as very unproductive under the exceptionally hot and dry conditions.
- The report states that the conditions could make the survey effort unrepresentative.
- The western field bordering Copthorne Bank was not assessed.
- Sampling focused primarily on species readily observable and identifiable in the field.
- The report expressly states that it is not a substitute for specialised surveys by experienced entomologists.
- The report later states that the current list is not likely to be an accurate representation of the species assemblages supported by the site.

The report nevertheless records Small Heath (*Coenonympha pamphilus*) on both survey dates and describes it as "GB Red List (2022): Vulnerable. Species of principal importance under s.41 NERC Act 2006" [ECO1]. It also records Cinnabar as a Section 41 species.

This combination of findings means the Council should not treat the survey as demonstrating that invertebrate interest is low. Its own conclusion is that the site retains good habitat potential, while its limitations mean that the species list cannot safely be used as a comprehensive inventory.

5.2 Badger walkover

The updated badger assessment was based on a 23 July 2026 walkover and states:

"No direct field signs of badger activity were observed during this assessment."

ECO2 — Updated Badger Walkover Assessment, 21 August 2026; survey dated 23 July 2026

That is evidence about the site on 23 July. It cannot establish the position on 24–26 September after further habitat alteration. The report itself recognises that badgers can establish or reoccupy setts at any time and that signs can be masked by other site use [ECO2]. The later direct witness evidence of two badgers fleeing during the flailing therefore warrants separate consideration rather than being dismissed because the July walkover did not record signs.

5.3 Bat evidence

The updated bat report principally assesses the industrial unit proposed for demolition in connection with the access arrangement. It records bat activity but does not constitute a comprehensive assessment of the wider meadow, mature tree lines, hedgerows and woodland edges used for foraging and commuting. It also states that emergence surveys provide only a snapshot of activity at the time of the survey [ECO3].

The Council should therefore avoid extrapolating the finding of low roost potential in the industrial unit into a conclusion that the wider SNCI has low bat value. Any assessment of lighting, habitat fragmentation and loss of mature trees should be based on the actual development footprint and detailed lighting strategy.

6. Biodiversity baseline, degradation and the anti-degradation provisions

Application 2025/1376 was made in 2026 and is subject to the statutory biodiversity net gain framework unless an exemption applies. The application date is recorded as 26 January 2026. For BNG purposes, Schedule 7A of the Town and Country Planning Act 1990 contains specific provisions addressing qualifying habitat degradation occurring before the relevant date, including a mechanism intended to prevent deliberate degradation from reducing the biodiversity baseline.

"to discourage the deliberate degradation of existing onsite habitats to reduce the pre-development biodiversity value."

GOV.UK Planning Practice Guidance – Biodiversity Net Gain, paragraph 036, updated 31 July 2026

Where qualifying degradation has occurred between 30 January 2020 and the relevant date, Schedule 7A can require the biodiversity value immediately before the degradation to be used. Where evidence of that earlier condition is insufficient, paragraph 6B provides for the highest biodiversity value reasonably supported by the available evidence [LAW3].

The September 2026 flailing occurred after the application date and therefore does not itself reset the statutory BNG baseline. Its significance is different: it demonstrates continuing physical alteration of the site after the application was made and immediately after the latest ecological response. The 2023 and any other qualifying pre-26 January 2026 works are the more direct focus of the statutory anti-degradation question.

This is why the historical photographs matter. The 2019 photographs establish the earlier ecological context. The 2023 photographs and contemporaneous management letter fall within the relevant statutory period. They can therefore help the Council reconstruct the habitat condition against which any qualifying degradation should be assessed.

KEY QUESTION FOR THE COUNCIL

What biodiversity baseline was actually used for application 2025/1376, what evidence supports it, and how were the documented 2023 clearance operations and other pre-application habitat changes treated under Schedule 7A?

7. SNCI, mitigation hierarchy and the development proposal

The issue is not solely whether the applicant can show a numerical biodiversity gain. Copthorne Meadow is a designated local wildlife site/SNCI and the application involves direct development on land containing the designated habitat.

“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 the development should be refused.”

National Planning Policy Framework, 29 September 2026, Policy N2(2)

“A site of local importance... should only be supported if: There would not be a significant adverse effect on the integrity of the site...”

National Planning Policy Framework, 29 September 2026, Policy N6(1)(c)

The Council should therefore assess separately the direct effect upon the SNCI and lowland meadow, the ecological network and protected species, and the numerical BNG outcome. The existence of a compensation package does not remove the need to demonstrate that avoidance and mitigation have been properly considered.

The applicant's own September ecological response records a residual "District" level adverse impact to the SNCI and lowland meadow habitat [E3]. The Council should explain how that acknowledged residual harm is consistent with the requirements of the current NPPF, particularly where the evidence also shows continuing conservation-important habitat potential.

8. Alternative locations and recent planning context

The current national policy framework emphasises avoiding significant biodiversity harm by locating development at an alternative site with less harmful impacts where possible. The applicant should therefore identify what reasonable alternatives were examined and why they were considered unsuitable, particularly given the ecological designation and the direct loss of lowland meadow proposed here.

A neighbouring objector has also drawn attention to the Tandridge Local Plan 2024–2044 and to other potential locations in the wider area which may carry different ecological constraints [E5], further verification of the Council's site-selection is required but the site in question is not even listed as a potential site for selection (2026 HELAA) so should not even be in consideration. I do ask the Council to undertake the comparison explicitly rather than treating housing need as automatically overcoming the ecological constraint at this site.

8.1 Asprey appeal – Appeal Ref 6011736

The Planning Inspectorate decision dated 22 September 2026 concerning nearby land at Oaklands Drive, Copthorne Bank, is a relevant contextual material consideration. It concerned a different proposal and does not determine this application, but it shows how very recent Green Belt and housing-supply circumstances were approached in the immediate area.

“The proposal would be inappropriate development in the Green Belt which is, by definition, harmful. There is also harm to the Green Belt due to the effect on openness.”

Planning Inspectorate Appeal Decision 6011736, paragraph 17

The Inspector gave substantial weight to the Green Belt harm and dismissed the appeal despite the Council's acknowledged five-year housing land-supply position. The Council should explain the relevance of that decision to its own planning balance here, while identifying the material differences between the two schemes.

9. Wildlife crime and enforcement evidence – request for competent investigation where appropriate

I have reported the September 2026 clearance to Surrey Police following Natural England's advice. The police have considered the evidence supplied to date and investigations are ongoing. The purpose of this planning representation is not to determine criminal liability.

The relevant wildlife-law questions are nevertheless material context. Natural England states that badgers and their setts are protected, that damage/destruction of a sett or disturbance of badgers in a sett can be an offence, and that noise and vibration, lighting fires, excavation, ploughing/harvesting and tree felling are among activities capable of affecting badgers [LAW5].

Natural England also confirms that hazel dormice are European protected species and that their breeding/resting places remain protected even when the animals are not present [LAW4]. Reptiles such as grass snakes are protected against intentional killing or injury and are species of principal importance [LAW6].

I therefore ask the Council to preserve the evidence and, where the factual threshold for concern is met, refer credible suspected wildlife offences to the appropriate competent authority. Any decision to prosecute must of course follow investigation and the applicable evidential and public-interest tests.

10. Requested decisions and actions

- REFUSE application 2025/1376.
- If the Council is not prepared to refuse, defer determination until the ecological and BNG issues below are resolved and consulted upon.
- Place the 2016–2026 photographic/video record on the planning file and ask the Council ecologist to review the chronology as a single evidential sequence.
- Review the 2019, 2023 and 2026 photographs against the submitted UKHab habitat parcels, biodiversity metric sheets and any condition assessments.
- Confirm the statutory BNG relevant date and explain how any qualifying degradation since 30 January 2020 has been treated, including the PP-14501171 degradation declaration.
- Obtain documentary clarification of land ownership/management control and who instructed the 2023 and September 2026 works.
- Ask Ecology Co-op to substantiate the statement that the applicant is not in control of site management.
- Formally assess the effect of the 24–26 September 2026 flailing on the ecological evidence because it occurred after the principal July/August surveys and after the 23 September response.
- Consider the first-hand neighbour evidence concerning two badgers and the weasel, with witness contact details available to the Council if verification is needed.
- Ensure the documented 8 July 2026 grass snake, historical marsh orchids, historical badger sett and historical dormouse evidence are addressed in the ecological assessment.
- Assess the direct impact on the SNCI and lowland meadow separately from the numerical BNG result and explain how the NPPF mitigation hierarchy has been applied.
- Consider the adequacy of the current bat lighting and wider habitat assessment before accepting any conclusion about the effect on bat commuting/foraging habitat.
- Consider the 22 September 2026 Asprey appeal decision 6011736 as a material contextual consideration in the Green Belt and planning balance.

11. Conclusion

The central issue is not whether a field can ever lawfully be cut. It is whether the Council can responsibly determine a major development affecting a designated local wildlife site when the physical condition of that site has been altered repeatedly during the period in which the development has been promoted and assessed, while material questions about the ecological baseline and the reliability of contemporary survey evidence remain unresolved.

The evidence shows a sequence, not an isolated event: established habitat and mature trees in the earlier photographic record; mechanical clearance and tree loss by 2019; flowering marsh orchids and a historically identified badger sett; standing water; renewed clearance and burning in 2023; ecological recovery sufficient for the applicant's own 2026 consultant to identify good invertebrate habitat potential and a Vulnerable Section 41 butterfly; a grass snake photographed in July 2026; and then extensive mechanical flailing on 24–26 September 2026.

The Council's own Planning Enforcement Officer recorded that the land appeared to have been cleared "in anticipation of a positive result to the current planning application" [E1]. Surrey Wildlife Trust had already warned that the degradation issue could influence the application baseline [E2]. The applicant's own latest ecological evidence then acknowledged both conservation value and significant survey limitations [ECO1].

In those circumstances, the current condition of the meadow following repeated clearance should not be allowed to erase the evidence of the habitat that preceded it. The Council should determine the appropriate baseline from all reasonably available evidence, test the ecological assessment against the actual sequence of

physical change, and apply the avoidance and mitigation hierarchy before relying upon compensation or numerical BNG accounting.

For those reasons, I respectfully request refusal of application 2025/1376. Separately, where the evidence provides reasonable grounds for suspecting wildlife offences, I ask that the relevant evidence is preserved and made available to the competent enforcement authorities.

12. Source and evidence register

E1 — Tandridge Planning Enforcement correspondence; Paul Cole email dated 20 May 2026; subsequent correspondence including Mario Monella response dated 21 May 2026 and forwarding email requesting upload to the public planning record on 7 July 2026. Identified as the PDF submitted/uploaded in relation to application 2025/1376.

E2 — Surrey Wildlife Trust consultation response; 17 April 2026, Ref. 323397-001-RH; Tandridge portal document 25474851. Key issue: alleged habitat degradation and effect on the application baseline.

E3 — Ecology Co-op ecological response letter; 23 September 2026, application 2025/1376; Section 6 – Site degradation; also statement concerning residual District-level adverse impact to SNCI/lowland meadow.

E4 — 2023 land-management letter; Original hand-delivered letter photographed and retained; states planned field maintenance including tree/foliage clearance and increased livestock grazing; contacts identified as Michael and Peter Brooker. Embedded as Exhibit L1 in this report.

E5 — Neighbour evidence; Separate objection submitted to Tandridge/Mid Sussex by a neighbouring resident. Not presently visible on the public portal. First-hand account concerning two badgers fleeing the September machinery operation, an injured/dying weasel, and discussion with the machinery operator about the 2023 and 2026 works. Contact/details can be supplied to the Council if requested.

ECO1 — The Ecology Co-op, Terrestrial Invertebrate Habitat Appraisal; Roundabouts Farm, Project P2600, August 2026; one-visit appraisal, stated survey limitations, habitat potential conclusion, Small Heath and Cinnabar records.

ECO2 — The Ecology Co-op, Updated Badger Walkover Assessment; Letter 21 August 2026; survey undertaken 23 July 2026; public version partly redacted.

ECO3 — The Ecology Co-op, Updated Bat Scoping and Emergence Survey Report; August 2026, Project P2600; survey undertaken 23 July 2026.

A1 — Planning Inspectorate Appeal Decision 6011736; 22 September 2026; Land adjacent to Oaklands Drive, Copthorne Bank. Green Belt/housing-supply context.

BT1 — Badger Trust Sussex identification; The 26 April 2019 photograph was identified to me at the time as a badger sett. Any contemporaneous written confirmation should be retained if available.

B1V — Nocturnal badger videos Feb-Apr 2024 also available upon request.

V01 — 22 June 2023 Mechanical clearance N484AKP badger sets.MOV; 8.9-second user-supplied video; machinery and clearance activity documented.

V02 — 25 November 2023 Tree and hedgerow burning.MOV; 23.2-second user-supplied video; burning of cleared vegetation documented.

P01-P22 — Photographic evidence; Original files supplied in October 2026. Dates in the report follow the supplied filenames; original files should be retained. Where EXIF metadata exists, it should be preserved and can be reviewed by the Council if required.

LAW1 — Wildlife and Countryside Act 1981, s.13; Protection of wild plants:
<https://www.legislation.gov.uk/ukpga/1981/69/section/13>

LAW2 — Wildlife and Countryside Act 1981, Schedule 8;
<https://www.legislation.gov.uk/ukpga/1981/69/schedule/8>

LAW3 — Town and Country Planning Act 1990, Schedule 7A and PPG BNG;
<https://www.legislation.gov.uk/ukpga/1990/8/contents> ; <https://www.gov.uk/guidance/biodiversity-net-gain>

LAW4 — Natural England – Hazel dormice: advice for making planning decisions;
<https://www.gov.uk/guidance/hazel-dormice-advice-for-making-planning-decisions>

LAW5 — Natural England – Badgers: protection and licences; <https://www.gov.uk/guidance/badgers-protection-surveys-and-licences>

LAW6 — Natural England – Reptiles: advice for making planning decisions;
<https://www.gov.uk/guidance/reptiles-advice-for-making-planning-decisions>

LAW7 — National Planning Policy Framework, revised 29 September 2026; Policies N2 and N6:
<https://www.gov.uk/guidance/national-planning-policy-framework>

13. Photographic index

P01 | 23 April 2016 | Field and mature boundary vegetation | 23.04.2016 Field.JPEG

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P03 | 25 July 2018 | Field with horses | 25.07.2018 Field with horses.JPEG

P04 | 28 July 2018 | Field diversity with horse | 28.07.2018 Field diversity with horse.JPEG

P05 | 16 April 2019 | Post mechanical tree clearance of field | 16.04.2019 Post mechanical tree clearance of field.JPEG

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P21 | 24 September 2026 | Mechanical clearance – wider/front view | 24.09.26 Mechanical clearance front N484AKP.jpg

P22 | 26 September 2026 | Field after and during clearance | 26.09.26 Field after and during clearance.JPEG

EVIDENCE HANDLING

Original photographs, videos and the original 2023 letter will be preserved in their native form. This report uses selected images in the body because the evidential chronology is central to the argument. The full originals can be supplied to the Council, ecological advisers or competent authorities on request.