



REPTILE SURVEY REPORT

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

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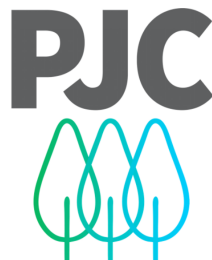
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arboriculture . ecology . landscape



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1 INTRODUCTION

1.1 Instruction

- 1.1.1 PJC Consultancy Ltd was commissioned by SHC Clemsfold Group Ltd to undertake a reptile presence/likely absence survey in support of the proposed development at Horncastle, Plawhatch Lane, Sharpthorne, East Grinstead, West Sussex (hereafter referred to as the 'Site').
- 1.1.2 The requirement to undertake a reptile presence/likely absence survey was detailed within the initial preliminary ecological appraisal (PEA) report (Report Ref: 5567E; PJC Consultancy, 2024) which should be read in conjunction with this reptile survey report.

1.2 Survey Objectives

- 1.2.1 The aim of the reptile presence/likely absence survey is to identify potential ecological constraints and opportunities in respect to reptiles associated with the Site and proposed development. The objectives of the reptile survey are to:
- Ascertain presence or likely absence of reptiles within the Site;
 - If present, determine which reptile species are present and the population class size of the reptile population; and
 - Provide recommendations for further survey, mitigation, compensation and enhancement measures to satisfy safely legal and planning policy requirements where appropriate.

1.3 Proposal

- 1.3.1 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.
- 1.3.2 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).

1.4 Site Description

- 1.4.1 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.

1.5 Legislation and Planning Policy

- 1.5.1 Native, widespread reptile species (common or viviparous lizard *Zootoca vivipara*, adder *Vipera berus*, grass snake *Natrix helvetica* and slow worm *Anguis fragilis*) are protected under Schedule 5 of The Wildlife and Countryside Act 1981 (as amended), making it an offence to kill or injure individual animals. All widespread reptile species are also listed as SPI under the NERC Act 2006. This means public bodies, including local planning authorities have a duty to have regard for SPIs' when carrying out their functions, including determining planning applications.



2 METHODOLOGY

2.1 Reptile Presence / Likely Absence Survey

- 2.1.1 A reptile presence/likely absence survey was carried out in accordance with best practice guidelines (Froglife, 1999). The reptile survey was undertaken by Liam Mattingly BSc(Hons) three years' survey experience).
- 2.1.2 Overall, 30 artificial reptile refugia, comprising bitumen felt tiles cut to measure approximately 1m x 0.5m were distributed evenly within suitable reptile habitat across the entire Site. This included scrub edge and rough grassland which provide suitable cover and basking opportunities for reptiles. The refugia were allowed to bed in for a minimum of 14 days prior to the survey commencing. Survey visits were spread across the reptile active season to ensure robust baseline data was collected. The details of each survey visit are presented in Table 1 below.
- 2.1.3 As well as checking the refugia, observational surveys were also undertaken of any suitable habitat, which included visual searches of suitable basking and refuge points around the Site. Surveys were conducted in dry conditions of low wind and with air temperatures between 9°C and 19°C.

Table 1: Details of each reptile survey visit.

Survey Date	Temp. (°C)	Cloud Cover (%)	Wind Speed (B'fort Scale)	Precipitation
07/08/24	18	0	B3	None
16/08/24	16	75	B1	None
04/09/24	19	20	B1	None
10/09/24	19	80	B1	None
17/09/24	18	10	B1	None
26/09/24	16	25	B2	None
30/09/24	16	50	B1	None

- 2.1.4 It should be noted that seven, rather than 20 survey visits were carried out at the Site. This is considered adequate to ascertain presence/likely absence of widespread reptile species within a Site. Guidelines state that 20 survey visits should be completed to determine population assessments; therefore, the population class assessment is an estimate of each species based on seven visits, which was assessed according to Table 2 below (Froglife, 1999). The population score refers to the peak count of adults seen by observation and/or under reptile felts by one person in one day. This population score is calculated at a density of up to 10 felts per hectare.

Table 2: Reptile population assessment scores.

Species	Low population Score 1	Good population Score 2	Exceptional population Score 3
Adder	<5	5 - 10	>10
Grass snake	<5	5 - 10	>10
Common lizard	<5	5 - 20	>20
Slow worm	<5	5 - 20	>20

- 2.1.5 The methodology developed by Froglife 1999, adopts a mechanism known as the Key Reptile Site Register which can be used to obtain a basic evaluation of the population size and importance of the



Site. It has been designed to identify and promote the safeguarding of important reptile sites, evaluating reptile populations at a local or regional scale, with outstanding assemblages being the guiding principle in judging sites.

2.1.6 To qualify for the Key Reptile Site Register, a site must meet at least one of the following criteria (Froglife, 1999):

- Supports three or more reptile species;
- Supports two snake species;
- Supports an exception population of one species (see Table 2);
- Supports an assemblage of species scoring at least 4 (see Table 2); or
- Does not satisfy any of the above but which is of particular regional importance due to local rarity.

2.2 Limitations of Survey

2.2.1 Due to the transient nature of reptiles and the fact that the habitats present on site and their management are likely to change over time, the findings of the reptile survey are only considered valid for a period of up to two years.

2.2.2 This document has been prepared for the stated proposal (1.3.1) 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.



3 RESULTS

3.1 Reptile Presence/Likely Absence Surveys

- 3.1.1 No reptiles, or evidence of reptiles, such as shed skins, were recorded during any of the seven survey visits, such that reptile species are considered to be likely absent from the Site.



4 DISCUSSION AND RECOMMENDATIONS

- 4.1.1 No reptiles or evidence of reptiles was recorded during the surveys. Reptiles are therefore considered highly likely absent from the Site. Development proposals are therefore considered highly unlikely to injure or kill a reptile.
- 4.1.2 As such, no specific avoidance, mitigation or compensation measures pertaining to reptiles are considered necessary and development proposals (notably habitat clearance works) can proceed without constraint to any known legal or planning policy pertaining to reptiles.



5 REFERENCES

Edgar, P., Foster, J. and Baker J (2010) Reptile Habitat Management Handbook. Amphibian and Reptile Conservation, Bournemouth.

Froglife (1999). Reptile Survey: An introduction to planning, conducting and interpreting surveys for snake and lizard conservation. Froglife Advice Sheet 10: reptile survey. Froglife, London.

Gent T, Gibson S (2003) Herpetofauna Workers Manual. Peterborough, Joint Nature Conservation Committee.

Sewell, D., Griffiths, R. A., Beebee, T. J. C., Foster, J. and Wilkinson, J. W. (2013) Survey protocols for the British herpetofauna, Version 1.0



6 APPENDICES

Appendix I: Site Location Plan



LEGEND:

 Refugia

 Site Boundary

STATUS: FOR INFORMATION ONLY



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TITLE: Appendix III: Refugia Location Plan

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Appendix II: Legislation and Planning Policy

Legislation

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 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.

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.

Biodiversity Policies

National Planning Policy Framework (NPPF) 2021



Published in 2021 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.



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