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Preliminary Ecological Appraisal

Site Name

Land at Parklands, Burgess Hill

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Client

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Rev 01	Owen Crawshaw BSc (Hons), CEcol, MCIEEM	N/A	12.05.26	Additions to reflect new scheme, proposed layout added. Acknowledgement of PRF inspection survey and subsequent felling of dead tree. Amphibian and reptile sections updated to acknowledge installation of fencing and ongoing trapping works. Note added stating that the scheme will seek a BNG exemption as a self-build.	References to reptile report added

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This report has been prepared by Andy Fry, an Assistant Ecologist at The Ecology Co-op. He holds a master's degree in Zoology, and over 4 years' experience in consultancy.

About the Reviewer

This report has been reviewed by Kate Priestman, who is a Principal Ecologist with over twenty years' experience. Kate has undertaken extensive survey work and reporting, encompassing a breadth of deliverables, and prepared European Protected Species licences for numerous schemes. As a Full member of the Chartered Institute of Ecology and Environmental Management (CIEEM) and a Chartered Environmentalist (CEnv), she is bound by CIEEM's code of professional conduct.



Report Summary

Purpose	The Ecology Co-op was commissioned by Rachel Baxter to undertake a Preliminary Ecological Appraisal of Parklands, further to a proposal to construct a new residential dwelling.
Context	The site is situated within a residential back garden, east of Keymer Road, in a semi-rural environment. It is bordered to the north and south by residential houses, and to the east by disused farmland. The site is dominated by rank tussocky grassland and low-lying shrub, with scattered trees mostly concentrated around the eastern and southern borders. The northern border comprises an overgrown hedgerow made up of Leyland cypress and privet. There is a single mature, potentially veteran, oak tree near to the northern border.
Key findings	The dense ground-level vegetation provides potential terrestrial habitat for great crested newts, with several confirmed breeding populations within 250m of the site. This habitat is known to be used by reptiles, with slow worm and grass snake populations confirmed within the development area. The site also holds potential to support nesting birds, roosting and foraging bats, and hedgehogs, while the hedgerows and lines of trees may also act as wildlife corridors.
Recommendations	A GCN trapping programme is ongoing (under a District Level Licence – approved under the previously consented application). Ad-hoc translocation of reptiles will also be undertaken as part of this. Temporary amphibian fencing was installed under the licence on 11th May 2026. Tree planting is recommended to compensate for those to be felled, along with the creation and/or enhancement of grassland to account for lost great crested newt and reptile habitat. A sensitive lighting scheme will help to mitigate impacts on foraging bats, as well as dormice, though their presence on site is deemed unlikely.
Are further surveys required?	No



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1 INTRODUCTION

1.1 Purpose of the Report

The Ecology Co-op has been commissioned to undertake a Preliminary Ecological Appraisal (PEA) of land at Parklands by Rachel Baxter. This report presents the findings of a walkover survey undertaken by Joshua Harwood, an Associate member of the Chartered Institute of Ecology and Environmental Management (ACIEEM), and Natural England Level 1 Bat Survey Class Licence holder, on 27th August 2025. It provides details on the potential for any protected/notable species and/or habitats to be present at the site and a simple assessment of the potential ecological constraints and opportunities in relation to the construction of a single residential unit. Recommendations for further surveys that are likely to be required to inform a planning application and Ecological Impact Assessment (EclA) of the proposal are provided where necessary, and possible measures to avoid, mitigate and/or compensate for significant adverse effects are summarised. The potential to incorporate ecological enhancement measures as part of the scheme is discussed, in addition to any requirement to achieve biodiversity net gain.

1.2 Background

This site measures approximately 0.34ha and is situated on the outskirts of Burgess Hill, grid reference: TQ 3193 1776. The property lies directly east of Keymer Road, with residential properties holding large gardens to the north and south. It is bordered by disused farmland to the east. **Figure 1** shows the boundary of the site.

This PEA has been commissioned further to the resubmission of a planning application granted in 2016, subject to conditions. The report has been informed in part by other ecological work¹ completed by Calumma Ecological Services in 2016 to support this previous application. Additional ecological information regarding a proposal² for 260 residential dwellings immediately to the east of the site, and another for 33 residential dwellings³ was also accessed.

¹ Calumma Ecological Services (2023) *Land at Parklands. Updated Ecological Appraisal.*

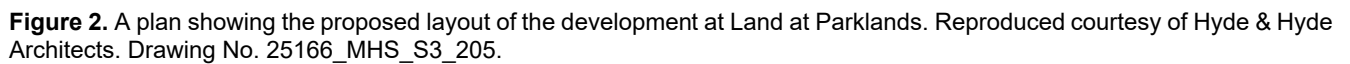
² CSA Environmental (2022) *Land East of Keymer Road and South of Folders Lane, Burgess Hill. Ecological Impact Assessment.*

³ Ecology Co-op (2019) *Batchelor's Farm and adjacent land west of Keymer Road, Burgess Hill. Phase 2 Ecology Surveys Report.*



Figure 1. The approximate boundary of the site. Image produced courtesy of Magic maps (<http://www.magic.gov.uk/>, contains public sector information licensed under the Open Government Licence v3.0).

The proposals would see the construction of a single new residential dwelling (Figure 2).



A Preliminary Ecological Appraisal⁴ was completed in 2015 further to an earlier iteration of this proposal. In this report, full great crested newt *Triturus cristatus* and reptile surveys were recommended, as well as precautionary measures to be taken during development works with regards to breeding birds and badgers *Meles meles*. Enhancement measures were also recommended in the form of habitat creation (native hedgerows, fruit trees, wildflower areas, long grass and scrub) and the provision of artificial nesting/roosting features (bird and bat boxes, insect hotels and reptile refugia).

⁴ Arbtech (2015) *Preliminary Ecological Appraisal (PEA)*.

⁵ Calumma Ecological Services (2016) *Herpetofauna Survey Assessment. Land at Parklands, Burgess Hill, West Sussex.*

⁶ Kate Baldock Ecology (2016) *Dormouse and Bat Report*. Parklands, Keymer Road, Burgess Hill, RH15 0BA.

⁷ Ecology & Land Management (2016) *Habitat Assessment*.



hole).

An Arboricultural Implications Assessment⁸ was carried out in 2015, with an updated assessment⁹ provided in 2022 following the addition of a new driveway to the plans. Over the two assessments, a total of 28 trees/small groups and a small section of cypress stand were identified for removal to make way for construction, and a further 18 trees were recommended for felling due to safety concerns. Tree Protection Plans are provided to ensure that retained trees are not affected by the new development. It is also recommended that the access drive is porous, and is constructed using a no-dig approach to protect the root systems of retained trees.

1.4 Policy and Legislation

Legal protection applying to relevant bird, mammal, herpetofauna, invertebrate species and flora, and current nature conservation planning policy is outlined in Appendix 1 of this report.

Where possible, this report provides guidance on how the proposal can be designed to meet the requirements of both local planning policy and the National Planning Policy Framework (NPPF). Details of the NPPF can be found in Appendix 1 and relevant local planning policy by Mid Sussex District Council is provided in Appendix 2.

2 METHODOLOGY

The methodologies used for this survey are in accordance with the Guidelines for Preliminary Ecological Appraisal¹⁰, but also consider the Guidelines for Ecological Report Writing, Second Edition¹¹.

2.1 Desk Study

A search of on-line mapping resources was undertaken to identify the location of any features of potential ecological interest including ponds within 500m (relevant to great crested newts), watercourses (relevant to riparian mammals and crayfish) and connectivity to woodland, scrub, and hedgerow networks (relevant to bats and dormice) in the wider landscape around the site. The connectivity of the site to these features, buildings and other semi-natural habitats, such as grassland and heathland, are also relevant to great crested newts, reptiles and a wide variety of notable species of conservation concern.

The MAGIC website resource (www.magic.gov.uk) was used to identify the location of designated sites for nature conservation and European Protected Species (EPS) licences granted in relation to the survey site.

2.2 Field Survey

A site walkover survey was undertaken on 27th August 2025, during which the habitats contained within the site

⁸ Broad Oak Tree Consultants Limited (2015) *Arboricultural Implications Assessment for Proposed Detached Dwelling*.

⁹ Broad Oak Tree Consultants Limited (2022) *Arboricultural Implications Assessment for Propose New Entrance*.

¹⁰ CIEEM (2017). *Guidelines for Preliminary Ecological Appraisal, 2nd edition*. Chartered Institute of Ecology and Environmental Management, Winchester.

¹¹ CIEEM (2017). *Guidelines for Ecological Report Writing, 2nd edition*. Chartered Institute of Ecology and Environmental Management, Winchester.



were described and evaluated. Since this site is relatively small in scale and contains limited semi-natural habitat diversity, it was not considered necessary to undertake comprehensive UKHab mapping of the site. All habitat types contained within the site, together with the dominant botanical species and indicators of important habitat types, such as ancient woodland or unimproved grassland, have simply been listed and described where identified.

Habitats and features at the site were evaluated for their potential to support legally protected species and/or species of conservation interest. In addition, observations of any important plant communities, bird assemblages or other potentially valuable ecological features were recorded.

Details of the preliminary survey methods for each legally protected species are given below. Any site-specific limitations to the survey, e.g. access constraints or seasonal constraints, are set out in section 3.12.

2.3 Badgers

Badgers exploit a range of habitats, including gardens, coniferous woodland, deciduous woodland, mixed woodland and arable land. They live in an underground system of tunnels and nesting chambers, known as a sett, with territories ranging from 30ha to 150ha or more.

Habitats within the site and surrounding area were broadly assessed for their potential to support badgers. Any signs of badger activity, for example setts, footprints, latrines, well-worn paths and foraging marks, were recorded. Further surveys were recommended as appropriate.

2.4 Bats

Bats can use a wide range of features for roosting purposes, including loft spaces, cavity walls, loose tiles, mortice joints and cracks/gaps in a variety of built structures. They can also be found in trees with holes, splits, cracks, cavities, ivy and loose bark.

Trees within the proposed development site were broadly assessed for their potential to support roosting bats, focusing on features which may be suitable for roosting bats, such as woodpecker holes, cracked bark, hazard beams, and rot holes. This survey focused on trees due to be removed under previously discussed plans. Further surveys are recommended as appropriate.

The habitats surrounding the site and wider landscape were broadly assessed for their potential to support foraging and commuting bats. Further surveys are recommended as appropriate.

2.5 Breeding Birds

Birds can use a wide range of natural and artificial habitats when breeding, including trees, hedgerows, fields, houses and garden sheds. The habitats contained within the site and adjacent areas were broadly assessed for their potential to support important bird species/assemblages, and breeding birds. Any birds identified during the site visit were recorded. Special attention was paid to notable species such as red-listed Birds of Conservation



Concern¹² and those species afforded special protection on Schedule 1 of the Wildlife and Countryside Act (1981). Further surveys are recommended as appropriate.

2.6 Dormice

Dormice are found in deciduous woodland and hedgerows, feeding on flowers, pollen, fruits, insects and nuts, favouring hazel *Corylus avellana* and honeysuckle *Lonicera periclymenum* for food and as bedding. The site was broadly assessed for its potential to support dormice. This included use of on-line mapping resources to assess the surrounding area for connectivity to large blocks of woodland, scrub and extensive hedgerow networks.

Further surveys are recommended as appropriate in accordance with best practice guidance¹³.

2.7 Great Crested Newt

Great crested newts breed in ponds during the spring and spend the rest of the year feeding on invertebrates primarily in semi-natural habitats including woodland, hedgerows, marshes and tussocky grassland. A desk study was undertaken to identify ponds and wet ditches within 500m of the site that might support breeding great crested newts. Where access permission was granted, or ponds could be viewed from public roads or footpaths, the ponds were assessed for their potential to support great crested newts using the Habitat Suitability Index (HSI)¹⁴. The value of the site for terrestrially foraging great crested newts and any features that might be used by hibernating newts has also been assessed.

Further surveys are recommended as appropriate, in accordance with best practice guidance¹⁵.

2.8 Reptiles

The common lizard *Zootoca vivipara*, slow-worm, grass snake and adder *Vipera berus* are widespread species that can be found in any of these habitats, whereas smooth snake *Coronella austriaca* and sand lizard *Lacerta agilis* have much more restricted and isolated populations on lowland heathland and sand dunes.

Habitats on the site were broadly assessed for their potential to support reptiles. Particular attention was paid to those features that provide suitable basking areas (e.g. south-facing slopes), hibernation sites (e.g. banks, walls, piles of rotting vegetation) and opportunities for foraging (rough grassland and scrub). Further surveys have been completed as appropriate.

¹² Stanbury, A., Eaton, M., Aebischer, N., Balmer, N., Douse, A., Lindley, P., McCulloch, N., Noble, D., and Win I. (2021). Birds of Conservation Concern 5: the status of bird populations: the fifth Birds of Conservation Concern in the United Kingdom, Channel Islands and Isle of Man. British Birds 114, pp 723-747.

¹³ Bright, P., Morris, P. and Mitchell-Jones, T. (2006). *The dormouse conservation handbook 2nd Ed.* English Nature, Peterborough.

¹⁴ Oldham, R.S., Keeble, J., Swan, M.J.S. and Jeffcote, M. (2000). Evaluating the suitability of habitat for the great crested newt (*Triturus cristatus*). *Herpetological Journal* 10, 143-155.

¹⁵ English Nature (2001). *Great Crested Newt Mitigation Guidelines.* English Nature, Peterborough.



2.9 Riparian Wildlife

Any watercourses identified during the desk study or field survey were assessed for their suitability to support otter *Lutra lutra*, water vole *Arvicola amphibius* and American mink *Neovison vison*. Suitable habitat includes grassy banks along slow-moving rivers, ditches, streams, lakes, ponds, canals, as well as marshland and upland. Field signs include faeces, latrines, feeding stations, burrows, footprints and runs or pathways. Further surveys are recommended as appropriate.

2.10 Other Notable Species

The site's habitats were broadly assessed for their potential to support species of principal importance for nature conservation (Section 41 NERC Act 2006) and other notable species. This includes mammals such as harvest mouse *Micromys minutus*, hedgehog *Erinaceus europaeus*, brown hare *Lepus europaeus*, and many bird species. The site was broadly assessed for its potential to support important invertebrate assemblages with particular attention paid to features such as standing dead-wood, wet flushes, bare earth banks and botanically rich areas.

3 BASELINE CONDITIONS

3.1 Designated Sites and Granted EPS Licences

There are two designated sites within 2km of the site as detailed in Table 1 below.

There are four granted EPS licences for mitigation projects within 1km of the site boundary (see Figure 4). The closest EPS licences to the site concern great crested newt and soprano pipistrelle bats *Pipistrellus pygmaeus*, detailed in Table 2.

Table 1. Designated sites within 2km of Parklands

Site name	Designation	Features listed on citation	Proximity
Statutory designated sites			
South Downs National Park and Brighton and Lewes Biosphere Reserve	National Park and Biosphere Reserve	The National Park comprises chalk grassland, chalk streams, heathlands, woodland and heritage coast.	0.4km southeast
Ditchling Common	Site of Special Scientific Interest (SSSI)	The site is on Weald clay and contains a range of grassland types which have resulted from the wide variation in drainage conditions. An acidic heath is dominant but ungrazed areas comprise scrub, bracken and woodland. The site is locally valuable for breeding birds including willow warbler <i>Phylloscopus trochilus</i> , whitethroat <i>Sylvia communis</i> and linnet <i>Linaria cannabina</i> . The site is also important for butterflies and moths and contains several uncommon species including four moth species associated with Dyer's Greenweed <i>Genista tinctoria</i> and two woodland butterfly species, small pearl bordered fritillary <i>Boloria selene</i> and green hairstreak <i>Callophrys rubi</i> .	1.3km north-east



Table 2. EPS Licences granted within 1km of the site.

Licence reference	Species	Dates	Actions permitted	Proximity to site
2017-29021-EPS-MIT	Great crested newt	26/06/2017-31/12/2022	Damage of a resting place. Destruction of a resting place	0.1km north
2017-29021-EPS-MIT-1	Great crested newt	20/11/2017-31/12/2022	Damage of a resting place. Destruction of a resting place	0.1km north
2017-29042-EPS-MIT	Soprano pipistrelle	16/05/2017-31/08/2017	Damage of a resting place. Destruction of a resting place.	0.1km north

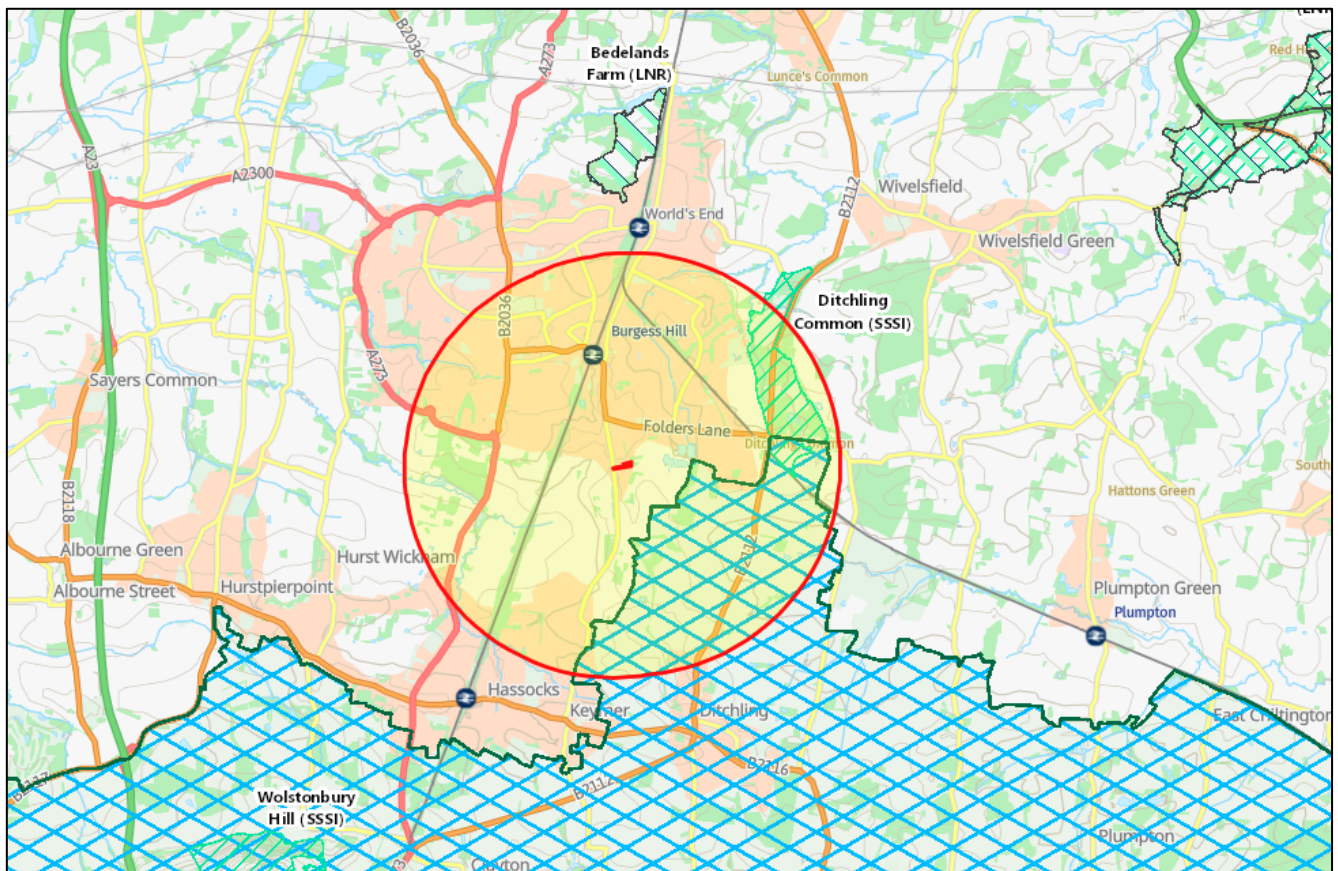


Figure 3. Designated sites within a radius of 2km of the application site, including South Downs National Park and Brighton and Lewes Biosphere Reserve (green outline and blue hatching). Image produced courtesy of Magic maps (<http://www.magic.gov.uk/>, contains public sector information licensed under the Open Government Licence v3.0)

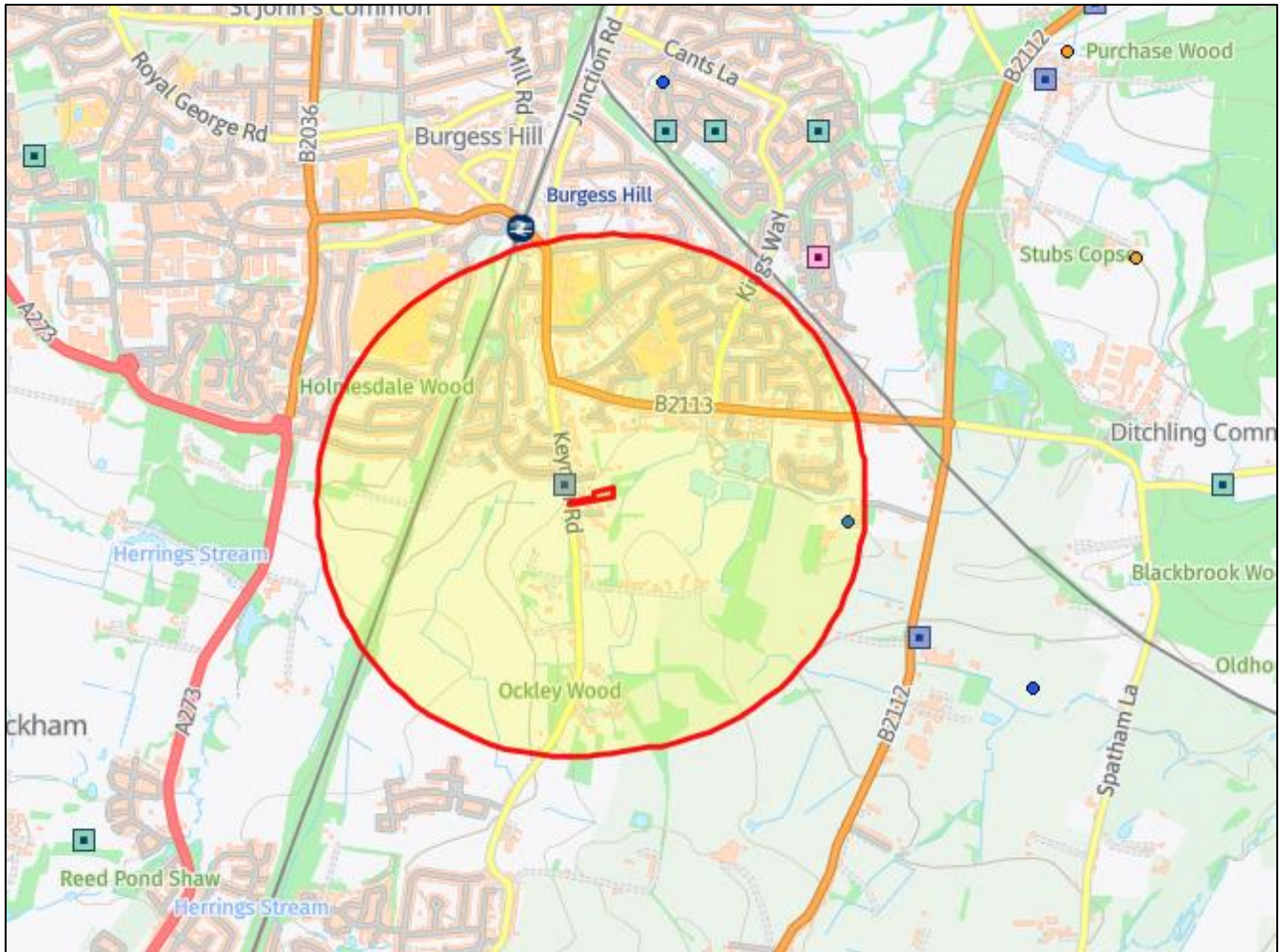


Figure 4. Granted EPS licences (shown as coloured squares) within 1km of the application site. The coloured dots represent great crested newt surveys undertaken between 2017-2019. The Image produced courtesy of Magic maps (<http://www.magic.gov.uk/>, contains public sector information licensed under the Open Government Licence v3.0).

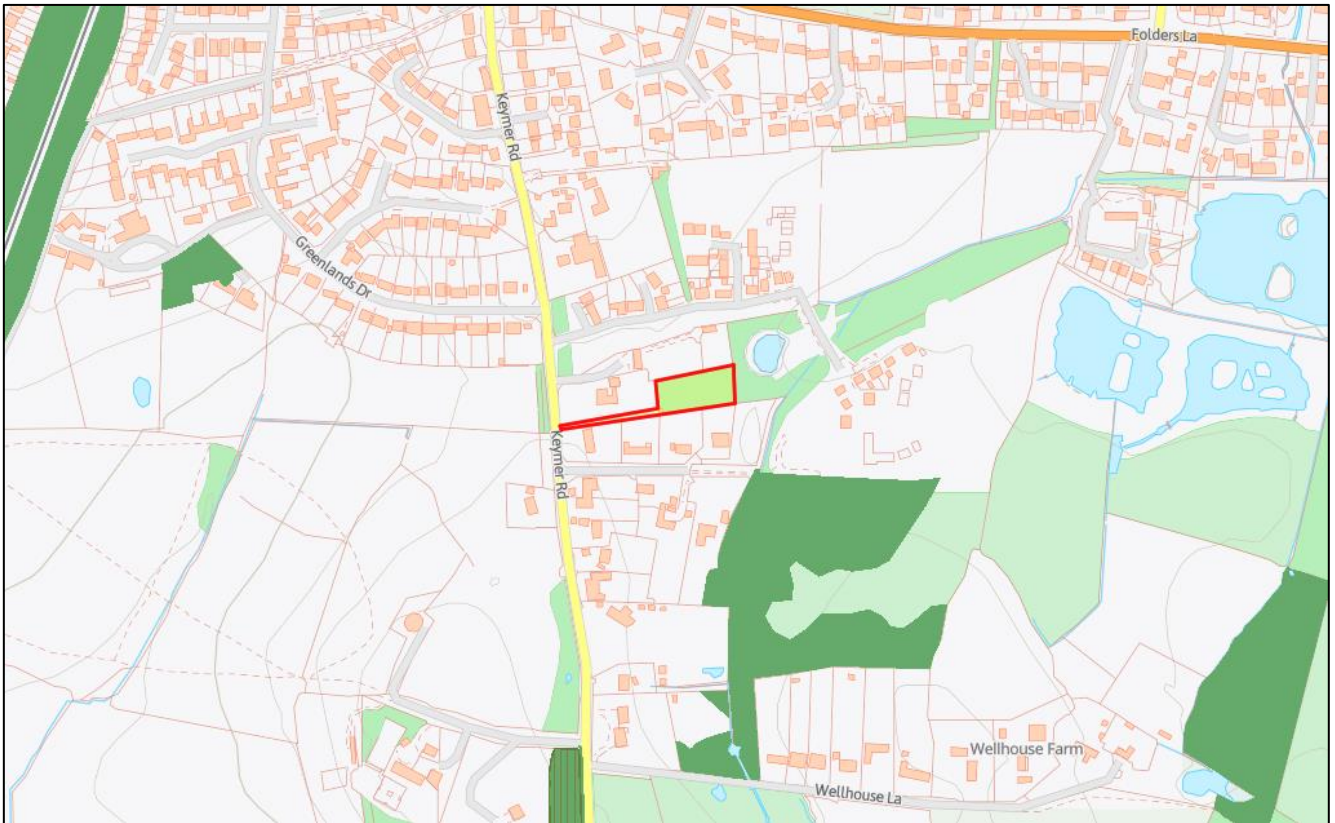


Figure 5. Habitats of importance for nature conservation, including ancient woodland (red hatching) and priority habitat deciduous woodland (dark green parcels). Image produced courtesy of Magic maps (<http://www.magic.gov.uk/>, contains public sector information licensed under the Open Government Licence v3.0).

3.2 Habitats

The site consists largely of rank, somewhat tussocky modified grassland with scattered trees throughout. The species assemblage broadly indicates ruderal grassland, with some species associated with wetter and more wooded environments. Much of the site is dominated by pendulous sedge *Carex pendula*, perennial ryegrass *Lolium perenne*, bramble *Rubus agg.*, and common nettle *Urtica dioica*. Other herbaceous species recorded include common bent *Agrostis capillaris*, ground-ivy *Glechoma hederacea*, dock *Rubus sp.*, lesser burdock *Arctium minus*, marsh thistle *Cirsium palustre*, and greater willowherb *Epilobium hirsutum*. The grassland habitat on site is relatively species-poor but still has value as foraging habitat for a number of species due to the tall sward height and dense clusters of vegetation that have developed in the absence of regular management.

Along the northern edge of the garden runs an overgrown hedgerow consisting mostly of Leyland cypress *Cupressus x Leylandii* and privet *Ligustrum vulgare*.

Trees of a variety of species are scattered across the site, with the majority being young or semi-mature. The densest cluster of trees forms the eastern boundary, made up of mostly silver birch *Betula pendula* and horse chestnut *Aesculus hippocastanum*. On the northern edge, there is a mature, veteran-quality oak that is set to be retained. Immediately east of the mature oak is a patch of cherry laurel *Prunus laurocerasus*. Tree species found within the development area include oak, silver birch, horse chestnut, ash *Fraxinus excelsior*, sycamore *Acer pseudoplatanu*, common beech *Fagus sylvatica*, apple *Malus sp.*, plum *Prunus sp.*, field maple *Acer campestre*, willow *Salix sp.* and fir *Abies sp.* Saplings can be found throughout the garden, with young ash, oak, sycamore and horse chestnut visibly breaking through the low-level vegetation. There is a line of trees along the southern



border of the site containing Scots pine *Pinus sylvestris* and Leyland cypress, among other species already mentioned.



Photograph 1a & 1b. View of the eastern border (left), and the mature oak in the northern part of the site (right).

3.3 Badgers

No signs of any badger activity were seen during the survey assessment, though there are habitats of value for this species within the site and surrounding landscape. It is likely that if any setts were situated within 30m of the site boundary, then evidence of badger activity would have been observed.

3.4 Bats

There are no buildings to be affected within the proposed development area. The trees on site have some limited potential to support roosting bats. The mature oak *Quercus robur* near to the northern boundary has been specifically identified as holding roosting potential, due to the woodpecker hole approximately 8m up, on the western side. The oak tree is understood to be retained as a result of the planning application.

A dead silver birch *Betula pendula* holds some potential for roosting bats. This tree was subject to a PRF inspection survey by The Ecology Co-op (using a MEWP) on 9th December 2025. All features were deemed to hold negligible suitability for roosting bats and the tree was section-felled.

The rank grassland will have some value for foraging bats, however there are larger parcels of grassland, as well as deciduous and ancient woodland nearby to the south, with several large ponds and disused farmland to the east, all of which are likely to be more valuable foraging habitat. Therefore, the site may be used frequently by foraging and commuting bats, utilising the hedgerows and lines of trees as wildlife corridors to reach these habitats from elsewhere in the wider landscape.

A 2023 desktop survey of SxBRC records¹ indicates the presence of common pipistrelle *pipistrellus pipistrellus*, soprano pipistrelle, Nathusius' pipistrelle *Pipistrellus nathusii*, noctule *Nyctalus noctule*, brown long eared bat *Plecotus auritus*, natterer's, *Myotis nattereri* and Brandt's *Myotis brandtii* within 1km of the site. The PEA completed by Arbtech in 2015 concluded that brown long eared bats were roosting in the garage north of the main house, and that it is likely to be used by other bats (e.g. common and soprano pipistrelles).



3.5 Breeding Birds

The scrub, the hedgerow and all of the saplings, semi-mature and occasional large mature trees have the potential to support a variety of common nesting birds.

Breeding bird surveys carried out for a neighbouring development² identified 25 priority species within 500m of Parklands considered to be breeding species, including nightingale *Luscinia megarhynchos* (red listed) and red kite *Milvus milvus* (Schedule 1, WCA 1981).

3.6 Dormice

Both the hedgerow and tree lines on site have a relatively simple habitat structure and lack sufficient dormouse food plants. There is significant bramble within the site boundary, but the majority of it is in the centre of the site in more open spaces, with minimal connectivity between bramble, hedgerow, and lines of trees. It is therefore considered unlikely that there are hazel dormice using the site.

Hazel dormouse has been recorded within the local area³, showing up in a prior records search, which should be considered when planning habitat works. The majority of the peripheral trees and hedgerow will be retained within the plans.

3.7 Great Crested Newts and other Amphibians

There are 21 ponds within 500m of the site, identified during ecological survey work carried out by CSA Environmental² for a recent housing development immediately east of the Parklands boundary, with confirmed great crested newt presence in four nearby ponds.

The site itself has no permanent ponds, with a small number of temporary waterbodies that irregularly hold water (approximately twice in a 10 year period). The ponds are not regularly suitable for breeding great crested newts. However, it does have a good potential to support newts and other amphibians during their terrestrial phase, with the long grassland, scrub, and hedgerows providing sheltering opportunities for this species. The 2025 reptile surveys recorded a great crested newt on-site¹⁶.

3.8 Reptiles

Past survey work carried out on site¹ identified slow worms and grass snakes using the site, with good and low populations respectively. Reptile surveys undertaken for the nearby housing development in 2022 concluded that there is a high population of both slow worm and grass snake locally, while also confirming low populations of common lizard and adder, all within 500m of Parklands.

Updated reptile surveys were undertaken by The Ecology Co-op in 2025¹⁶. A low population of slow worm and grass snake has been confirmed on site, with a peak count of two individual slow worms, and one juvenile grass snake.

¹⁶ The Ecology Co-op (2025) Parklands Reptile Survey Report_Rev01.



3.9 Riparian Wildlife

There are no watercourses passing through or within 500m of the site boundaries. Specific survey work is not deemed necessary.

3.10 Invasive Non-native Species

A number of non-native shrubs and trees have been identified on site during the walkover survey and during historic survey work, including cherry laurel which is considered to be an invasive species in the UK.

A past SxBRC records search¹ indicated the presence of 20 invasive species within 1km of the site.

3.11 Other Notable Species

The scrub and hedgerow on site have potential to support hedgehogs.

3.12 Survey Limitations

An initial site assessment such as this is only able to act like a 'snapshot' to record any flora or fauna that is present at the time of the survey. It is therefore possible that some species may not have been present during the survey, but may be evident at other times of the year. For this reason, habitats are assessed for their potential to support some species, even where no direct evidence (such as droppings) has been found.

4 IMPACT APPRAISAL

4.1 Designated Sites

The site is situated within 500m of the South Downs National Park, and within 2km of Ditchling Common SSSI. However, given that the proposal involves the construction of a single residential unit, there are no identified mechanisms of impact on designated sites as a result of the proposed development. Therefore, in relation to designated sites, the proposed development is considered to pose a 'negligible' impact risk.

4.2 Habitats

The proposed development will include the removal of the grassland on site, a stand of trees in the centre of the site, and most of the eastern half of the line of trees along the southern boundary. Whilst the scale of habitat loss is relatively small, in the absence of appropriate compensation this would see a negative impact on the overall habitat resource at the site level. Compensation in the form of tree planting and the creation and/or enhancement of grassland habitat elsewhere on site will be required.

The applicant is seeking an exemption from mandatory Biodiversity Net Gain through the 'Self-Build' exemption. This will need to be confirmed by the Local Planning Authority.



4.3 Badgers

No signs of badger activity were identified during the assessment and no badger setts are situated on or near to the proposed construction zone. No further surveys or mitigation for badgers is advised, however, if any signs of digging by large animals is identified on or near to the site in the future, prior to development or the submission of a planning application, further surveys would likely be required.

4.4 Bats

During the initial inspection, none of trees due to be felled for development according to current plans were seen to hold potential bat roost features. The mature oak with a woodpecker hole in the trunk is due to be retained, with a root protection zone of 14.8m recommended in an earlier arboricultural impact assessment⁸. Therefore, the potential impact on roosting bats is considered to be minimal.

Given the understanding that most of the healthy trees on site are set to be retained, there is unlikely to be any significant impact on foraging bats due to the planned tree felling. A significant portion of the line of trees in the south of the site will be lost in the construction of the driveway. However, considering the proximity of these trees to the road, and the retention of the western half tree line, sufficient commuting routes for bats and birds will remain. With the adoption of the above measures, it is considered that impacts on bat activity within the site will be negligible and no further surveys are recommended.

As the site may be used by foraging and commuting bats, it is important that the potential for disturbance from artificial lights is considered. The proposed development is likely to require an 'ecologically sensitive lighting scheme' in accordance with guidance produced by the Bat Conservation Trust (summarised in Appendix 3).

4.5 Breeding and Wintering Birds

Without the adoption of sensitive timing, removal of trees and the ground-level vegetation could result in the destruction of active bird's nests and the killing/injury of eggs/young.

All vegetation removal must be undertaken between September – February (inclusive) only.

4.6 Dormice

Although records confirm their presence locally, the proposed development is highly unlikely to impact dormice given the absence of suitable habitats for this species and no further surveys are recommended.

4.7 Great Crested Newts

The site is confirmed as providing terrestrial habitat for great crested newts. The site has been registered under the NatureSpace District Level Licence (DLL) through the previously granted planning consent. The applicant has received their NatureSpace certificate and authorisation to start works by Mid-Sussex District Council.

Should planning consent for this new application be granted the DLL registration will need to be transferred to



cover the new application. Written confirmation has been received from NatureSpace that this is achievable.

Temporary amphibian fencing was installed at the site under licence on 11th May 2026. A trapping and translocation programme is currently ongoing and will run for 25 days. Following the completion of the trapping and when no GCN or very low numbers are being captured, supervised vegetation clearance and ground preparation works will commence.



Photograph 2. A photo taken on 12.05.26 showing the temporary amphibian fencing installed at Land at Parklands.

4.8 Reptiles

The Reptile Survey Report¹⁶ sets out a mitigation strategy, this is currently being implemented in conjunction with the GCN licence and associated trapping programme.

4.9 Invasive Non-native Species

It is strongly recommended that cherry laurel is removed from the site to enhance retained habitat and to prevent the spread of an invasive species.



4.10 Other Notable Species

The hedgehog has suffered dramatic declines in population in recent decades¹⁷ although it remains fairly widespread. The hedgerows and scrub on site have the potential to be used by this species for foraging, commuting and shelter and some of this will be lost during the proposal. Where any suitable habitats for hedgehogs are removed, site preparation must be preceded by a hand search to ensure that, in the event a hedgehog is present, it can be moved safely to suitable habitat to be retained within the site.

5 CONCLUSIONS

The proposed development at Parklands will result in the loss of rank, species-poor grassland and some tree cover, with associated impacts on habitats and species. No significant effects are anticipated on designated sites, badgers, or dormice, and impacts on bats and breeding birds can be managed through sensitive working practices and lighting design.

Confirmed presence of great crested newt and reptiles (slow-worm and grass snake) requires mitigation. The site is registered under a GCN District Level Licence and has received authorisation to commence works (under the previously approved planning consent).

Further recommendations include the removal of cherry laurel to improve retained habitats, and implementation of ecologically sensitive working methods to safeguard nesting birds and hedgehogs.

With the implementation of the recommended mitigation and enhancement measures, the scheme can proceed without significant adverse effects on biodiversity and offers opportunities for local ecological enhancement.

It is important that no habitat clearance or other site preparation work should be undertaken until planning permission has been granted and all relevant protections for habitats of importance and protected species have been detailed and implemented. Please be advised that any work to remove or modify habitats outside of typical management may undermine a future planning application.

Should you need any further advice on the information provided above, please do not hesitate to contact The Ecology Co-op, info@ecologyco-op.co.uk, www.ecologyco-op.co.uk, Office: 01798 861800.

¹⁷ British Wildlife (December 2016) Britain's Hedgehogs: research and the conservation effort in the face of serious decline. British wildlife Vol. 28, pp78-86)



APPENDIX 1 – Wildlife Legislation and National Planning Policy

Introduction

The following text is intended for general guidance only and does not constitute comprehensive professional legal advice. It provides a summary of the current legal protection afforded to wildlife in general and certain species. It includes current national planning policy relevant to nature conservation.

The ‘Birds Directive’, ‘Habitats Directive’ and ‘Natura 2000 Sites’

The Council Directive 79/409/EEC on the Conservation of Wild Birds (“the Birds Directive”) sets a framework for the protection of wild birds. Under the Directive, several provisions are made including the designation and protection of ‘Special Protection Areas’ (SPAs) – areas which support important bird populations, and the legal protection of rare or vulnerable species.

The Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (the “Habitats Directive”) directs member states of the EU to take measures to maintain the favourable conservation status of important habitats and species. This requires the designation of a series of sites which contain important populations of species listed on Annex II of the Directive (for example Bechstein’s bat *Myotis bechsteinii*, Barbastelle bat *Barbastella barbastellus* and white-clawed crayfish *Austropotamobius pallipes*. Together with ‘Special Areas of Conservation’ (SACs), SPAs form a network across Europe of protected areas known as the ‘Natura 2000 sites’.

Annex IV lists species in need of more strict protection, these are known as “European Protected Species (EPS)”. All bat species, common dormice, otter *Lutra lutra* and great crested newts are examples of EPS that are regularly encountered during development projects.

The ‘Habitats Regulations’

The Conservation of Habitats and Species Regulations 2017, as amended (the “Habitats Regulations”) is the principle means of transposing the Habitats Directive and the Birds Directive, and updates the Conservation (Natural Habitats, &c.) Regulations 1994 (“the 1994 regulations”) in England and Wales.

‘Natura 2000’ sites, now known as National Site Network sites under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, receive the highest level of protection under the Regulations which requires that any activity within the zone of influence of these sites would be subject to a Habitats Regulations Assessment (HRA) by the competent authority (e.g. planning authority), leading to an Appropriate Assessment (AA) in cases where ‘likely significant effects’ to the conservation objectives are identified.

For European Protected Species, Regulation 41 makes it a criminal offence to:

- deliberately capture, injure or kill any such animal;
- deliberately disturb wild animals of such species;
- deliberately take or destroy their eggs (where relevant);
- damage or destroy a *breeding or resting place* of such an animal;
- possess, control, sell or exchange any live or dead animal or plant, of such species;
- deliberately pick, collect, cut, uproot or destroy a wild plant of such species.

The Habitats Directive and Habitats Regulations provide for the derogation from these prohibitions for specific



reasons provided certain conditions are met. An EPS licensing regime allows operations that would otherwise be unlawful acts to be carried out lawfully. Natural England is the licensing Authority and, in order to grant a license, ensures that three statutory conditions (sometimes referred to as the 'three derogation tests') are met:

- a licence can be granted for the purposes of “preserving public health or safety or for other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment” (Regulation 53 (2) (e);
- a licence can be granted if “there are no satisfactory alternatives” to the proposed action;
- a licence shall not be granted unless the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Wildlife and Countryside Act (1981) as amended.

This remains one of the most important pieces of wildlife legislation in the UK. There are various schedules to the Act protecting birds (Schedule 1), other animals including insects (Schedule 5), plants (Schedule 8), and control of invasive non-native species (Schedule 9).

Under the Wildlife and Countryside Act (WCA) 1981, all wild birds (with the exception of those listed on Schedule 2), their eggs and nests are protected by law and it is an offence to:

- take, damage or destroy the nest of any wild bird while it is in use or being built
- take or destroy the egg of any wild bird
- disturb any bird listed on Schedule 1, while it is nest building, or at a nest with eggs or young, or disturb the dependant young of any such bird.

Schedule 5 lists all non-avian animals receiving protection to a varied degree. At its strongest, the Act makes it an offence to intentionally kill, injure or take any wild animal listed on Schedule 5, and prohibits interference with places used for shelter or protection, or intentionally disturb animals while occupying such places. Examples of species with *full protection* include all EPS, common reptile species, water vole *Arvicola amphibius*, white-clawed crayfish *Austropotamobius pallipes* and Roman snail *Helix pomatia*. Other species are protected from sale, barter or exchange only, such as white letter hairstreak *Satyrrium w-album*.

The Act makes it an offence to intentionally pick, uproot or destroy any plant or seed, and sell or possess any plant listed on Schedule 8. It is also an offence to intentionally uproot any wild plant not listed on Schedule 8 unless authorised [by the land owner]. Species on Schedules 5 and 8 are reviewed every 5 years when species can be added or removed.

Measures for the prevention of spreading non-native species which may be detrimental to native wildlife is included in the Act, which prohibits the release of animals or planting of plants into the wild of species listed on Schedule 9 (for example, Japanese knotweed *Fallopia japonica*, Himalayan balsam *Impatiens glandifera*, New Zealand Pygmyweed *Crassula helmsii*).

The Wildlife and Countryside Act 1981 (as amended) also prohibits certain inhumane methods of traps and devices for the capture or killing of wild animals and certain additional methods such as fixed trap, poisoning with gas or smoke, or spot-lighting with vehicles for killing species listed on Schedule 6 of the Act (this includes all bat species, badger, otter, polecat, dormice, hedgehog and red squirrel).

Natural Environment and Rural Communities (NERC) Act (2006)

The NERC Act (2006) created the statutory nature conservation body Natural England, and places a statutory



duty on all public bodies, including planning authorities, under Section 40, to take, or promote the taking by others, steps to further the conservation of *habitats and species of principal importance for the conservation of biodiversity* in England (commonly referred to as the 'Biodiversity Duty'). This duty extends to all public bodies the biodiversity duty of Section 74 of the Countryside and Rights of Way (CROW) Act 2000, which placed a duty only on Government and Ministers. Section 41 of the NERC Act lists the habitats and species of principle importance. This includes a wide range of species from mosses, vascular plants, invertebrates through to mammals and birds. It originates from the priority species listed under the UK Biodiversity Action Plan (UK BAP) with some omissions and additions.

Environment Act (2021)

The Environment Act sets a target of halting the decline in species through the inclusion of a legally binding 2030 species abundance target. Aiming to restore natural habitats and enhance biodiversity, the Act requires new developments to improve or create habitats for nature (through mechanisms such as mandatory Biodiversity Net Gain), and tackle deforestation. Going forwards, UK businesses will need to look closely at their supply chains as amongst other measures they will be prohibited from using commodities associated with wide-scale deforestation. Woodland protection measures are also strengthened through the Act.

The Act enables the reform of the Habitats Regulations and further improves protection for nature through the establishment of Local Nature Recovery Strategies that support national Nature Recovery Networks. In addition, the Act provides for the production of Protected Site Strategies and Species Conservation Strategies, aimed at supporting the design and delivery of strategic approaches to deliver better outcomes for nature.

Protection of Badgers Act (1992)

The badger *Meles meles* is afforded specific legal protection in Britain under the Protection of Badgers Act (1992), and Schedule 6 of the Wildlife and Countryside Act 1981 (as amended) (see above).

Under this legislation, it is a criminal offence to:

- intentionally kill, injure, take, possess, or cruelly ill-treat, a badger, or to attempt to do so;
- interfere with a sett, by damaging or destroying it;
- to obstruct access to, or any entrance of, a badger sett; or
- to disturb a badger when it is occupying a sett.

A licence may be obtained from Natural England to permit certain prohibited actions for a number of defined reasons including interference of a sett for the purpose of development, provided that a certain number of conditions are met. Note that licenses are not normally granted for works affecting badgers between the end of November and the start of July.

National Planning Policy Framework

The National Planning Policy Framework (NPPF 2023)¹⁸ sets out the Government's view on how planners should balance nature conservation with development and helps ensure that Government meets its biodiversity commitments with regard to the operation of the planning system.

Paragraph 185b, states that council plans should “*promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue*

¹⁸ HM Government (2023). National Planning Policy Framework. Department for Communities and Local Government. Available online at: https://assets.publishing.service.gov.uk/media/64f991c99ee0f2000fb7c001/NPPF_Sept_23.pdf.



opportunities for securing measurable net gains for biodiversity.”

The Office of the Deputy Prime Minister (ODPM) Circular 06/2005, 2005)¹⁹. In accordance with the NPPF, it is important that developments should contribute to and enhance the natural and local environment by:

- minimising impacts on existing biodiversity and habitats;
- providing net gains in biodiversity and habitats, wherever possible;
- establishing coherent ecological networks that are more resilient to current and future pressures.

UK Post-2010 Biodiversity Framework

The UK Biodiversity Action Plan (UK BAP), first published in 1994, was the UK’s response to the commitments of the Rio Convention on Biological Diversity (1992) until 2010, when the UK BAP was replaced by the UK Post-2010 Biodiversity Framework. This framework covers the period 2011 to 2020 and forms the UK government’s response to the new strategic plan of the United Nations Convention on Biodiversity (CBD) published in 2010. This promotes a focus on individual countries delivering target for protection for biodiversity through their own strategies.

The most recent biodiversity strategy for England, 'Biodiversity 2020: A strategy for England's wildlife and ecosystem services' was published by Defra (2011), and a progress update was provided in July 2013 (Defra 2013).

'Biodiversity 2020' builds on the Natural Environment White Paper for England – 'The Natural Choice', published on 7 June 2011, and sets out the strategic direction for biodiversity policy for the next decade.

Biodiversity 2020 deliberately avoids setting specific targets and actions for local areas and species because the Government believes that local people and organisations are best placed to decide how to implement the strategy in the most appropriate way for their local area or situation.

Birds of Conservation Concern (BoCC)

In 1996, the UK’s leading non-governmental bird conservation organisations listed the conservation status of all bird species in the UK against a series of criteria relating to their population size, trends and relative importance to global conservation. The lists, known as the 'Red', 'Amber' and 'Green' lists (in order of decreasing concern) are used to inform key conservation policy and decisions. The lists are reviewed every five years and are a useful reference for determining the current importance of a particular site for birds. The most recent review was undertaken in 2021 (Stanbury et al, 2021), which provides an up to date assessment of the conservation status of birds in the UK.

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¹⁹ HM Government (2005) ODPM Circular 06/05 Government Circular: *Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System*. Available online at:
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The Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations”). Available at: <http://jncc.defra.gov.uk/page-1379>

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Defra (2013) Progress Update. Available at: www.gov.uk/government/publications/biodiversity-2020-simple-guide-and-progress-update-july-2013.

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Wildlife and Countryside Act (WCA) (1981). HMSO London. Available at: <http://www.legislation.gov.uk/ukpga/1981/69/contents>



APPENDIX 2 – Mid-Sussex District Council Local Planning Policy

Table 3. Relevant legislation from the Mid-Sussex District Council Plan 2014-2031

Policy number/title	Policy summary
DP38 - Biodiversity	• Protect landscape for biodiversity qualities • Maintain green corridors to act as wildlife corridors • Biodiversity will be protected and enhanced by ensuring development: • Contributes and takes opportunities to improve, enhance, manage and restore biodiversity and green infrastructure so there is a net gain in biodiversity including through creating new designated sites and locally relevant habitats, and incorporating biodiversity features within developments • Protects existing biodiversity, so there is no net loss of biodiversity • Unavoidable damage to biodiversity should be offset through enhancements and mitigation measures • Minimises habitat and species fragmentation and maximises opportunities to enhance and restore ecological corridors to connect natural habitats and increase coherence and resilience • Promotes the restoration, management and expansion of priority habitats in the district • Avoids damage to, protects and enhances the qualifying features of internationally designated sites of importance Designated sites will be given protection and appropriate weight according to their importance and the contribution they make to the 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.



APPENDIX 3 – Reducing Impacts of Artificial Light

Bright external lighting can have a detrimental impact upon foraging and commuting bat flight paths, but more importantly can also cause bats to remain in their roosts for longer. Artificial lighting can also cause significant impacts to other nocturnal species, most notably moths and other nocturnal insects. It can also result in disruption of the circadian rhythms of birds, reducing their fitness.

Guidelines issued by the Bat Conservation Trust²⁰ should be referred to when designing the lighting scheme. Note that lighting designs in very sensitive areas should be created with consultation from an ecologist and using up-to-date bat activity data where possible. The guidance contains techniques that can be used on all sites, whether a small domestic project or larger mixed-use, commercial or infrastructure development. This includes the following measures:

Avoid lighting key habitats and features altogether

There is no legal duty requiring any place to be lit. British Standards and other policy documents allow for deviation from their own guidance where there are significant ecological/environmental reasons for doing so. It is acknowledged that in certain situations lighting is critical in maintaining safety, such as some industrial sites with 24-hour operation; however, in the public realm, while lighting can increase the perception of safety and security, measurable benefits can be subjective. Consequently, lighting design should be flexible and be able to fully consider the presence of protected species.

Apply mitigation methods to reduce lighting to agreed limits in other sensitive locations – lighting design considerations

Where bat habitats and features are considered to be of lower importance or sensitivity to illumination, the need to provide lighting may outweigh the needs of bats. Consequently, a balance between a reduced lighting level appropriate to the ecological importance of each feature and species, and the lighting objectives for that area will need to be achieved. The following are techniques which have been successfully used on projects and are often used in combination for best results:

- dark buffers, illuminance limits and zonation;
- sensitive site configuration, whereby the location, orientation and height of newly built structures and hard standing can have a considerable impact on light spill;
- consideration of the design of the light and fittings, whereby the spread of light is minimised ensuring that only the task area is lit. Flat cut-off lanterns or accessories should be used to shield or direct light to where it is required. Consideration should be given to the height of lighting columns. It should be noted that a lower mounting height is not always better. A lower mounting height can create more light-spill or require more columns. Column height should be carefully considered to balance task and mitigation measures. Consider no lighting solutions where possible such as white lining, good signage, and LED cats eyes. For example, light only high-risk stretches of roads, such as crossings and junctions, allowing headlights to provide any necessary illumination at other times;
- screening, whereby light spill can be successfully screened through soft landscaping and the installation of walls, fences and bunding;
- glazing treatments, whereby glazing should be restricted or redesigned wherever the ecologist and lighting professional determine there is a likely significant effect upon key bat habitat and

²⁰ Bat Conservation Trust and Institute for Lighting Professionals (2023) Guidance note 8. Bats and Artificial Lighting. <https://www.theilp.org.uk/documents/guidance-note-8-bats-and-artificial-lighting/>



features;

- creation of alternative valuable bat habitat on site, whereby additional or alternative bat flightpaths, commuting habitat or foraging habitat could result in appropriate compensation for any such habitat being lost to the development;
- dimming and part-night lighting. Depending on the pattern of bat activity across the key features identified on site it may be appropriate for an element of on-site lighting to be controlled either diurnally, seasonally or according to human activity. A control management system can be used to dim (typically to 25% or less) or turn off groups of lights when not in use.

Demonstrate compliance with illuminance limits and buffers

- *Design and pre-planning phase*; it may be necessary to demonstrate that the proposed lighting will comply with any agreed light-limitation or screening measures set as a result of your ecologist's recommendations and evaluation. This is especially likely to be requested if planning permission is required.
- *Baseline and post-completion light monitoring surveys*; baseline, pre-development lighting surveys may be useful where existing on or off-site lighting is suspected to be acting on key habitats and features and so may prevent the agreed or modelled illuminance limits being achieved.
- *Post-construction/operational phase compliance-checking*; as a condition of planning, post-completion lighting surveys by a suitably qualified person should be undertaken and a report produced for the local planning authority to confirm compliance. Any form of non-compliance must be clearly reported, and remedial measures outlined. Ongoing monitoring may be necessary, especially for systems with automated lighting/dimming or physical screening solutions.

Lighting Fixture Specifications

The Bat Conservation Trust recommends the following specifications for lighting on developments to prevent disturbance:

- lighting spectra: peak wavelength >550nm
- colour temperature: <2700k (warm)
- reduction in light intensity
- minimal UV emitted
- upward light ratio of 0% and good optical control.

Further reading:

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End.
