



PRELIMINARY ECOLOGICAL APPRAISAL

**Horncastle
Plawhatch Lane
Sharpthorne
East Grinstead
West Sussex
RH19 4JH**

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Sussex Office

Rocks Yard, Victoria Road
Herstmonceux, East Sussex.
BN27 4TQ.

PJC Consultancy Ltd

www.pjcconsultancy.com
contact@pjcconsultancy.com
01233 225365 - 01323 832120

Kent Office

The Watermill, The Mill
Business Park, Maidstone
Road, Ashford, Kent, TN26 1AE.

This report has been prepared by

PJC Consultancy Ltd

on behalf of

SHC Clemsfold Group Ltd

Document Author

Liam Mattingly BSc(Hons)

Liam is an Ecologist with four years' experience within the ecological consultancy industry. He gained a BSc (Hons) in Zoology at Southampton University in 2018 and is a Natural England class one licence holder for great crested newts.

Checked By

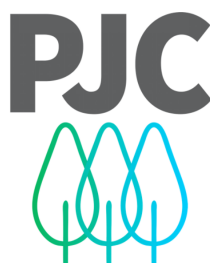
Jess Malim BSc(Hons)

Jess is a Graduate Ecologist with two years' experience working in the ecological consultancy industry. She gained a BSc(Hons) in Biosciences at Swansea University in 2021.

Authorised By

Thomas Knight BSc(Hons) MSc MCIEEM

Tom is Director of Ecology with over ten years' experience working in the ecological consultancy industry. He gained a BSc(Hons) in Wildlife Conservation at the University of Kent in 2010 and a MSc in Conservation and Biodiversity at the University of Exeter in 2011. Tom is also a full professional member of the Chartered Institute of Ecology and Environmental Management (CIEEM). In addition, Tom is a Natural England class one licence holder for both bats and great crested newts.

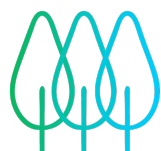


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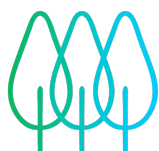


1 EXECUTIVE SUMMARY

PJC Consultancy Ltd was commissioned by SHC Clemsfold Group Ltd to provide a Preliminary Ecological Appraisal in support of the proposed development at Horncastle, Plawhatch Lane, Sharpthorne, East Grinstead, West Sussex, RH19 4JH. The purpose was to classify the habitats present, highlight the potential of the site to support protected species, and recommend suitable avoidance, mitigation, compensation and ecological enhancement measures where appropriate. When implemented successfully, these recommendations will ensure that the development proceeds in line with all relevant laws pertaining protected species and their habitats, as well as contributing to an increase in site biodiversity. This report has been produced in accordance with the National Planning Policy Framework (NPPF) (2023) – more specifically Chapter 15 ‘Conserving and Enhancing the Natural Environment’ as well as the Mid Sussex District Plan 2014-2031 (Mid Sussex District Council, 2018).

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

Protected Species/Habitats	Suitable Habitat Present	Recommended Further Surveys	Ecological Mitigation
Ancient woodland and broadly classified deciduous woodland Habitat of Principal Importance (HPI)	A parcel of ancient woodland was recorded within the north-western extent of the Site as well as immediately adjacent to the western Site boundary. A parcel of broadly classified deciduous woodland HPI was recorded within the northern aspect of the Site.	The ancient woodland parcels are anticipated to be retained. None required provided the mitigation measures outlined within the tree discussion plan (PJC Consultancy, 2024) are adhered to.	The design proposals should incorporate a minimum 15m buffer between the ancient woodland and the development footprint, as well as a minimum buffer (determined by the Discussion Plan, PJC Consultancy, 2024) between the HPI and development footprint. A sensitive lighting strategy and a strict pollution prevention protocol should be implemented throughout all phases of the proposed development.
Bats (Roosting in buildings)	Building B3 was identified as having low potential to support roosting bats, whereas B4 and B5 were identified as having a moderate potential to support roosting bats.	A single bat emergence survey should be undertaken on building B3 between May and August inclusive. Two bat emergence surveys should be undertaken on building B4 and B5 between May and September inclusive, with a minimum of three weeks between surveys.	Further requirements for mitigation, compensation and/or licences may be required for bats depending on the results of the recommended further surveys.



Bats (Roosting in trees)	Multiple trees within the Site were identified as having potential to support roosting bats.	None required provided the mitigation measures are adhered to.	A sensitive lighting mitigation strategy should be implemented throughout all phases of the proposed development.
Bats (Foraging and Commuting)	The Site was identified as having high habitat suitability to support commuting and foraging bats.	None required provided the mitigation measures are adhered to.	A sensitive lighting mitigation strategy should be implemented throughout all phases of the proposed development.
Badgers	The Site was considered to provide some limited foraging and commuting opportunities for badgers.	A pre-works survey should be undertaken immediately prior to any construction works commencing to ensure no new setts have become established.	Further requirements for mitigation, compensation and/or licences may be required for badgers depending on the results of the recommended further surveys.
Dormice	The Site was identified as providing some suitable foraging, commuting, nest building and hibernating opportunities for dormice.	None required providing the removal of suitable vegetation is limited to 0.15ha and the mitigation measures outlined are adhered to.	A systematic vegetation fingertip search of any suitable dormouse habitat to be removed during development carried out under a Precautionary Non-Licensed Method Statement.
GCN	The Site was identified as having potential to support GCN during their terrestrial lifecycle phase. There was also suitable habitat connectivity to a network of waterbodies within a 500m radius of the Site.	A GCN Habitat Suitability Index (HSI) assessment of all potentially suitable waterbodies within a 500m radius of the Site should be undertaken. Depending on the HSI findings, further GCN presence/likely absence surveys may be required. Alternatively, a DLL approach can be explored.	Further requirements for mitigation, compensation and/or licences may be required for GCN depending on the results of the recommended further surveys.
Reptiles	The Site was identified as having moderate potential to support reptiles providing foraging, commuting, basking and	Reptile presence/likely absence surveys should be undertaken over the active reptile season between April and September inclusive during periods with	Further requirements for mitigation and compensation may be required for reptiles depending on the results of the recommended further surveys.



	hibernating opportunities.	temperatures between 9-18°C.	
Nesting Birds	The Site was identified as having potential to support nesting birds.	None required provided the mitigation measures are adhered to.	Habitat clearance works should be undertaken outside the main nesting bird season (March – September). Should this not be possible, all trees and buildings must be inspected by an ecologist to determine the presence/absence of any nesting birds immediately prior to clearance.



2 INTRODUCTION

2.1 Instruction

- 2.1.1 PJC Consultancy Ltd was commissioned by SHC Clemsfold Group Ltd to provide a preliminary ecological appraisal (PEA) which includes an extended phase 1 habitat survey and a daytime bat walkover (DBW) survey in support of the proposed development at Horncastle, Plawhatch Lane, Sharpthorne, East Grinstead, West Sussex, RH19 4JH (hereafter referred to as the 'Site').

2.2 Survey Objectives

- 2.2.1 The aim of this PEA is to identify potential ecological constraints and opportunities associated with the Site by undertaking an extended phase 1 habitat survey, ecological desk study and DBW. The objectives were to:
- Identify the broad habitat types present on the Site;
 - Identify the potential of the Site to support protected and notable habitats and/or species;
 - Identify the potential of any trees and buildings within the Site to support roosting bats;
 - Highlight known or potential legal or planning policy constraints in relation to ecology and recommend avoidance, mitigation and enhancement measures to satisfy legal and planning policy requirements where appropriate; and
 - Identify, where necessary, the requirement for further survey.

2.3 Documents and Information Provided

- 2.3.1 Development proposals are anticipated to include demolishing of multiple buildings on Site to facilitate for the construction of a large, two and a half storey care home, with associated access, landscaping and residential gardens.
- 2.3.2 The following documents were used to aid the preparation of this report:
- Site location plan, ref: 1138/01 (Gerry Lytle Associates, 2006);
 - Proposed Site Layout, ref: A-1034-CA-01-A-01-P-P3 (Careless + Adams, 2023);
 - Tree discussion plan ref: PJC/6522/24/X (PJC Consultancy, 2024);
 - Tree survey schedule ref: PJC/6522/24/A (PJC Consultancy, 2024); and
 - Tree constraints plan (PJC Consultancy, 2024).

2.4 Scope of Report

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

2.5 Site Description

- 2.5.1 The Site, approximately 5.57ha in size, lies south of Plawhatch Lane, within a rural landscape approximately 1.85km east of the village of Sharpthorne (centred on OS Grid Reference TQ 39163 32287). The Site is bordered to the south by grazed horse paddocks, a woodland parcel to the east, residential dwellings and further agricultural fields to the west and Plawhatch Lane lies to the north with agricultural fields and ancient woodland beyond that. The wider landscape consists of predominantly a mosaic of agricultural fields and woodland parcels on all aspects. The location of the Site within its environs is presented in Appendix I.



2.6 Legislation and Planning Policy

2.6.1 This PEA has been compiled with reference to relevant wildlife and countryside legislation, planning policy and the UK Biodiversity Framework. Their context and applicability is explained as appropriate in the relevant sections of the report and additional details are presented in Appendix II.

2.6.2 The key articles of relevance are:

- The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019;
- The Environment Act 2021;
- The Wildlife and Countryside Act 1981, as amended (WCA);
- The Countryside and Rights of Way (CROW) Act 2000;
- The Natural Environment and Rural Communities (NERC) Act 2006;
- National Planning Policy Framework (NPPF) 2023 (Ministry of Housing, Communities and Local Government, 2023);
- The Protection of Badgers Act 1992;
- The UK Post-2010 Biodiversity Framework (2011-2020); and
- Mid Sussex District Plan 2014-2031 (Mid Sussex District Council, 2018).



3 METHODOLOGY

3.1 Desk Study

- 3.1.1 A desk study was undertaken in April 2024 with the objective of collating and reviewing existing ecological information, and obtaining data and information held by relevant third parties. Biological records were requested from Sussex Biodiversity Record Centre, which included records of non-statutory sites designated for nature conservation value and records of legally protected and notable species within the zone of influence.
- 3.1.2 In addition, datasets from Natural England (MAGIC, 2024) were reviewed to identify the presence of UK statutory designated sites and notable habitats within the zone of influence, including woodlands listed on the ancient woodland inventory, habitats of principal importance (HPI) listed on the priority habitat inventory and statutory designated for their nature conservation value at the national scale such as sites of scientific interest (SSSI) and at the European and/or international scale namely: special areas of conservation (SACs), special protection areas (SPAs), and internationally designated wetland (Ramsar) sites. These sites collectively are hereafter referred to as 'European Sites'. Where measurements are included with the record, these provide the distance of the designated site from the closest point of the Site. Measurements are included with the record, these provide the distance of the designated site from the closest point of the Site.
- 3.1.3 Furthermore, Google Earth aerial imagery was reviewed to assess habitats within the Site and wider environment.
- 3.1.4 Data for sites within the zone of influence where European Protected Species Mitigation (EPSM) licences have been granted, were also reviewed. This information allows a greater understanding of the potential for European protected species to be present in the local area.
- 3.1.5 The zone of influence is the area over which ecological features, such as designated sites of nature conservation importance and protected and notable habitats and species, may be affected by the biophysical changes caused by the proposed development and associated activities. Due to the size of the Site and nature of the proposed development, it is considered that a zone of 1km from the centre of the Site is appropriate for the gathering of information for the desk study (CIEEM, 2018).

3.2 Extended Phase 1 Habitat Survey

- 3.2.1 An extended phase 1 habitat survey was undertaken on the 28th February 2024 by Liam Mattingly BSc(Hons) (Natural England class one great crested newt (GCN) *Triturus cristatus* licence holder) and Jess Malim BSc(Hons) following the standard 'Phase 1 Habitat survey' auditing method developed by the Joint Nature Conservancy Council (JNCC, 2010) and extended to include consideration of protected species in accordance with good practice guidance for preliminary ecological appraisal (CIEEM, 2017). The Site was surveyed on foot and the existing habitats and land uses were recorded on an appropriately scaled map (Appendix III). The Site redline boundary is approximately 5.57ha in Size, however, the development footprint is mostly limited to the southern half of the Site. Therefore, the extended phase 1 habitat survey focused on the habitats within the development footprint as well as habitats immediately adjacent. In addition, the dominant plant species in each habitat were recorded, as were any evidence of protected and notable species. The potential for the Site to support protected and notable species was also assessed. Those ecological features not classified as a habitat are denoted using a target note.

3.3 Daytime Bat Walkover Survey

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

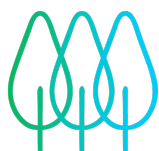


Table 1: Features of trees commonly used by bats.

Features of trees used as bat roosts	Signs indicating possible use by bats
Natural holes.	Tiny scratches around entry point.
Woodpecker holes.	Staining around entry point.
Cracks/splits in major limbs.	Bat droppings in, around or below entrance.
Loose bark.	Audible squeaking at dusk or in warm weather.
Hollows/cavities.	Flies around entry point.
Dense epicormic growth (bats may roost within it).	Distinctive smell of bats.
Bird and bat boxes.	Smoothing of surfaces around cavity.

Table 2: Features of buildings commonly used by bats.

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

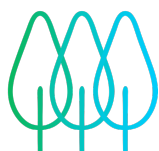
- 3.3.2 The buildings and trees were assessed in accordance with the criteria listed above and assigned to one of five categories as listed in Table 3 and Table 4 below.

Table 3: Categorisation system for visual inspection of trees.

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

Table 4: Categorisation system for visual inspection of structures.

Category	Description
Confirmed roost	Bats discovered roosting within structure or recorded emerging from/entering structure at dusk and/or dawn. Structure found to contain conclusive evidence of occupation by bats, such as bat droppings. A



	confirmed record (as supplied by an established source such as the local bat group) would also apply to this category.
High suitability	A structure with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat.
Moderate suitability	A structure with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status.
Low suitability	A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats.
Negligible suitability	A structure with no features capable of supporting roosting bats.

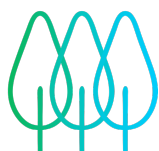
3.4 Limitations of Survey

- 3.4.1 The protected species assessment provides a preliminary view of the likelihood of protected species occurring on Site, based on the suitability of the habitat and any direct evidence on Site. It should not be taken as providing a full and definitive survey of any protected species group. Additional surveys may be recommended if, on the basis of this assessment it is considered reasonably likely that protected species may be present.
- 3.4.2 The habitats present, and their management are likely to change over time, thus the findings of the extended phase 1 habitat survey are only considered valid for a period of up to two years.
- 3.4.3 The extended phase 1 habitat survey was conducted at a sub-optimal time of year i.e. out of the peak growing/flowering season for most British plants. However, plant identification was undertaken using vegetative survey techniques and was sufficient to determine the broad habitat types as required in an extended phase 1 habitat survey.
- 3.4.4 The biological records centre only provides the most recent record of a species within each 1km grid square, this means that PJC Consultancy are only able to state whether there is a record of a species within the area and the date of the most recent sighting, we are not able to decipher the abundance of a species within close proximity to the site with the information provided.
- 3.4.5 Badger and otter records are confidential and were not provided by Sussex Biodiversity Record Centre. An assessment of whether there is suitable habitat to support these species is made and a precautionary approach adopted.
- 3.4.6 Full access to building B1 and B2 roof void was not feasible during the survey due to access restrictions and health and safety considerations and thus a thorough assessment of building B1 and B2 roof void could not be undertaken. The building was not deemed structurally sound and as such safe access was not permitted. As a result, a precautionary approach to surveying for bats and subsequent mitigation has been adopted to account for the restricted assessment.
- 3.4.7 This report includes a preliminary assessment of likely impacts of a development project only. The primary audience for a PEA is the client or developer and relevant members of the project team, such as the architect, planning consultant, and landscape architect. It is normally produced to inform a developer (or other client), and their design team, about the key ecological constraints and opportunities associated with a project, possible mitigation requirements and any detailed further surveys required. Under normal circumstances, it is not considered appropriate to submit a PEA in support of a planning application because the scope of a PEA is unlikely to fully meet planning authority requirements in respect of biodiversity policy and implications for protected species. In most cases, particularly when further surveys have been recommended within the PEA, a more detailed and



comprehensive Ecological Impact Assessment (EcIA) should be submitted in support of a planning application instead.

- 3.4.8 This document has been prepared for the stated proposal (2.3.1) and should not be relied upon or used for any other project without an additional check being carried out by the author as to its suitability in relation to any updated proposals. PJC Consultancy accepts no responsibility or liability for the consequence of this document being used for a purpose other than the purposes for which it was commissioned. PJC Consultancy accepts no responsibility or liability for this document to any party other than the person by whom it was commissioned.



4 RESULTS

4.1 Desk Study

Statutory Designated Sites

- 4.1.1 Overall, three statutory designated sites of nature conservation importance were identified within the zone of influence as part of the desk study. All of the statutory sites are associated with Ashdown Forest and comprised of the SSSI, SPA & SAC, all situated approximately 600m east of the Site.
- 4.1.2 Ashdown Forest SAC is primarily designated for its large areas of lowland heath that contains both Northern Atlantic wet heaths with cross-leaved heath *Erica tetralix* and European dry heaths. The site has important assemblages of insect species including nationally rare silver-studded blue *Plebejus argus*. The site also has an important population of great crested newt.
- 4.1.3 Ashdown Forest SPA is primarily designated for its important population of breeding Dartford warbler *Sylvia undata* and nightjar *Caprimulgus europaeus*.
- 4.1.4 Ashdown Forest SSSI is primarily designated for its large continuous block of heath, semi-natural woodland and valley bog in south-east England which supports several uncommon plants, a rich invertebrate fauna and important populations of woodland and heath birds. Large populations of common lizard *Lacerta vivipara* and adder *Vipera berus* are present in the open habitats. Hazel dormouse *Muscardinus avellanarius* find refuge within the woodland, scrub and coppice. Notable heath nesting birds include curlew *Numenius arquata*, Hobby *Falco Subbuteo* and nightjar.

Protected and Notable Habitats

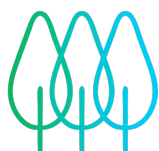
- 4.1.5 Overall, multiple parcels of ancient woodland listed on the ancient woodland inventory were identified within the zone of influence as part of the desk study, the nearest being within the western extent of the Site and immediately adjacent the eastern boundary of the Site.
- 4.1.6 Overall, multiple parcels of HPI listed on the priority habitat inventory were identified within the zone of influence as part of the desk study. These habitats included broadly classified deciduous woodland, traditional orchard and lowland heathland.
- 4.1.7 The closest parcel of HPI was an area of broadly classified woodland located within the northern extent of the Site as well as a parcel of traditional orchard within the south-western extent of the Site.

Protected and Notable Species

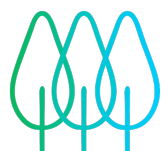
- 4.1.8 No EPSM licences, previously granted by Natural England, pertaining to protected species were identified within the zone of influence as part of the desk study.
- 4.1.9 Records of protected and notable species identified within the zone of influence as part of the desk study are summarised in Table 5 below. The distance and aspect is not provided for mobile species such as birds or where a grid reference was not provided to at least six figures.

Table 5: Summary of protected and notable species within the zone of influence.

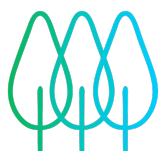
Taxon Name	Common name	Legal Status	No. of Records	Distance and Aspect of Nearest Record	Date of Most Recent Record
Bats					
<i>Eptesicus serotinus</i>	Serotine	Habitat Regs (2019), W&CA Sch5	2	550m south-west	2020
<i>Nyctalus noctula</i>	Noctule	Habitat Regs (2019), W&CA	5	550m south-west	2020



		Sch5, NERC S41					
<i>Pipistrellus pipistrellus</i>	Common pipistrelle	Habitat Regs (2019), W&CA Sch5	12	550m west	south-	2020	
<i>Pipistrellus pygmaeus</i>	Soprano pipistrelle	Habitat Regs (2019), W&CA Sch5, NERC S41	10	550m west	south-	2020	
<i>Myotis</i>	Myotis sp.,	Habitat Regs (2019), W&CA Sch5	6	550m west	south-	2020	
<i>Myotis mystacinus</i>	Whiskered	Habitat Regs (2019), W&CA Sch5	1	550m west	south-	2020	
<i>Myotis daubentonii</i>	Daubenton's	Habitat Regs (2019), W&CA Sch5	2	550m west	south-	2020	
<i>Plecotus auritus</i>	Brown eared long-	Habitat Regs (2019), W&CA Sch5, NERC S41	8	550m west	south-	2020	
Other mammal species							
<i>Muscardinus avellanarius</i>	Hazel dormouse	Habitat Regs (2019), W&CA Sch5, NERC S41	2	400m east	north-	2011	
<i>Lepus europaeus</i>	Brown hare	NERC S41	2	570m west	south-	2004	
<i>Erinaceus europaeus</i>	West European hedgehog	NERC S41	1	400m east	north-	2013	
Amphibians							
<i>Bufo bufo</i>	Common toad	W&CA NERC S41	Sch5, 1	Within grid-square	1km	2014	
<i>Rana temporaria</i>	Common frog	W&CA Sch5	2	Within grid-square	1km	2014	
Reptiles							
<i>Vipera berus</i>	Adder	W&CA NERC S41	Sch5, 3	Within grid-square	1km	2014	
<i>Zootoca vivipara</i>	Common lizard	W&CA NERC S41	Sch5, 2	940m east		2006	
Birds (including only protected bird species listed on Schedule 1 (Part 1) of the Wildlife and Countryside Act 1981 (as amended) and those listed as Species of Principal Importance (SPIs) under the NERC Act 2006).							
<i>Milvus milvus</i>	Red kite	W&CA Sch1	21	Within grid-square	1km	2022	
<i>Pandion haliaetus</i>	Osprey	W&CA Sch1	12	Within grid-square	1km	2020	
<i>Pernis apivorus</i>	Honey-buzzard	W&CA Sch1	9	Within grid-square	1km	2022	



<i>Caprimulgus europaeus</i>	Nightjar	NERC S41	63	Within 1km	2022
<i>Vanellus vanellus</i>	Lapwing	NERC S41	2	grid-square	
				Within 1km	2009
				grid-square	
<i>Larus argentatus</i>	Herring Gull	NERC S41	54	Within 1km	2022
				grid-square	
<i>Streptopelia turtur</i>	Turtle Dove	NERC S41	8	Within 1km	2020
				grid-square	
<i>Cuculus canorus</i>	Cuckoo	NERC S41	33	Within 1km	2022
				grid-square	
<i>Alauda arvensis</i>	Skylark	NERC S41	19	Within 1km	2022
				grid-square	
<i>Falco peregrinus</i>	Peregrine	W&CA Sch1	2	Within 1km	2016
				grid-square	
<i>Falco subbuteo</i>	Hobby	W&CA Sch1	52	Within 1km	2022
				grid-square	
<i>Lullula arborea</i>	Woodlark	W&CA Sch1,	34	Within 1km	2020
		NERC S41		grid-square	
<i>Cettia cetti</i>	Cetti's Warbler	W&CA Sch1	1	Within 1km	2022
				grid-square	
<i>Emberiza citrinella</i>	Yellowhammer	NERC S41	119	Within 1km	2012
				grid-square	
<i>Emberiza schoeniclus</i>	Reed Bunting	NERC S41	20	Within 1km	2012
				grid-square	
<i>Acanthis cabaret</i>	Lesser Redpoll	NERC S41	42	Within 1km	2022
				grid-square	
<i>Coccothraustes coccothraustes</i>	Hawfinch	NERC S41	3	Within 1km	2009
				grid-square	
<i>Fringilla montifringilla</i>	Brambling	W&CA Sch1	13	Within 1km	2022
				grid-square	
<i>Linaria cannabina</i>	Linnet	NERC S41	94	Within 1km	2022
				grid-square	
<i>Loxia curvirostra</i>	Crossbill	W&CA Sch1	17	Within 1km	2022
				grid-square	
<i>Pyrrhula pyrrhula</i>	Bullfinch	NERC S41	17	Within 1km	2022
				grid-square	
<i>Anthus trivialis</i>	Tree Pipit	NERC S41	89	Within 1km	2022
				grid-square	
<i>Motacilla flava</i>	Yellow Wagtail	NERC S41	1	Within 1km	2022
				grid-square	
<i>Muscicapa striata</i>	Spotted Flycatcher	NERC S41	14	Within 1km	2021
				grid-square	
<i>Poecile palustris</i>	Marsh Tit	NERC S41	71	Within 1km	2022
				grid-square	
<i>Passer domesticus</i>	House Sparrow	NERC S41	34	Within 1km	2022
				grid-square	
<i>Phylloscopus sibilatrix</i>	Wood Warbler	NERC S41	5	Within 1km	2011
				grid-square	
<i>Prunella modularis</i>	Dunnock	NERC S41	85	Within 1km	2022
				grid-square	
<i>Regulus ignicapilla</i>	Firecrest	W&CA Sch1	3	Within 1km	2022
				grid-square	



<i>Sturnus vulgaris</i>	Starling	NERC S41	29	Within 1km	2022
<i>Curruca undata</i>	Dartford Warbler	W&CA Sch1	13	grid-square	
<i>Turdus iliacus</i>	Redwing	W&CA Sch1	32	Within 1km	2022
<i>Turdus philomelos</i>	Song Thrush	NERC S41	186	grid-square	
<i>Turdus pilaris</i>	Fieldfare	W&CA Sch1	12	Within 1km	2022
<i>Dryobates minor</i>	Lesser Spotted Woodpecker	NERC S41	7	grid-square	
<i>Tyto alba</i>	Barn Owl	W&CA Sch1	2	Within 1km	2020
				grid-square	

Invertebrates (including only protected invertebrate species listed on Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and those listed as SPIs under the NERC Act 2006).

<i>Apatura iris</i>	Purple Emperor	W&CA Sch5,	1	800m east	2021
<i>Coenonympha pamphilus</i>	Small Heath	NERC S41	2	Within 10km	2009
<i>Acronicta rumicis</i>	Knot Grass	NERC S41	2	grid-square	
<i>Chiasmia clathrata</i>	Latticed Heath	NERC S41	1	Within 1km	2019
<i>Leucania comma</i>	Shoulder-striped Wainscot	NERC S41	1	grid-square	
<i>Spilosoma lubricipeda</i>	White Ermine	NERC S41	10	500m north	2021
<i>Spilosoma lutea</i>	Buff Ermine	NERC S41	1	300m north-east	2021
				500m north	2021

Plants (including only protected plant species listed on Schedule 8 of the Wildlife and Countryside Act 1981 (as amended) and those listed as SPIs under the NERC Act 2006).

<i>Hyacinthoides non-scripta</i>	Bluebell	W&CA Sch8	22	500m north	2021
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4.2 Extended Phase 1 Habitat Survey

4.2.1 Habitat descriptions are provided below in accordance with the relevant JNCC phase 1 habitat survey handbook code. The distribution of these are shown in Appendix III, together with Site photographs, which are presented in Appendix IV.

Broadleaved woodland – semi-natural (A1.1.1)

4.2.2 A mature woodland parcel was recorded throughout the majority of the northern half of the Site. The canopy included species of oak *Quercus* sp., Scot's pine *Pinus sylvestris*, beech *Fagus sylvatica*, silver birch *Betula pendula*, horse chestnut *Aesculus hippocastanum* and yew *Taxus baccata*. The understory comprised of hazel *Corylus avellana*, rhododendron *Rhododendron* sp., holly *Ilex aquifolium*, cherry *Prunus* sp., magnolia *magnolia* sp., and goat willow *Salix caprea*. The field layer comprised of predominantly daffodil *Narcissus pseudonarcissus*, wood avens *Geum urbanum*, creeping buttercup *Ranunculus repens*, lord and lady's *Arum maculatum* and moss *Bryophyta* sp.

Dense scrub (A2.1)

4.2.3 Another parcel of dense scrub was recorded along the southern border of the Site. The parcel consisted of dense bramble *Rubus fruticosus* agg., blackthorn *Prunus spinosa* and yew.



Scattered broadleaved trees (A3.1)

- 4.2.4 Multiple scattered trees were recorded along the south-eastern boundary of the Site. Trees recorded within this parcel included mature pedunculate oak *Quercus robur*, Scot's pine, silver birch, hazel, elder *Sambucus nigra* and willow *Salix* sp.. The understory comprised of predominantly dense bramble.
- 4.2.5 Another parcel of scattered trees was recorded along the south-western boundary of the Site. The canopy included pedunculate oak, silver birch and cherry. The understorey comprised predominantly dense bramble, as well as holly and willow.
- 4.2.6 A parcel of traditional orchard was recorded north of the parcel of scattered trees described in paragraph 4.2.5. The canopy consisted of multiple pear *Pyrus communis* and apple *Malus domestica* trees. The field layer consisted of creeping bent *Agrostis capillaris*, common bent *Agrostis stolonifera*, daffodil, annual meadow grass *Poa annua*, ragwort *Jacobaea vulgaris* and spear thistle *Cirsium vulgare*.
- 4.2.7 A treeline was recorded south of building B2, growing in a north-south direction. The treeline comprised of yew, silver birch, elder, oak, rhododendron and magnolia. The understory comprised predominantly of dense bramble.

Poor semi-improved grassland (B6)

- 4.2.8 A parcel of grassland was recorded within the southern extent of the Site. The sward comprised of a variety of species, including those described in paragraph 4.2.7, as well as rush *Juncus* sp., white clover *Trifolium repens*, creeping buttercup *Ranunculus repens* and hairy bittercress *Cardamine hirsute*. The sward was considered to be relatively unmanaged, creating a tussocky sward of varying heights (10-30cm).
- 4.2.9 Another parcel of grassland was recorded in the centre of the Site. Species within the sward included creeping bent, dock *rumex* sp., willowherb *Epibolium* sp., dandelion *Taraxcum officinalis*, spear thistle and magnolia saplings. The sward height was varied and had been left unmanaged.

Cultivated/disturbed land – ephemeral/short perennial (J1.3)

- 4.2.10 A small parcel of short perennial vegetation was recorded south of building B2. The parcel was dominated by spear thistle, dock, dandelion, ragwort and annual meadow grass.

Introduced shrub (J1.4)

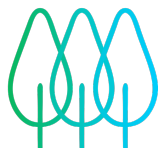
- 4.2.11 Multiple parcels of introduced shrub were recorded throughout the Site, primarily around the buildings. Species recorded included, buddleia *Buddleja* sp., Mexican orange *Choisya ternata*, paperplant *Fatsia japonia*, Japanese laurel *Aucuba japonica*, green alkanet *Pentaglottis sempervirens* and evergreen spindle *Euonymus japonicus*. Primrose *Primula vulgaris* and bramble were also recorded within sections of the parcels.
- 4.2.12 A parcel of dense rhododendron scrub was recorded immediately adjacent the south-western corner of the woodland parcel. The canopy was dense and bare ground was recorded through the majority of the field layer.

Defunct hedge – species poor (J2.2.2)

- 4.2.13 A yew hedge was recorded south of building B1. The hedge was approximately 3m in height, 2m in width and 100m in length and was considered to be relatively unmanaged due to the unkempt natural shape of the hedge.

Buildings (J3.6)

- 4.2.14 Multiple buildings were recorded on Site, including previously occupied care homes, a burnt down care home and various storage buildings. A full description of the building can be found in Table 6 below.



Hardstanding (J5)

- 4.2.15 Concrete hardstanding was recorded throughout the Site, providing access to the existing care home buildings.

Target note 1 (TN1)

- 4.2.16 The approximate location of a multiple rhododendron stands.

4.3 Daytime Bat Walkover Survey

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

Table 6: DBW results of buildings within the Site.

B1

External Description

A large, burnt down, two-storey 'U' shaped building, comprised of brick and mortar in poor condition. The building did not support a roof due to fire damage, however, remaining red-clay tiles were recorded on the small amount of roofing structure above the walls that were still erect. No windows were recorded during the assessment, likely due to fire damage, leaving the building very draft and exposed to the elements.

A small extension was recorded on the northern elevation of the building that also recorded large amounts of fire damage. The extension was comprised of brick-and-mortar in poor condition. The building had supported a roof comprised of red clay tiles but had collapsed due to the fire. A small number of tiles were present above the walls of the building that were still erect and were in poor condition.

Internal Description

Internal access not available at the time of the assessment.

Evidence of Bats

None recorded at the time of the assessment.

Potential Roost Features

None recorded at the time of the assessment.

Suitability to Support Roosting Bats

Negligible

B2

External Description

A single storey building, previously used as a care home, comprised of brick-and-mortar in good condition. The building supported a pitched and hipped roof comprised of concrete wave and ridge tiles in good condition. A wooden barge board was recorded on all aspects of the building and was considered to be well sealed and in good condition.



Internal Description

Internal access not available at the time of the assessment.

Evidence of Bats

None recorded at the time of the assessment

Potential Roost Features

None recorded at the time of the assessment

Suitability to Support Roosting Bats

Negligible

B3

External Description

A single-storey building previously used as a storeroom, comprised of brick-and-mortar in good condition. The building supported a pitched and hipped roof comprised of red clay tiles in good condition for the majority with a single slipped tile recorded on the eastern elevation. Wooden vents were recorded on a partial gable end at the southern and northern elevations of the building. A brick-and-mortar fascia was recorded on all elevations of the building and was considered to be well sealed and in good condition.

Internal Description

The building measured approximately 28m². No roof void was recorded, and the ceiling was completely sealed up to the internal frame. The wooden vents on the exterior of the building showed no sign of access into the internal aspect of the building.

Evidence of Bats

None recorded at the time of the assessment.

Potential Roost Features

The single slipped tile and blocked air vents could provide a potential roosting feature for small numbers of opportunistic crevice dwelling bat species.

Suitability to Support Roosting Bats

Low.

B4



External Description

A two-storey building, previously used as a storeroom, comprised of brick-and-mortar in good condition. The building supported a pitched roof comprised of red clay tiles in moderate condition with multiple lifted, slipped and missing tiles across the southern elevation. A wooden fascia was recorded on the southern and northern elevation in good condition with minimal gaps present along the southern elevation. Three large gaps were present in the brickwork on the western elevation that provided ventilation into the building and access into the roof void.

Internal Description

The building measured approximately 25m². The roof void was not accessible at the time of the assessment, however a visual inspection from the ground was possible from the access point. The roof was supported by a timber frame comprised of various battens and trusses in moderate condition. The roof was not lined and was considered to be very draughty at the time of the assessment. The ventilation and gaps within the tiles allowed a moderate level of light ingress into the roof void.

Evidence of Bats

None recorded at the time of the assessment

Potential Roost Features

The missing, lifted and slipped tiles could provide potential roosting features for crevice dwelling bat species. The air vents and missing, lifted and slipped tiles could also provide access into the internal roof void that could provide suitable roosting habitat in the form of the timber frame and the unlined roof for crevice dwelling and free hanging bat species.

Suitability to Support Roosting Bats

Moderate.

B5

External Description

A single storey building, previously used as a storage room, comprised of brick-and-mortar in poor condition. The southern elevation of the building, that provides access to the building internally, was built into the wall that runs around the perimeter of the development area. A large gap was present within the brick work on the southern elevation. The building supported a sloped roof on the northern elevation and was comprised of concrete wave tiles in moderate condition. The majority of the roof was covered in soil and moss. A wooden soffit box was recorded on the northern elevation in poor condition with multiple points of light ingress into the building. The eaves were also open on the northern aspect where the soffit box had been completely removed.

Internal Description

The building measured approximately 25m². The roof void was not accessible at the time of the assessment, however a visual inspection from the ground was possible. The roof was supported by a timber frame comprised of various battens and trusses in moderate condition. The roof was not lined and allowed minimal volumes of light ingress into the roof void.



Evidence of Bats

None recorded at the time of the assessment

Potential Roost Features

The large gaps within the brick work and gaps within the soffit box could provide potential roosting features for crevice dwelling bat species. The gap in the brick work, open eaves and gaps in the soffit box could also provide access into the internal roof void that could provide suitable roosting habitat in the form of the timber frame, wall cavity and the unlined roof for crevice dwelling and free hanging bat species.

Suitability to Support Roosting Bats

Moderate.

B6

External Description

A double storey 'L' shaped building, previously used as a care home, comprised of brick-and-mortar in good condition. The building supported a hipped roof with a parapet comprised of red clay tiles in good condition. A porch was present on the western elevation, supporting a pitched roof, comprised of red clay tiles, in good condition. uPVC soffit boxes were recorded on all elevations of the building and were considered to be in good condition and well-sealed. Multiple dormers were recorded on the eastern, western and southern elevations, supporting a pitched roof comprised of red clay tiles in good condition. The led flashing around the dormers were also considered to be in good condition and flush to the roof.

Internal Description

The building measured approximately 800m² with the roof lateral cavities measured approximately 0.5m floor to apex. The roof cavities were comprised of multiple compartments which were separated by plywood boards which were well-sealed. The cavities were all supported by timber trusses in good condition, the roof was lined with plywood boards which were in good condition. The walls and partition walls were lined with fiberglass insulation.

Evidence of Bats

None recorded at the time of the assessment

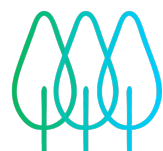
Potential Roost Features

None recorded at the time of the assessment

Suitability to Support Roosting Bats

Negligible

B7



External Description

A double storey building, previously used as a care home, comprised of brick-and-mortar in good condition. The building supported a hipped roof with a parapet comprised of red clay tiles in good condition. A porch was present on the southern elevation, supporting a pitched roof, comprised of red clay tiles, in good condition. uPVC soffit boxes were recorded on all elevations of the building and were considered to be in good condition and well-sealed. Multiple dormers were recorded on the northern and southern elevations, supporting a pitched roof comprised of red clay tiles in good condition. The led flashing around the dormers were also considered to be in good condition and flush to the roof.

Internal Description

Internal access not available at the time of the assessment.

Evidence of Bats

None recorded at the time of the assessment

Potential Roost Features

None recorded at the time of the assessment

Suitability to Support Roosting Bats

Negligible.

Table 7: DBW results of trees within or immediately adjacent the Site. Tree identification has been aligned with the tree constraints plan (PJC Consultancy, 2024).

T2, T6

Description

Two pedunculate oak trees within the northern extent of the development area, approximately 16-17m in height.

Evidence of Bats

None recorded at the time of the assessment.

Potential Roost Features

Dense ivy and dead wood present within the canopy could provide roosting habitat for a small number of crevice dwelling bat species.

Suitability to Support Roosting Bats

PRF-I



Multiple trees within the northern woodland parcel (W14-PA)

Description

Multiple mature and veteran trees within the northern parcel of woodland, canopy trees ranging between 10-20m in height.

Evidence of Bats

None at the time of the assessment.

Potential Roost Features

Full assessment was not conducted throughout the woodland, age and size of trees assumes multiple features were present within the woodland.

Suitability to Support Roosting Bats

FAR – if being removed.



5 DISCUSSION AND RECOMMENDATIONS

5.1 Statutory Designated Sites

- 5.1.1 Overall, three statutory designated sites of nature conservation importance were identified within the zone of influence as part of the desk study. These were Ashdown Forest SSSI, SPA and SAC, all situated approximately 600m east of the Site.
- 5.1.2 However, given the distance between the Site and the identified statutory designated sites, and the size of the Site and nature of the proposed development, adverse effects upon the statutory designated sites and their qualifying criteria for designation are not considered likely. Statutory designated sites are therefore not considered an ecological constraint and are not considered further in this report.
- 5.1.3 The Site is located within an impact risk zone for Ashdown Forest SSSI.
- 5.1.4 However, the proposed development does not fall into the listed development categories.

5.2 Protected and Notable Habitats

Woodland

- 5.2.1 Multiple parcels of ancient woodland and HPI were identified within the zone of influence as part of the desk study. The nearest parcel of ancient woodland was located within the north-western extent of the Site, as well as adjacent the eastern boundary of the Site. The nearest parcel of HPI was a parcel of broadly classified woodland located within the northern extent of the Site, as well as a parcel of traditional orchard located within the south-western extent of the Site.
- 5.2.2 The biodiversity value of ancient woodland and the importance in conserving it is outlined within the UK Government's vision, which states that "ancient woodlands, veteran trees and other native woodlands are adequately protected, sustainably managed in a wider landscape context, and are providing a wide range of social, environmental and economic benefits to society". The presence of ancient woodland within the Site is a material consideration in the planning process. The National Planning Policy Framework states that "planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss".
- 5.2.3 The Proposed Site Layout, ref: A-1034-CA-01-A-01-P-P3 (Careless + Adams, 2023) does include a buffer of approximately 70m between the parcel of ancient woodland on Site and the development area. The parcel of HPI traditional orchard is also being retained and a buffer of 15m is anticipated between the development area and the traditional orchard.
- 5.2.4 However, given the distance between the development area and the parcel of ancient woodland immediately adjacent the eastern Site boundary, and the HPI woodland and traditional orchard within the Site, and given the size of the Site and nature of the proposed development, adverse effects upon these protected and notable habitats are still a consideration for the proposed development.
- 5.2.5 On this basis, it is recommended that the proposals be updated to ensure a no construction buffer zone (including storage of materials and vehicle access) of at least 15m, from the edge of the eastern ancient woodland parcel and at least 5m from the HPI woodland and traditional orchard parcel to the north to minimise adverse impacts on the woodland parcels. The buffer zone has been informed by the arboricultural assessment (Tree Constraints Plan, PJC Consultancy, 2024) to ensure the proposed development does not encroach within the root protection area (RPA) of the woodland.
- 5.2.6 It is also recommended that exclusion fencing, in the form of Heras fencing, be installed along the no construction buffer zone to ensure the zone is not disturbed or encroached upon during the construction phase of the proposed works.



- 5.2.7 A strict pollution prevention protocol should also be adhered to during the demolition and construction phases of the development, to ensure indirect adverse impacts on woodland and traditional orchard parcels are avoided.
- 5.2.8 All demolition and construction works must ensure the use of water to damp down material and prevent dust clouds and use on-tool extraction where possible. However, works must take place during periods of low rain fall and predicted dry weather to ensure pollution run off from the Site to the surrounding areas is avoided.
- 5.2.9 Other best practice construction measures which must be adhered to during the demolition and construction phases of the proposed development include:
- Installing dust sheeting onto Heras panels surrounding the development area;
 - Appropriate covering of skips and vehicles;
 - Avoidance of burning materials onsite; and
 - Providing general construction environmental best practice measures are implemented, adverse impacts upon the retained woodland parcels are not considered likely.
- 5.2.10 Furthermore, to prevent the degradation of these habitats through light pollution, it is recommended that any new artificial lighting associated with the proposed development aims to:
- Maintain a dark buffer along all aspects of the Site.
 - Use minimum light levels necessary. For example, there should be times throughout the evening (when bats are most active) when all outdoor security lights are unlit to avoid affecting bat activity. Lighting can also be installed using a timer or movement sensor to avoid long periods of an area being lit at night;
 - Lighting should be a warm white spectrum and feature peak wavelengths higher than 550nm to lower the range of species affected by lighting. Using LED luminaires where possible and avoid luminaires with UV elements, specifically avoiding metal halide and fluorescent sources (Institute of Lighting Professionals, 2023); and
 - Internal luminaries can be recessed where installed in proximity to windows to reduce glare (Institute of Lighting Professionals, 2023) and light spill and use hoods, louvres or other similar design features to avoid light spill and direct light away from areas of mature vegetation.
- 5.2.11 Furthermore, all non-native and invasive species recorded within the understorey of the northern woodland should be removed, primarily stands of rhododendron.

Hedgerows

- 5.2.12 The hedgerows recorded within the Site consist predominantly (i.e. 80% or more cover) of at least one woody UK native species and therefore qualify as an HPI under the NERC Act 2006. In addition, the hedgerows were considered likely to be classified as 'important' under the Hedgerow Regulations 1997 as the hedgerows have likely been in existence for 30 years or more and potentially meet other wildlife and landscape criteria as set out in Part II of Schedule 1 of the Hedgerow Regulations.
- 5.2.13 Therefore, the presence of the hedgerow HPI on Site is a material consideration in the planning process.
- 5.2.14 It is understood the proposed development will include the retention of the hedgerow throughout all phases.
- 5.2.15 It is therefore recommended that the proposals be updated to ensure a no construction buffer zone of 1m (including storage of materials and vehicle access) from the edge of the hedgerows to the boundary of the proposed development footprint, to ensure no adverse impacts on the hedgerows arise. The buffer zone should be informed by the Tree Constraints Plan (PJC Consultancy, 2024) to



ensure the proposed development does not encroach within the RPA of the hedgerow. It is also recommended that exclusion fencing, in the form of Heras fencing, be installed to ensure that the no construction buffer zone is not disturbed or encroached upon during the demolition or construction phases of the proposed development.

- 5.2.16 It is also recommended that measures referring to lighting and pollution control, as detailed within paragraph 5.2.8-5.2.10, are implemented throughout the demolition, construction, and operational phases of the proposed development, to avoid detrimental impacts to the HPI hedgerow.
- 5.2.17 In the event that the proposed development requires the removal of hedgerow, even small sections, for example for enabling pedestrian and vehicle access, then further hedgerow surveys are recommended to ascertain whether the hedgerows qualify as 'important hedgerows' under the Hedgerow Regulations 1997.
- 5.2.18 It should be noted that under the Hedgerow Regulations 1997 it is an offence to remove a hedgerow without applying to the local planning authority (LPA) for permission. Should the hedgerow qualify as 'Important' under the Hedgerow Regulations 1997 the LPA must decide whether the reasons for removal justify the loss of an 'Important Hedgerow', with a presumption for retention.

5.3 Protected and Notable Species

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

Bats

- 5.3.2 All bats are European protected species (EPS) and both individual animals and their roosts are afforded protection under the Conservation of Habitats and Species Regulations 2019 (as amended) and the Wildlife and Countryside Act, 1981 (as amended). Certain bat species are also listed as Species of Principal Importance (SPI) under the NERC Act 2006.
- 5.3.3 Overall, 40 records comprising eight bat species were identified within the zone of influence as part of the desk study, which included approximately 36 roosts. All of the roost records were recorded approximately 550m south-west of the Site, indicating the bats are likely present within the wider area.

Roosting Suitability

- 5.3.4 As part of the DBW, buildings B1, B2, B6 and B7 were identified as having negligible suitability to support roosting bats and therefore roosting bats are highly likely absent from these buildings.
- 5.3.5 Also, as part of the DBW, buildings B3, B4, and B5 were identified as exhibiting features i.e lifted, damaged or missing tiles, and gaps within the brick work, with potential to support roosting bats.
- 5.3.6 On this basis, building B3 was identified as having low suitability to support roosting bats during the summer and building B4 and B5 were identified as having moderate suitability to support roosting bats.
- 5.3.7 Given the number of bat roost records identified within the wider landscape as part of the desk study and given that the buildings B1-B7 are proposed to be demolished, the proposed development could result in the destruction of a potential bat roost site.
- 5.3.8 Therefore, further emergence surveys are required to determine presence or likely absence of bat roosts within buildings B3, B4 and B5, to determine any subsequent requirements for mitigation, compensation and/or licences to facilitate the proposed development.
- 5.3.9 Building B3 was identified as having low suitability to support roosting bats. It is therefore recommended that a single dusk emergence survey be undertaken. The bat emergence survey should be undertaken between May and August inclusive.
- 5.3.10 Building B4 and B5 were identified as having moderate suitability to support roosting bats. It is therefore recommended that two dusk emergence surveys be undertaken. All bat emergence surveys



should be undertaken between May and September inclusive. A minimum of a three-week interim period must be allowed between each survey visit.

- 5.3.11 It should be noted that should a bat roost or roosts be found, additional surveys totalling three emergence surveys survey will be required to be undertaken, to determine any subsequent requirements for mitigation, compensation and/or licences to facilitate the proposed development.
- 5.3.12 In addition to summer roosting suitability, building B4 and B5 was also identified as having low potential to support hibernating roosting bats, notably within lifted tiles on building B4 and the large crack in the brick work on the northern elevation of building B5.
- 5.3.13 Given that a number of roof tiles were missing on the southern elevation of building B4 and the large crack within the brick work of building B5, building B4 and B5 were subsequently subject to the elements, which is considered unlikely to maintain a stable temperature with high humidity required for hibernation during the winter months. On this basis, building B4 and B5 are considered unlikely to support a hibernation roost, however, the presence of a very low number of hibernating individual bats cannot be ruled out.
- 5.3.14 However, it is not considered appropriate nor efficient to undertake a systematic hibernation assessment of building B4 and B5. Given the inefficiencies of a systematic search of the entire building, much of which is inaccessible due to health and safety grounds (for example the roof voids were inaccessible and brown long-eared bats have been known to hibernate below ridge tiles and similar features, which would not be picked up during a hibernation assessment), hibernation surveys of buildings B4 and B5 are not considered practical on this occasion. Furthermore, given the size and structure of buildings B4 and B5, any automated/static surveys for winter activity would likely record calls from bats flying over the property which would provide inaccurate results.
- 5.3.15 Therefore, it is recommended that any demolition of building B4 and B5 be undertaken outside of the core hibernation period (outside of November to March inclusive). In addition, to account for the potential loss of a, likely small, hibernation roost, at least one hibernation bat box (Schwegler 1WQ Summer and Winter Bat Roost or similar) shall be installed on to the newly constructed building at the northern elevation.
- 5.3.16 As part of the DBW, trees T2, T6 and multiple trees within the northern woodland parcel (W14 - PA) were identified as exhibiting features with potential to support roosting bats. Trees T2 and T6 were identified as having PRF-I suitability to support roosting bats. Multiple trees within the northern parcel of woodland were identified as FAR and would require further assessment if being impacted by the proposals.
- 5.3.17 It should be noted that the DBW was undertaken from the ground and therefore it was not possible to accurately determine the characteristics of the feature, for example the depth of the feature within the tree. The above classification therefore follows a precautionary approach using professional judgement.
- 5.3.18 Given that trees T2, T6 and multiple trees within the northern woodland are anticipated to be retained throughout the entirety of the development proposals. Therefore, direct impact on bats roosting in trees are considered unlikely. Given that trees T2, T6 and multiple trees are anticipated to be retained throughout the proposed development, the proposed development is not considered to cause damage or destruction of a potential bat roost site within a tree and therefore further surveys on trees are not required.
- 5.3.19 However, it is recommended that the proposals be updated to ensure a no construction buffer zone (including storage of materials and vehicle access), from each tree to the edge of the proposed development, to minimise adverse impacts on the trees. The buffer zone should be informed by the Tree Constraints Plan (PJC Consultancy, 2024) to ensure the proposed development does not encroach within the root protection area (RPA) of the individual trees.



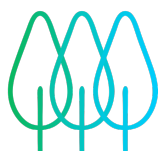
- 5.3.20 Furthermore, indirect impacts on roosting bats such as artificial illumination of the potential roosting feature within the tree are not anticipated, providing the mitigation measures in relation to lighting detailed within paragraph 5.2.10 are adhered to throughout all phases of the proposed development.
- 5.3.21 It should be noted that if any tree removals are required within the woodland parcel in the northern extent of the Site, further assessment is required to assess which trees within the woodland have potential to support roosting bats.

Foraging and Commuting Suitability

- 5.3.22 The Site was considered to provide suitable commuting and foraging habitat for bats primarily the woodland edge, treeline, hedgerow and scrub and was classified as having high suitability to support foraging and commuting bats.
- 5.3.23 The woodland edge, that provides the most suitable foraging habitat is anticipated to be retained in its entirety as part of the development proposals. The treeline, hedgerow and dense scrub are not considered to function as an important corridor for bats given the retained woodland in the northern extent of the Site, the large network of connected woodland immediately adjacent the Site and within the wider landscape that also provides plentiful foraging and commuting opportunities for bats. On this basis, the proposed development is considered unlikely to result in the loss or degradation of bat foraging and commuting habitat or sever important commuting routes and obstruct access between potential bat roosts and important foraging habitats, providing the mitigation measures in relation to lighting described within paragraph 5.2.10 are implemented during the construction and operational phase of the proposed development.

Hazel Dormice

- 5.3.24 Hazel dormice are EPS and are afforded protection under the Conservation of Habitats and Species Regulations 2019 (as amended) and the Wildlife and Countryside Act, 1981 (as amended). Dormice are also listed as SPI under the NERC Act 2006.
- 5.3.25 Overall, two dormice records were identified within the zone of influence as part of the desk study. The nearest of which was located approximately 400m north-east of the Site, indicating the dormice are likely present within the wider landscape.
- 5.3.26 The Site supported suitable semi-natural habitat for dormice in the form of woodland, hedgerow, dense scrub, treeline with understory and to a lesser extent introduced shrub. Furthermore, preferred food and nesting materials such as hazel, bramble, sweet chestnut, blackthorn, and oak were recorded within the Site. The Site was also considered arboreally connected to other suitable habitats south and partially connected to suitable habitats north of the Site via treelines and hedgerows. Therefore, the Site provided optimal foraging, commuting, nest building and hibernating opportunities for dormice.
- 5.3.27 The development proposals, during the writing of this report, included the removal of approximately 0.15ha of dense scrub, and the retention of the woodland, hedgerows and treelines.
- 5.3.28 Therefore, in the first instance, and following the mitigation hierarchy, it is recommended that the development proposals are updated to include the retention of the dense scrub within the Site.
- 5.3.29 In the event the permanent loss of dense scrub is unavoidable, the suitable dormice habitat on Site in the form of dense scrub, and any other woody habitat, i.e introduced shrub, within the southern and northern extent of the Site is recommended, should undergo a systematic fingertip search conducted by a suitably experienced ecologist to search the parcels and individual stands of scattered scrub to search for dormice, including nests. The fingertip search will need to be conducted immediately prior to any vegetation removal and shall be conducted during the months of mid-April to October when dormice are most active. In the unlikely event that dormice, or evidence of dormice, are found, all work must stop, and advice sought from a licensed ecologist.



- 5.3.30 It is also recommended, as a precaution, that construction works (including habitat clearance works) be undertaken in accordance with a Precautionary Non-Licensed Method Statement (see Appendix VI).
- 5.3.31 Providing the avoidance and mitigation measures detailed within the Precautionary Non-Licensed Method Statement are implemented in full, the proposed works are considered highly unlikely to adversely affect the favourable conservation status of dormice, or breach relevant nature conservation legislation pertaining to dormice. On this basis, further dormice presence/likely absence surveys and/or a EPSL is not required prior to proposed works commencing.
- 5.3.32 The proposals should also be updated to include a no construction buffer zone and a sensitive lighting strategy around all retained areas of suitable dormouse habitat (as detailed in paragraph 5.2.8- 5.2.10) throughout the demolition, construction and operational phases of the development to ensure that all suitable retained dormouse habitat within and surrounding the Site, remain dark.
- 5.3.33 However, if the required removal of suitable dormice habitat is greater than the current plans for 0.15ha of removal, or habitat removal is required within more suitable dormice habitats in the form of the woodland north of the Site, or the no construction buffer cannot be implemented into the proposals, then further dormice surveys may be required to determine dormouse presence/likely absence across the Site. The results of the surveys will determine any subsequent requirements for mitigation, compensation and/or licences to facilitate the proposed development.
- 5.3.34 Dormouse presence/likely absence surveys should adhere to best practice survey methodology. An index of probability of finding dormice present in nest tubes throughout the year is provided in Table 8 below. According to best practice survey standards (English Nature, 2006) a minimum total index of probability score of 20 should be achieved between April and November in order for the survey effort to provide accurate findings. The index of probability scores are based on the use of at least 50 nest tubes within a site, placed at 20m intervals.

Table 8: Index of Probability for finding dormice in nest tubes.

Month	Index of Probability
April	1
May	4
June	2
July	2
August	5
September	7
October	2
November	1.

- 5.3.35 The findings of the dormouse presence/likely absence survey and any subsequent requirements for mitigation and compensation and/or licenses to facilitate the proposed development should be presented within a stand-alone (phase 2) report or EclA.
- 5.3.36 The Site supported It should be noted that should a dormouse or nest be found, a EPSM licence may be required to permit works that would potentially cause disturbance, damage or destruction of habitat or individuals. An EPSM licence for development is issued by Natural England under Regulation 53(2)(e) of The Conservation of Habitats and Species Regulations (2019). This application process can take a minimum of six weeks.

Great Crested Newts and other Amphibians



- 5.3.37 Great crested newts (GCN) are EPS and are afforded protection under the Conservation of Habitats and Species Regulations 2019 (as amended) and the Wildlife and Countryside Act, 1981 (as amended). GCN and common toad *Bufo bufo* are also listed as SPI under the NERC Act 2006.
- 5.3.38 No GCN records were identified within the zone of influence as part of the desk study, however this does not confirm absence of GCN within the wider landscape. The Site is also within the red risk zone for GCN within the Nature Space Impact Risk Zone map, this suggests that GCN are likely present within the wider landscape.
- 5.3.39 Overall, 12 waterbodies were identified within a 500m radius of the Site as part of the desk study. These comprised of twelve ponds (WB1-WB12) and two small stream WB13 & WB14. The location of these waterbodies are outlined below;
- WB1, located approximately 170m east of the Site;
 - WB2, WB3 and WB4, located approximately 440m south-east of the Site;
 - WB5, WB6 and WB7, located approximately 260m north-west of the Site;
 - WB8, located approximately 70m west of the Site;
 - WB9, located approximately 50m north of the Site;
 - WB10, located approximately 160m north of the Site;
 - WB11, located approximately 300m north of the Site;
 - WB12 and WB13, located approximately 330m north-east of the Site;
 - WB14 located approximately 200m north of the Site; and
 - WB15 located approximately 120m south of the Site.
- 5.3.40 Suitable terrestrial habitat between waterbodies WB1-WB12 and the Site are present in the form of woodland, grassland, scrub and agricultural fields. Minor barriers for dispersal are present in the form of residential houses and Plawhatch Lane, however these were not considered to be sufficient to act as a complete barrier for dispersal.
- 5.3.41 Habitats recorded within the Site particularly the poor semi-improved grassland, dense scrub, scattered trees and hedgerow were considered to provide foraging, commuting, and sheltering opportunities for reptiles.
- 5.3.42 Direct impacts on suitable waterbodies for breeding GCN are not anticipated. However, the proposed development could result in adverse direct and indirect impacts on GCN, resulting in the death or injury, or disturbance to GCN during their terrestrial phase or result in the damage or destruction of a GCN resting place such as a hibernation site.
- 5.3.43 It is therefore recommended that a GCN HSI assessment (ARG, 2010) of all waterbodies within a 500m radius of the Site be undertaken to determine the value and potential of the waterbodies to support breeding GCN. A HSI assessment is a tool, which can be undertaken at any time of the year and enables a quick assessment of the likelihood of a waterbody to support GCN, which can be used as a guide to determine the need for further GCN surveys. Depending on the HSI findings, further GCN presence/likely absence surveys may be required. These comprise a minimum of four survey visits during the period mid-March to mid-June with at least two of these visits during mid-April to mid-May and with the visits spread throughout the survey period. Should GCN presence be confirmed then two additional survey visits will be required in order to determine the population size class, with at least one of these additional survey visits being undertaken between mid-April and mid-May.
- 5.3.44 Another survey technique which has been approved by Natural England and can be used for determining GCN presence/likely absence is eDNA water testing. This technique detects pond occupancy from GCN by analysing traces of GCN DNA shed into the pond environment (eDNA). This



technique is recommended when a full suite of traditional GCN presence/likely absence surveys cannot be undertaken, for example when the key survey windows are missed. However, this technique cannot be used to ascertain population size; therefore, in the event that GCN DNA is recorded within any waterbodies, traditional survey techniques must still be used to obtain population data.

- 5.3.45 The findings of the GCN presence/likely absence survey and population class assessment (if required) and any subsequent requirements for mitigation and compensation and/or licenses to facilitate the proposed development should be presented within a stand-alone (phase 2) report or EclA.
- 5.3.46 It should be noted that should a GCN be found, a EPSM licence may be required to permit works that would potentially cause disturbance, damage or destruction of habitat or individuals. A EPSM licence for development is issued by Natural England under Regulation 53(2)(e) of The Conservation of Habitats and Species Regulations (2019). This application process can take a minimum of six weeks.
- 5.3.47 Another option could be to join the District Level Licensing (DLL) scheme. DLL is a streamlined and alternative option to the traditional surveys, mitigation and compensation and the licensing process detailed above. This is a strategic approach, funded by developer contributions, which allows habitat compensation to be delivered elsewhere in the district to ensure that local conservation status of GCN can be maintained. Compensatory habitat is created off site by a third party prior to development and developers pay a fee based on an estimated impact on GCN. Consequently, no survey work or mitigation and compensations measures (e.g. fencing, trapping and post-development monitoring) are necessarily required. However, DLL is not likely to be the best option for all developments and in some instances is more costly than the traditional surveys, mitigation and compensation and the licensing process detailed above.
- 5.3.48 The first step in DLL is submitting an enquiry form to NatureSpace Partnership. Once submitted, NatureSpace Partnership will assess whether the project qualifies for DLL. If the project does qualify, NatureSpace Partnership will assess the Site and all of the information provided and provide a Impact Assessment and Conservation Payment Certificate stating how much the developer will have to pay to compensate for the loss of the suitable habitat on-site, as well as a fee for joining the DLL scheme.

Reptiles

- 5.3.49 Native, widespread reptile species (common or viviparous lizard, adder, grass snake *Natrix helvetica* and slow worm *Anguis fragilis*) are protected under Schedule 5 of The Wildlife and Countryside Act 1981 (as amended), making it an offence to kill or injure individual animals. All widespread reptile species are also listed as SPI under the NERC Act 2006.
- 5.3.50 Overall, five reptile records were identified within the zone of influence as part of the desk study. The nearest of which was a record of common lizard located approximately 940m east of the Site.
- 5.3.51 Habitats recorded within the Site particularly the poor semi-improved grassland, dense scrub and hedgerow were considered to provide foraging, commuting, basking and sheltering opportunities for reptiles.
- 5.3.52 Works associated with any proposed development of the Site, for example habitat clearance, could therefore result in the death or injury of any reptiles present within the Site.
- 5.3.53 Therefore, further reptile surveys are required to determine reptile presence/likely absence, reptile species diversity and population sizes. The results of the surveys will determine any subsequent requirements for mitigation and compensation to facilitate the proposed development.
- 5.3.54 Reptile presence/likely absence surveys should be undertaken in accordance with best practice survey standards (Froglife, 1999). It is therefore recommended that a minimum of seven survey visits be undertaken to check artificial refugia and natural refugia present for presence of reptiles. Survey visits should be spread out over the active reptile season between April and September inclusive during periods of dry, warm weather with daytime temperatures between 9-18°C.



- 5.3.55 The findings of the reptile survey and any subsequent requirements for mitigation and compensation to facilitate the proposed development should be presented within a stand-alone (phase 2) report or EclA.

Birds

- 5.3.56 All birds, their nests and eggs are protected from killing and injury of individuals, damage and destruction of nests and destruction of eggs under the Wildlife and Countryside Act 1981 (as amended). Species listed in Schedule 1 (Part 1) of the Act are also protected from disturbance whilst nesting or whilst with dependent young, by special penalties. Many bird species are also listed as SPI under the NERC Act 2006.
- 5.3.57 Overall, multiple records comprising 12 bird species listed on Schedule 1 (Part 1) of the Wildlife and Countryside Act 1981 (as amended) were identified within the zone of influence as part of the desk study. Many other notable bird species listed as SPIs were also identified within the zone of influence as part of the desk study, detailed within table 5.
- 5.3.58 The Site supported woodland, hedgerow, treeline, dense scrub, buildings and scattered trees, which were considered to provide good nesting and foraging opportunities to a wide range of common bird species.
- 5.3.59 Works associated with any proposed development of the Site, for example habitat clearance and building demolition, could therefore result in direct adverse impacts on nesting birds. On this basis, nesting birds are therefore considered a potential ecological constraint. In order to comply with legislation protecting nesting birds the mitigation measures detailed below should be adhered to.
- 5.3.60 It is recommended that habitat clearance and building demolition works be undertaken outside the main nesting bird season. The nesting bird season for most British bird species is between March and August (inclusive).
- 5.3.61 Should this not be possible, all suitable nesting habitat must be inspected by an ecologist to determine the presence/absence of any nesting birds prior to clearance or demolition. In the event of an active nest being identified, a temporary exclusion zone would need to be placed around the nest and development paused until the dependent young have fledged which may be several weeks. The ecologist will determine safe working distances and the distances will be dependent upon the bird species present.
- 5.3.62 The permanent loss of suitable foraging and nesting habitat for birds should be compensated for by incorporating new suitable foraging and nesting habitat into the landscape designs. Habitat creation examples including planting a variety of native fruit and nut bearing tree and shrub species such as birch *Betula* spp., holly, rowan *Sorbus aucuparia*, elder and crab apple *Malus sylvestris*.
- 5.3.63 Artificial bird nest boxes should also be installed onto any retained trees within the Site. Given their designation as SPI, particular consideration should be given to the installation of starling *Sturnus vulgaris* (i.e. Schwegler 3S or similar) nest boxes and/or general bird nest boxes used by house sparrow *Passer domesticus* and spotted flycatcher *Muscicapa striata* (i.e. Schwegler 1B, 2HW, 2GR or similar).

Badgers

- 5.3.64 Badgers *Meles meles* and their setts are protected under The Badger Act (1992).
- 5.3.65 No evidence of badger field signs (for example hairs, latrines, dung pits, snuffle holes, mammal paths or scratching posts) or setts were recorded within development footprint and within 30m of the development footprint during the survey.
- 5.3.66 Habitats throughout the Site were considered to provide good sett building and foraging and commuting opportunities for badgers given the woodland, scrub and grassland present within the Site.



- 5.3.67 Given the absence of setts within the Site and within 30m of the Site boundary the proposed development is considered unlikely to result in the damage or destruction of a sett, or obstructing access to a sett, and disturbance to a badger whilst it is occupying a sett.
- 5.3.68 However, given the suitable foraging and commuting habitat within the immediate Site and due to the mobile nature of the species and its ability to quickly establish new setts, badgers are still considered a potential ecological constraint to the proposed development.
- 5.3.69 As a precautionary approach it is recommended that a pre-works survey be undertaken immediately prior to the proposed development becoming operational to ensure no new setts have become established.
- 5.3.70 During construction works, all excavations should be excavated individually and back filled immediately after where possible. Where this is not possible excavations must be covered to prevent badgers (or other animals) becoming trapped within the excavation. If this is not possible, one or both sides of the excavation must be sloped in order to allow egress from the excavation.
- 5.3.71 It is also recommended that measures referring to lighting and pollution control, as detailed within paragraph 5.2.8-5.2.10, are implemented throughout the demolition, construction, and operational phases of the proposed development, to avoid detrimental impacts to the local badger population.

Other Mammal Species

Riparian Mammals

- 5.3.72 Water voles *Arvicola amphibious* and their places of shelter are protected under the Wildlife and Countryside Act, 1981 (as amended) which makes it an offence to kill, injure or take any water vole, damage, destroy or obstruct access to any place of shelter or protection that the animals are using, or disturb voles while they are using such a place. Water voles are also listed as SPI under the NERC Act 2006.
- 5.3.73 Otters *Lutra lutra* are protected under the Conservation of Habitats and Species Regulations (2019) as amended and under the Wildlife and Countryside Act, 1981 (as amended) which makes it an offence to kill, injure or capture an otter, intentionally or recklessly disturb otters; or to damage, destroy or intentionally or recklessly obstruct access to a holt or other resting places. Otters are also listed as SPI under the NERC Act 2006.
- 5.3.74 Eurasian beavers *Castor fiber* are protected under the Conservation of Habitats and Species Regulations (2019) as amended and under the Wildlife and Countryside Act, 1981 (as amended) which makes it an offence to kill, injure or capture a beaver, deliberately disturb beavers; or to damage or destroy the breeding site or resting place of a beaver.
- 5.3.75 No water vole, otter or beaver records were identified within the zone of influence as part of the desk study. No aquatic habitat was recorded within the Site or within 15m of the Site as well as very limited suitable terrestrial habitat.
- 5.3.76 On this basis and given the absence of desk study records, the Site was identified as having negligible potential to support water vole, otter and beaver and are therefore not considered an ecological constraint and are not considered further in this report.

European Hedgehog

- 5.3.77 The European hedgehog *Erinaceus europaeus* is classified as an SPI under the NERC Act 2006. Therefore, the presence of this species on site would be a material consideration in the planning process.
- 5.3.78 A single European hedgehog record was identified within the zone of influence as part of the desk study, located approximately 400m east of the Site, indicating that they are very likely present within the wider landscape.



- 5.3.79 The Site supported some suitable semi-natural habitat for hedgehogs in the form of woodland, dense scrub, hedgerow and scattered trees. However, the proposed development is considered unlikely to result in impacts on European hedgehogs given the size and nature of the Site and presence of other suitable habitat within the wider surroundings and providing mitigation measures detailed below are adhered to.
- 5.3.80 Hedgehogs should be specifically watched for during the removal of features considered to provide potential sheltering habitat (i.e. dense scrub). If any hedgehogs are found, they should be carefully moved to retained areas of vegetation outside of the Site.
- 5.3.81 Furthermore, any new boundaries required as part of the proposed development should be permeable to hedgehogs in order to maintain habitat connectivity across the Site and wider surroundings. This can be achieved by creating ground-level boundary holes (approximately 13cm x 13cm) which should link as many neighbouring land parcels as possible.
- 5.3.82 In addition, parcels of dense scrub, shrubs and tussocky grassland and features such as deadwood and brash piles should be maintained and/or created across the Site in order to provide important foraging and nesting opportunities for hedgehogs.

Invertebrates

- 5.3.83 A number of invertebrate species such as purple emperor *Apatura iris* are afforded protection under the Conservation of Habitats and Species Regulations 2019 (as amended) and under Schedule 5 of the Wildlife and Countryside Act, 1981 (as amended). Many invertebrate species including the stag beetle are also listed as SPI under the NERC Act 2006.
- 5.3.84 A single European or nationally protected invertebrate species, listed under Schedule 5 of the Wildlife and Countryside Act, 1981 (as amended) was identified within the zone of influence as part of the desk study. This was a purple emperor butterfly, located approximately 800m east of the Site. Multiple notable invertebrate species listed as SPI under the NERC Act 2006 were also identified within the zone of influence as part of the desk study.
- 5.3.85 The Site supported a mosaic of suitable semi-natural habitats suitable for protected and notable invertebrates including woodland suitable for purple emperor butterfly. However, due to the entirety of this habitat being retained throughout the development, direct impacts on this protected species are considered unlikely.
- 5.3.86 Therefore, works associated with any proposed development of the Site, for example habitat clearance, are considered unlikely to result in direct impacts to protected and notable invertebrate species present within the Site, including those listed on Schedule 5 of the Wildlife and Countryside Act, 1981 (as amended) and those listed as SPIs under the NERC Act 2006.
- 5.3.87 However, indirect impacts, such as light and dust pollution, could cause detrimental impacts on these notable invertebrate species and should be considered. Therefore, it is recommended that measures referring to lighting and pollution control, as detailed within paragraph 5.2.8-5.2.10, are implemented throughout the demolition, construction, and operational phases of the proposed development, to avoid detrimental impacts to protected invertebrate species.
- 5.3.88 It is also recommended that deadwood within the traditional orchard and woodland HPI are left on-site and remain undisturbed to preserve the suitable habitat for a variety of invertebrate species.

Plants

- 5.3.89 Wild plants are protected under the Wildlife and Countryside Act 1981 (as amended) which prohibits the unauthorised intentional uprooting of any wild plant species and forbids any picking, uprooting or destruction of plants listed on Schedule 8 of which there are over 150 species. In addition, nine plant species are afforded protection under the Conservation of Habitats and Species Regulations 2019 (as amended). Many plant species are also listed as SPI under the NERC Act 2006.



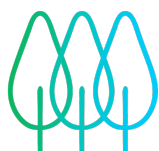
- 5.3.90 Overall, a single protected plant species, bluebell *Hyacinthoides non-scripta*, listed in Schedule 8 of the Wildlife and Countryside Act 1981 (as amended) was identified within the zone of influence as part of the desk study. No notable plant species listed as SPI under the NERC Act 2006 were identified within the zone of influence as part of the desk study.
- 5.3.91 The habitats within the development footprint were common and widespread and therefore provided limited potential to support protected and notable and rare plant species.
- 5.3.92 Section 14(1) of the Wildlife and Countryside Act 1981 (as amended) makes it illegal to plant or otherwise cause to grow in the wild any plant listed in Schedule 9 of the Act including rhododendron.
- 5.3.93 Multiple stands of rhododendron were recorded within the northern woodland parcel and throughout the Site.
- 5.3.94 Works associated with any proposed development of the Site, for example habitat clearance, could therefore result in the spread of rhododendron. On this basis, invasive plant species are therefore considered a potential ecological constraint. In order to comply with legislation regarding invasive plant species, all habitat clearance works should be undertaken in accordance with the regulatory position statement (RPS) for invasive plant species; Treatment and disposal of invasive non-native plants: RPS 178 (Environment Agency, 2016).

5.4 Ecological Enhancements

- 5.4.1 Under Section 40 of the NERC Act 2006 there is a duty to have regard to biodiversity conservation. In addition, the National Planning Policy Framework (2023) and the Mid Sussex District Plan 2014-2031 encourages ecological enhancement to be integrated into development projects in order to achieve an overall net-gain in biodiversity. Given the above, the following enhancement recommendations should be considered and incorporated into the final design proposals:
- Installation and maintenance of artificial bat bricks or bat tubes (i.e. Schwegler 1FR and 2FR bat tubes and Schwegler 1GS bat brick or similar) into any new buildings and installation of bat boxes (i.e. Schwegler 2FN or similar) on to suitable retained trees to increase the roosting opportunities for bats within the Site. Any artificial roosting features should be placed between 3m and 6m above ground in a variety of locations at slightly different heights and preferably positioned facing a variety of directions.
 - Installation and maintenance of artificial bird nest boxes onto any retained trees and new buildings on Site to increase nesting opportunities for many bird species. Given their designation as SPI, particular consideration should be given to installing house sparrow (i.e. Schwegler 1SP or similar) and starling (i.e. Schwegler 3S or similar) nest boxes onto any retained trees and any new buildings within the Site.
 - Enhancement of retained native hedgerow south of B1 and planting of native species rich hedgerows and/or 'natural buffer strips' along the access roads and plot boundaries. Approximately five woody plants should be planted per metre of hedgerow, in double staggered rows. The hedgerow should be managed on an annual rotation, whereby half of each hedgerow is cut in any one year. This will encourage a diverse structure to produce both a wide and dense hedgerow. Woody species planted could include the following species:
 - Oak *Quercus* sp;
 - Hazel;
 - Hawthorn *Crataegus monogyna*;
 - Blackthorn *Prunus spinosa*;
 - Field maple *Acer campestre*;
 - Holly;



- Elder; and
- Crab apple.
- Creation of areas of species-rich meadow grassland within the southern extent of the Site, ideally within wide 'natural buffer strips' along the Site boundaries. These areas could provide additional foraging and shelter opportunities for a wide variety of invertebrates, reptiles, amphibians and bird and bat species. Plant species to be included within the wildflower seed mix should be appropriate for the Site and wider area. A wildflower seed mixture should be sown on the site in March, April or September. Once established, the grassland should be maintained via annual seed cutting in the autumn, following seed setting and use of pesticides, fertilizers or other chemicals, avoided.
- Incorporation of dead wood habitat piles within areas of retained suitable habitat for example underneath tree canopies. These are used by both invertebrates such as the stag beetle which is a SPI and by reptiles and widespread amphibians as refugia.
- Creation of a pond designed and managed for wildlife. Ponds provide valuable foraging opportunities for a wide variety of protected and notable species including amphibians and reptiles, particularly grass snakes. As general guidance, any newly created pond(s) should exhibit shallow pond margins (less than 5°) to allow marginal vegetation to grow and should contain deeper open areas (at least 60 cm) within the centre of the pond. In addition, consideration should be given to the planting of additional marginal plant species including:
 - Branched bur reed *Sparganium erectum*;
 - Broad-leaved pondweed *Potamogeton natans*;
 - Yellow iris *Iris pseudocorus*;
 - Floating sweet-grass *Glyceria fluitans*;
 - Greater pond sedge *Carex riparia*;
 - Marsh marigold *Caltha palustris*;
 - Meadowsweet *Filipendula ulmaria*;
 - Water forget-me-not *Myosotis scorpioides*;
 - Water mint *Mentha aquatic*; and
 - Water plantain *Alisma plantago aquatic*.
- Incorporation of a 'Beebrick' into the new building(s). The 'Beebrick' should be positioned facing a southerly direction, in an area that receives a lot of light and warmth throughout the day and without vegetational obstruction to the entrances. It is recommended that for every Beebrick installed, a minimum of 1m² of 'bee friendly' plant species be planted to support any solitary bees that would likely utilise the feature. The plant species could include:
 - Common yarrow *Achillea millefolium*;
 - Greater knapweed *Centaurea scabiosa*;
 - Common foxglove *Digitalis purpurea*;
 - Hemp agrimony *Eupatorium cannabinum*;
 - Common honeysuckle *Lonicera periclymenum*;
 - Wild marjoram *Origanum vulgare*; and
 - Guelder rose *Viburnum opulus*.



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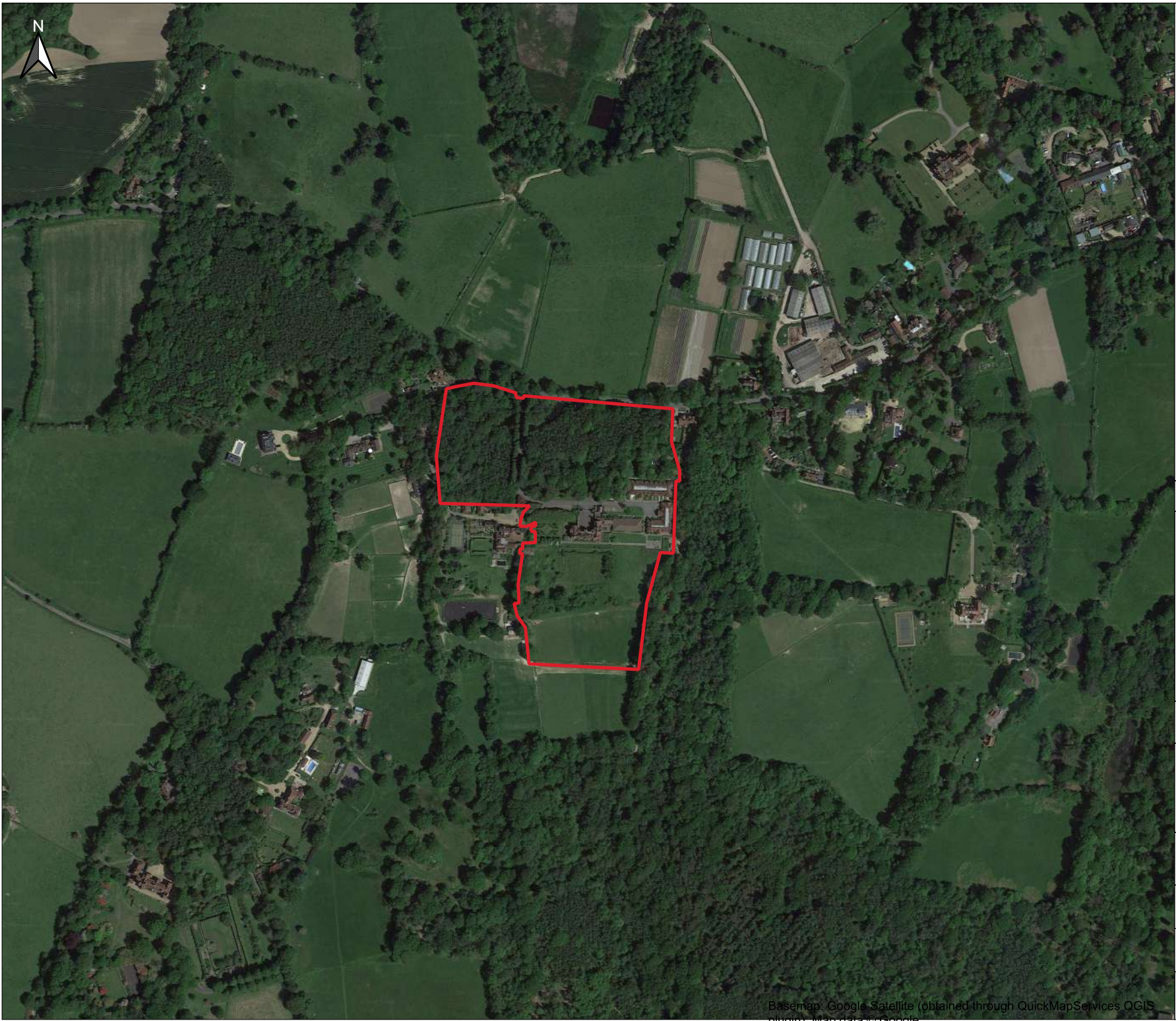
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7 APPENDICES

Appendix I: Site Location Plan

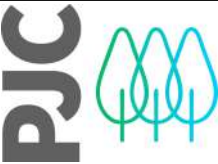


LEGEND:

— Red Line Boundary

Google Satellite

STATUS: FOR INFORMATION ONLY



Sussex Office: Rocks Yard, Victoria Rd, Herstmonceux, Hailsham, BN27 4TQ.
T: 01323 832120.
Kent Office: The Watermill, The Mill Business Park, Maidstone Road, Ashford. TN26 1AE.
T: 01233 225365
E: contact@pjcoconsultancy.com
W: <https://www.pjcoconsultancy.com>

CLIENT:
SHC Clemsfold Group Ltd

PROJECT:
Horncastle Care Centre
Plawhatch Lane
Sharpthorne
West Sussex

TITLE:
Appendix I - Site location plan

SCALE AT A4: 1:8,743	DRAWN: LM	APPROVED: TK
PROJECTION: EPSG:3857	DATE: 30/04/24	DATE: 30/04/24

DRAWING No:
PJC/5567E/24/A1/V1



Appendix II: Legislation and Planning Policy

Legislation

The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019

The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 is the UK transposition of the European Council Directive on the Conservation of Natural Habitats and of Wild Flora and Fauna, 1992, or the 'Habitats Directive'. The directive provides protection of key habitats and species of European importance. Those key habitats and species are listed in Annexes II and IV of the directive.

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

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

The Environment Act (2021)

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

The Wildlife and Countryside Act 1981 (as amended)

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

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

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



- All native reptile species
- White-clawed crayfish

The Protection of Badgers Act 1992

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

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

The Environment Act (2021)

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

The Natural Environment and Rural Communities Act (NERC) 2006

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

Hedgerows Regulations 1997

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

Wild Mammals (Protection) Act 1996

All wild mammals are protected against intentional acts of cruelty under the above legislation. This makes it an offence to mutilate, kick, beat, nail or otherwise impale, stab, burn, stone, crush, drown, drag or asphyxiate any wild mammal with intent to inflict unnecessary suffering.

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



Species and Habitat Specific Legislation

Plants

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

The Conservation of Habitats and Species Regulations 2019 (as amended) have nine plants listed within Annex IV these are; creeping marshwort *Apium repens*, early gentian *Gentianella anglica*, fen orchid *Liparis loeselii*, floating-leaved water plantain *Luronium natans*, killamey fern *Trichomanes speciosum*, lady's slipper *Cypripedium calceolus*, shore dock *Rumex rupestris*, slender naiad *Najas flexilis*, and yellow marsh saxifrage *Saxifraga hirculus*. It is an offence to deliberately pick, collect cut, uproot or destroy any protected plant, or keep, transport, sell, or exchange, any live or dead such plant species, this applies to all stages of its life cycle.

Invasive Species

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

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

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

Invertebrates

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

Three invertebrates are listed under Schedule 2 of the Conservation of Habitats and Species Regulations 2019, fisher's estuarine moth *Gortyna borelii lunata*, the large blue butterfly *Maculinea arion* and lesser whirlpool ram's-horn snail *Anisus vorticulus*. It is an offence deliberately to kill, capture, or disturb a listed species, or to damage or destroy the breeding site or resting place of such an animal.

Amphibians

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



Great crested newts *Triturus cristatus* and natterjack toads *Epidalea calamita* are fully protected under Schedule 5 (in respect of section 9(4)(b) and (c) and (5) only) of the Wildlife and Countryside Act (1981, as amended) and the Conservation of Habitats and Species Regulations 2019. Reintroduced populations of 'native' pool frogs *Pelophylax lessonae* also receive the same protection. It is illegal to possess a protected species (alive or dead), deliberately capture, injure or kill, to intentionally or recklessly disturb, or to deliberately take or destroy the eggs of these protected species. It is also illegal to damage, destroy or intentionally or recklessly obstruct access to breeding or resting place used by these protected species'. All life stages of each species' are afforded the same level of protection.

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

Reptiles

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

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

Birds

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

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

Badgers

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



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

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

Bats

All native UK bat species are fully protected by UK law under Schedule 5 (in respect of section 9(4)(b) and (c) and (5) only) and Schedule 6 of the Wildlife and Countryside Act (1981, as amended), and under Schedule 2 of the Conservation of Habitats and Species Regulations 2019. It is illegal to deliberately capture, injure or kill a bat or to intentionally or recklessly disturb bats. It is also illegal to damage, destroy or intentionally or recklessly obstruct access to a breeding or resting place used by a bat.

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

Dormice

Dormice *Muscardinus avellanarius* are protected under Schedule 5 (in respect of section 9(4)(b) and (c) and (5) only) of the Wildlife and Countryside Act (1981, as amended) and are listed in Schedule 2 of the Conservation of Habitats and Species Regulations 2019. Under the current legislation it is illegal to intentionally or deliberately kill, injure or capture dormice, deliberately disturb dormice (whether in a nest or not); or to damage, or destroy dormouse breeding sites or resting places.

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

Otters

The otter *Lutra lutra* is fully protected under Schedule 5 (in respect of section 9(4)(b) and (c) and (5) only) of the Wildlife and Countryside Act (1981, as amended) and are listed under Schedule 2 of the Conservation of Habitats and Species Regulations 2019. It is therefore illegal to deliberately capture, injure or kill an otter, possess an otter (dead or alive), or any other part of an otter, or intentionally or recklessly disturb otters. It is also illegal to damage, destroy or intentionally or recklessly obstruct access to a holt or other resting place used by an otter.

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

Water voles

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

A licence is required for catching/handling water voles, or for field surveys that are intrusive or disturbing where the surveyor suspects' water voles are present. A licence can be obtained by



applying to the relevant statutory body (NE, SNH, and CCW,). Please note that the legislation does not permit licences to be issued in relation to development of land.

Biodiversity Policies

National Planning Policy Framework (NPPF) 2023

Published in 2023 the NPPF sets out the Government's planning policies for England and how these are expected to be applied by local authorities. It replaces all the Planning Policy Statements and Guidance (PPSs and PPGs). The NPPF emphasises the need for sustainable development, whilst specifying the need for protection of designated sites and priority habitats and priority species (as listed in section 41 of the Natural Environment and Rural Communities (NERC) Act 2006). Paragraph 174 of The National Planning Policy Framework (NPPF) states:

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

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

Paragraph 179 states that “to protect and enhance biodiversity and geodiversity, plans should:

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

Furthermore, paragraph 185 states that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last



resort, compensated for, then planning permission should be refused;

- development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

Paragraph 181 states:

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

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

Paragraph 182 states:

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

The UK Biodiversity Framework (2011-2020).

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

Mid Sussex District Plan 2014-2031

The above plan sets out the relevant policies for the control of development in regard to the natural environment and biodiversity.

DP37: Trees, Woodland and Hedgerows



Strategic Objectives: 3) To protect valued landscapes for their visual, historical and biodiversity qualities; 4) To protect valued characteristics of the built environment for their historical and visual qualities; and 5) To create and maintain easily accessible green infrastructure, green corridors and spaces around and within the towns and villages to act as wildlife corridors, sustainable transport links and leisure and recreational routes.

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

The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.

Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.

Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose.

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

- incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and
- prevents damage to root systems and takes account of expected future growth; and
- where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and
- has appropriate protection measures throughout the development process; and
- takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and does not sever ecological corridors created by these assets. Proposals for works to trees will be considered taking into account:
 - the condition and health of the trees; and
 - the contribution of the trees to the character and visual amenity of the local area; and
 - the amenity and nature conservation value of the trees; and
 - the extent and impact of the works; and
 - any replanting proposals.

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

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

DP38: Biodiversity



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

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

Biodiversity will be protected and enhanced by ensuring development:

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

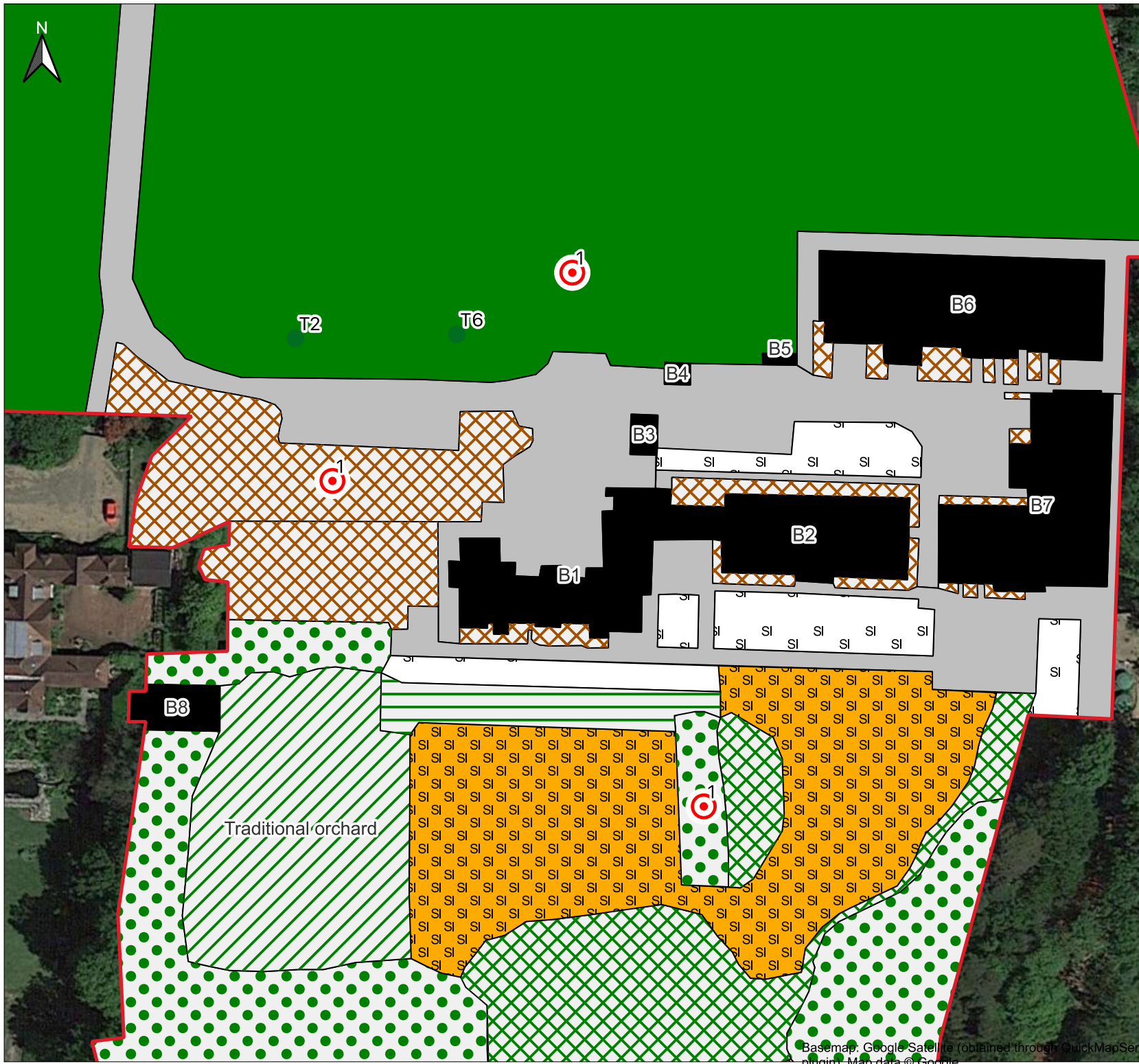
Designated sites will be given protection and appropriate weight according to their importance and the contribution they make to wider ecological networks.

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

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



Appendix III: Phase 1 Habitat Map



LEGEND:

- Target Note
 - Scattered Broadleaved Trees
 - Red Line Boundary
 - A1.1.1 - Broadleaved woodland - semi-natural
 - A1.1.2 - Broadleaved woodland - plantation
 - A2.1 - Scrub - dense/continuous
 - A3.1 - Broadleaved Parkland/scattered trees
 - B2.2 - Neutral grassland - semi-improved
 - B6 - Poor semi-improved grassland
 - J1.4 - Introduced shrub
 - J2.1.2 - Intact hedge - species-poor
 - J3.6 - Buildings
 - J5 - Other habitat
- Google Satellite

STATUS:
FOR INFORMATION ONLY



Sussex Office: Rocks Yard, Victoria Rd, Herstmonceux, Hailsham, BN27 4TQ.
T: 01323 632120.
Kent Office: The Watermill, The Mill Business Park, Maidstone Road, Ashford. TN26 1AE.
T: 01233 225365
E: contact@pjcconsultancy.com
W: <https://www.pjcconsultancy.com>

CLIENT:
SHC Clemsfold Group Ltd

PROJECT:
Horncastle Care Centre
Plawhatch Lane
Sharpthorne
West Sussex

TITLE:
Appendix III - Phase 1 habitat map

SCALE AT A4: 1:1,422	DRAWN: LM	APPROVED: TK
PROJECTION: EPSG:3857	DATE: 30/04/24	DATE: 30/04/24

DRAWING No:
PJC/5567E/24/A3/V1



Appendix IV: Site Photographs

All photographs were taken by Liam Mattingly BSc(Hons) during the Site visit on 28th February 2024.



Photo 1: Northern elevation of building B1, facing south, showing hardstanding in the foreground.



Photo 2: Southern elevation of building B3, facing north, showing the introduced shrub in the foreground.



Photo 3: North-eastern elevation of building B1, facing south.



Photo 4: Southern elevation of building B4, facing north, showing woodland in the background.



Photo 5: Centre of the Site, facing west, showing the hardstanding throughout the development area.



Photo 6: Centre of the Site, facing east, showing the hardstanding throughout the development area.



Photo 7: Northern elevation of building B2, facing south, showing the introduced shrub in the foreground.



Photo 8: Southern elevation of building B5, facing south, showing the hardstanding in the foreground.



Photo 9: Northern elevation of building B5, facing south-west.



Photo 10: Northern elevation of building B7, facing east.



Photo 11: Southern elevation of the building B7, facing north-east, showing the hardstanding foreground.



Photo 12: Northern elevation of building B6, facing south, showing the hardstanding in the foreground.



Photo 13: Southern elevation of building B2, facing north-west.



Photo 14: Southern extent of the Site, facing west, showing the amenity grassland recorded south of building B2.



Photo 15: Southern extent of the Site, facing south, showing the amenity grassland in the foreground and poor semi-improved grassland in the background.



Photo 16: Southern elevation of building B6, facing north-east.



Photo 17: Northern extent of the Site, facing north, showing the woodland.



Photo 18: Southern extent of the Site, facing south, showing the poor semi-improved grassland.



Photo 20: Southern extent of the Site, facing north, showing the poor semi-improved grassland and building B1 in the background.



Photo 21: South-eastern extent of the Site, facing west, showing the traditional orchard.



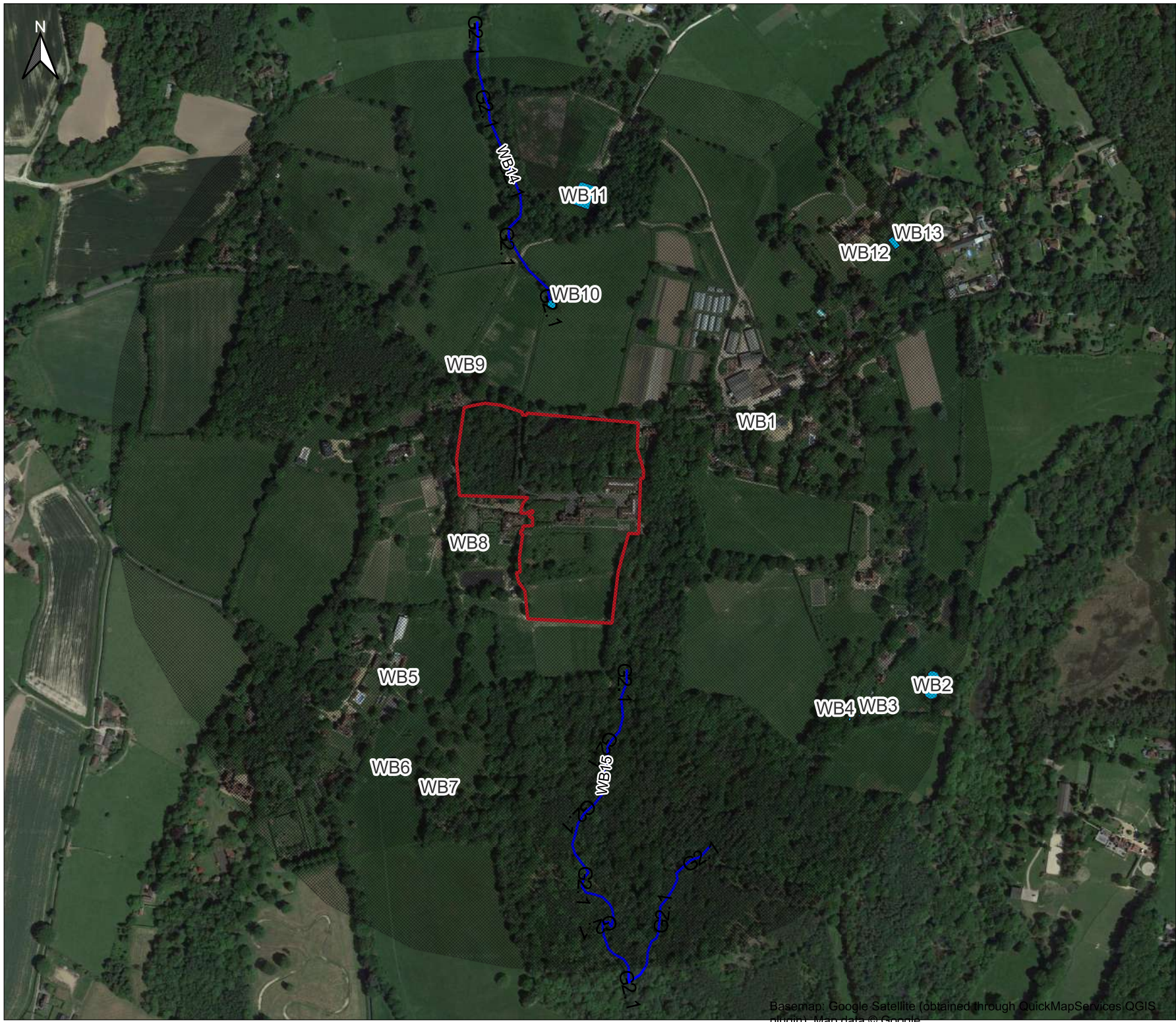
Photo 22: Southern extent of the Site, facing south, showing the poor semi-improved grassland.



Photo 23: Internal aspect of building B3.



Appendix V: Waterbody Location Plan



LEGEND:

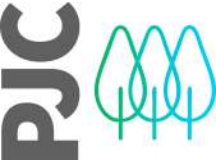
G2.1 - Running water - eutrophic

Red Line Boundary

Standing Water

Google Satellite

STATUS: FOR INFORMATION ONLY



Sussex Office: Rocks Yard, Victoria Rd, Herstmonceux, Hailsham, BN27 4TQ.
T: 01323 632120.

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

CLIENT: SHC Clemsfold Group Ltd

PROJECT: Horncastle Care Centre
Plawhatch Lane
Sharpthorne
West Sussex

TITLE: Appendix IV - Waterbody location plan

SCALE AT A4: 1:11,370	DRAWN: LM	APPROVED: TK
PROJECTION: EPSG:3857	DATE: 30/04/24	DATE: 30/04/24

DRAWING No: PJC/5567E/24/A4/V1



Appendix VII: Precautionary Non-Licensed Method Statement

MITIGATION MEASURES

The mitigation measures detailed below are provided to ensure that in the unlikely event of dormice being present within the Site, they are protected from death, injury or disturbance, and that their resting places are also protected from damage, destruction, or obstruction of access.

PRIOR TO CONSTRUCTION WORKS

All site workers undertaking any habitat clearance works will receive an ecological Tool Box Talk (TBT) with a focus on dormice from a suitably qualified ecologist prior to undertaking habitat clearance works on Site.

DURING CONSTRUCTION WORKS

Access and egress routes for people and plant must be kept to existing areas of hardstanding, bare earth and grassland (providing the grassland sward has been maintained below 100mm in height).

Habitat clearance must be conducted using a two-stage directional approach, first reducing the vegetation to approximately 100mm above ground, then the second cut reducing it to ground level. This technique will allow any protected species potentially present within the Site to naturally disperse to other areas of suitable semi-natural habitat within the surroundings.

An ecologist must hand search the cleared areas either before the first cut, or immediately after, depending on the height of the vegetation and visibility.

Potential refuge features, such as exposed tree roots and mammal burrows potentially used by hibernating dormice must not be moved or affected during the hibernation season (November to March). All features must be deconstructed sensitively, whereby removing half of the feature (top-down) and removing the second half after 24 hours.

All suitable dormice habitat removal must be supervised at all times by a suitably qualified ecologist.

All arisings generated from habitat clearance works must be removed from Site and should not be stored on Site for any longer than a 24-hour period. In the event that this is not possible, all arisings must be stored within a skip or a minimum of 10m away from retained suitable dormice habitat, and only on existing hardstanding or bare earth.

All excavations should be excavated individually and back filled immediately where possible. Where this is not possible, excavations must be covered to prevent dormice (and other animals) becoming trapped within the excavation. If this is also not possible, one or both sides of the excavation must be sloped in order to allow egress from the excavation.

All machinery, equipment and materials must be stored on areas identified by an ecologist as being unsuitable for dormice, for example, grassland of a short sward.

All site workers, particularly those involved in habitat clearance works, must remain vigilant at all times during construction works if at any point during construction works any protected species or signs of protected species, including dormice are identified, the following instructions must be adhered to:

- Stop works immediately and leave the area;



- Inform an ecologist immediately who will then provide further guidance/instructions;
- Do not try to handle a dormice; and
- Do not resume construction works until advised it is safe to do so by a suitably qualified ecologist.



CONTACT DETAILS

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Victoria Road
Herstmonceux
Hailsham
East Sussex
BN27 4TQ

Tel: 01323 832120

Kent Office:

The Watermill
The Mill Business Park
Maidstone Road
Ashford
Kent
TN26 1AE

Tel: 01233 225365

Author: Liam Mattingly BSc(Hons)

Date: 01/05/2024

E-mail: liam@pjconsultancy.com