

Ecological Impact Assessment

Land at the Lydhurst Estate,
Warninglid

03 June 2025

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Lydhurst Estate
Warninglid
West Sussex
RH17 5TG

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Contents

1.	Introduction.....	0
2.	Planning Policy and Context.....	2
3.	Assessment Methodology	9
4.	Baseline Conditions	14
5.	Assessment of Impacts and Effects	26
6.	Conclusions.....	39
7.	References	41

Appendix A – Target notes and photographs

Appendix B – Habitat map

Appendix C – Legislation protected species and invasive plant species

Appendix D – Plant species list

Appendix E – Suggested complementary planting

Appendix F – Bat and bird box designs

Non-technical Summary

An Ecological Impact Assessment (EclA) has been carried out by Phlorum of Land at The Lydhurst Estate, Warninglid Lane, West Sussex, RH17 5SJ, in order to determine whether any ecological constraints could affect the proposed works for the site.

Given the nature of the proposed development, an EclA was carried out in order to ascertain the level and likelihood of any potential impacts associated with the development.

The main findings of the EclA are as follows:

- The main impact will be habitat loss due to the loss of the building with a bat roost, and minor habitat loss due to the loss of trees and grassland habitats.
- There is a chance of birds being impacted during construction, however the magnitude of any impact is considered low, therefore a precautionary approach is recommended.
- There is a chance of herpetofauna being impacted during construction, however the magnitude of any impact is considered low, therefore a precautionary approach is recommended.
- A maternity roost of brown long eared bats were confirmed as present within the main building on site during the Preliminary Ecological Appraisal survey (Phlorum, September, 2024). A series of bat surveys were recommended to determine their use by bats.
- A bat activity/emergence survey was carried out at the site on the 9th September 2024, and the 20th May 2025 the remaining activity survey is scheduled for the summer season 2025. Multiple species of bats were seen to emerge from the building's features during the 2024 and 2025 survey and a moderate number of bats were recorded across the survey. A series of bat hibernation surveys was carried out at the site on the 12th December 2024, 14th January 2025 and the 20th February 2025, which confirmed the building as a bat hibernation roost. The proposed works will result in the loss of a maternity and hibernation roost; therefore a licensed approach is required along with appropriate species specific mitigation.
- Opportunities for site enhancements must include compensatory planting and provisions for bird box installation. In addition, it is recommended that a precautionary approach to vegetation clearance in regard to breeding birds, badgers, hedgehogs, herpetofauna and other mammals will be sufficient to safeguard these protected species.
- Mitigation is required with compensatory planting and an enhancement schedule to include provisions for bat and bird box installation.

This version (V2) has been produced to update the client address and minor text amendments.

1. Introduction

Background

- 1.1 Phlorum Ltd has been commissioned by Rural Solutions to undertake an Ecological Impact Assessment (EclA), to inform the potential ecological constraints of proposed future development across Land at The Lydhurst Estate, Warninglid Lane, West Sussex, RH17 5SJ (hereafter referred to as “the site”).
- 1.2 The purpose of the EclA was:
 - 🌱 to identify the baseline ecological conditions at the site;
 - 🌱 identify any likely significant ecological effects of the proposed development, without mitigation;
 - 🌱 identify any cumulative impacts;
 - 🌱 provide details of ecological mitigation measures required;
 - 🌱 identify any residual impacts;
 - 🌱 identify any compensation measures required to offset residual effects;
 - 🌱 set out details of ecological enhancement measures;
 - 🌱 confirm how proposed mitigation, compensation and enhancement will be secured; and
 - 🌱 provide sufficient information to determine whether the project complies with relevant nature conservation policies, and legislation, and where appropriate, to allow the relevant local authority to propose conditions or obligations.
- 1.3 This report has been compiled in accordance with current guidelines (British Standard 42020:2013 Biodiversity. Code of Practice for Planning and Development, 2013 and CIEEM, 2017 and 2018).
- 1.4 The following principles underpin EclA:
 - 🌱 **Avoidance:** seek options that avoid harm to ecological features;
 - 🌱 **Mitigation:** Adverse effects should be avoided or minimised through mitigation measures, either through the design of the project or subsequent measures that can be guaranteed;
 - 🌱 **Compensation:** where there are significant adverse ecological effects despite the mitigation proposed, these should be offset by appropriate compensatory measures; and

-  **Enhancements:** seek to provide net benefits for biodiversity over and above requirements for avoidance, mitigation or compensation.

Site Description

- 1.5 The site comprised an area of land measuring approximately 1.8 hectares (ha) and centred on the grid reference TQ24612593. At the time of survey, the site comprised buildings (u1b5), other developed sealed surface (u1b6), modified grass (g4), other neutral grassland (g3c), ruderal vegetation (u81), flower beds (u1 846), introduced shrub (u1 847), and scattered trees (w32).
- 1.6 The site is located within the grounds of the Lydhurst Estate. The estate is private and includes several buildings within the wider ownership boundary, with the main house within the site boundary. The wider surroundings are predominantly rural, Warninglid village, with woodland and agricultural fields in the immediate and wider surroundings, to the east is a small urban area and there are scattered farm buildings around the area with minor roads.
- 1.7 The proposals involve demolition of the existing main building, construction of a new building and associated hard and soft landscaping.

EclA

- 1.8 The EclA considers the various ecological resources relevant to the application site. The subsequent sections outline the relevant planning policies associated with ecology. The methodologies for ecological surveys undertaken within the site are then described and the results of these surveys are used to assess the ecological implications of the development proposals. The EclA is intended to provide the local Council with sufficient information to aid them in determining the planning application.

2. Planning Policy and Context

- 2.1 The section below provides a review of relevant European legislation, Government guidance, and local plan guidance. Legislation covering specific protected or invasive species is provided in Appendix C.

European Legislation

Habitats Directive and Birds Directive

- 2.2 Certain species of plants and habitats are protected under the European Union (EU) Habitats Directive (1992), which complements the EC Birds Directive (Council Directive 2009/147/EC on the Conservation of Wild Birds). At the heart of both these Directives is the creation of a network of sites called Natura 2000.
- 2.3 However, since the United Kingdom (UK) left the EU, the UK sites no longer form part of the EU's Natura 2000 ecological network. As a result, the UK issued, The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, referred to as the 2019 Regulations. The 2019 Regulations have made changes to the Conservation of Habitats and Species Regulations 2017 (as amended) and created a National Site Network (NSN) on land and at sea. Any references to Natura 2000 in the 2017 Regulations, and in guidance, now refers to the new NSN (DEFRA, 2021). The 2017 Regulations cover England and Wales including their inshore waters up to 12 nautical miles (nm).
- 2.4 The Habitat Directive requires Special Areas of Conservation (SACs) to be designated for species, and for habitats. Together with SPAs (Special Protection Areas), SACs make up the UK's NSN. The NSN includes existing SACs and SPAs, and any new SCAs or SPAs designated under these 2017 Regulations.

National Legislation

The Wildlife and Countryside Act, 1981 (as amended)

- 2.5 The Wildlife and Countryside Act, 1981 (as amended), remains the primary UK mechanism for statutory site designation and protection, and the protection of individual species. This Act implements the Convention on Conservation of European Wildlife and Natural Habitats (Bern Convention), Council Directive 79/409/EEC on the Conservation of Wild Birds (Birds Directive) and the Habitats Directive. Through this piece of legislation, areas of regional or national conservation value can be designated as a Site of Special Scientific Interest (SSSI). The Act also contains a number of schedules affording varying levels of protection to species. The provisions of the Act are modified and in some cases replaced by subsequent legislation contained within the Countryside and Right of Ways Act 2000 (The CRoW Act) and the Conservation of Habitats and Species Regulations 2017 (as amended).

The Countryside and Rights of Way (CRoW) Act 2000

- 2.6 This Act strengthens the provisions of the Wildlife and Countryside Act, 1981 (as amended) both in respect of statutory sites such as SSSI's and protected species. It also places a statutory obligation on local authorities and other public bodies to further conservation of biodiversity, thus providing a statutory basis to develop the Biodiversity Action Plan (BAP). The BAP process begun with the Government's publication of the UK Biodiversity Action Plan in 1994.

Natural Environment and Rural Communities (NERC) Act, 2006

- 2.7 The Natural Environment and Rural Communities Act 2006 (NERC) led to the development of Natural England, a statutory advisory body on nature conservation to the government. Section 40 of the Act placed a duty on public bodies to have regard to the purpose of conserving biodiversity in the exercise of their functions. The Act also makes provisions in respect of the protection of birds, pesticides harmful to wildlife and non-native invasive species.

The Badger Act 1992

- 2.8 This Act was introduced to provide protection to badgers and their setts. Under the Act it is an offence to: Wilfully kill injure or take a badger; 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; or disturb a badger when it is occupying a sett. There are exceptions when a licence can be obtained to enable work to progress.

National Parks and Access to the Countryside Act 1949

- 2.9 Local Nature Reserves (LNRs) are sites designated by local authorities under the National Parks and Access to the Countryside Act 1949. These are sites recognised for their wildlife or geological interest at a local level and are managed for nature conservation.

Non-Statutory Designations

- 2.10 Local Wildlife Sites are areas of local conservation interest which may be designated by local authorities. The terminology for these sites varies depending on the county. They can be called Sites of Nature Conservation Importance (SNCI's), Sites of Importance for Nature Conservation (SINCs), County Wildlife Sites (CWS), Listed Wildlife Sites (LWS), Local Nature Conservation Sites (LNCS), Sites of Biological Importance (SBIs). The designation criteria may vary between counties. Local Wildlife Sites are a material consideration when planning applications are being determined.

National Planning Policy Framework

- 2.11 The National Planning Policy Framework (NPPF), last updated in December 2024, sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced.
- 2.12 Under Section 15 of the NPPF, the planning system should continue 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 and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;

- 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.
- 2.13 Under Section 15 it goes on to consider habitat and biodiversity (Paragraph 192 - 195), 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.
- 2.14 Development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

Local Policy

Mid Sussex District

- 2.15 The Mid Sussex District Plan 2014-2031 (adopted March 2018) includes the following Nature Conservation Policies that are relevant to the site.

Policy DP 37 Trees, Woodland and Hedgerows

- 2.16 Trees, woodland and hedgerows make a valuable landscape, amenity and biodiversity contribution to the District, both in urban and rural areas. Mid Sussex is a heavily wooded district with two thirds of this being ancient woodland.

“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”.

Policy DP 38 Biodiversity

- 2.17 Coupled with the need for new development the policy see the importance of conserving and enhancing areas of importance for biodiversity and nature conservation.

“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 SSCI 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”.

Mid Sussex District, Slaugham Local Plan (2017)

- 2.18 Policy 1: Protecting the Area of Outstanding Natural Beauty. Development proposals within the High Weald AONB will be supported where they conserve or enhance natural beauty and have regard to the High Weald AONB Management Plan. Development proposals which support the local economy and social well-being of the AONB will be supported where they are compatible with the conservation and enhancement of the AONB. Development proposals on land that contributes to the setting of the AONB will only be permitted where it does not detract from the visual qualities and essential characteristics of the AONB, and in particular does not adversely affect the views into and out of the AONB by virtue of it's location and/or design.
- 2.19 Policy 2: Protection of the Landscape. Development that has an unacceptable detrimental effect on the landscape (which lies outside the AONB) will not be supported other than in exceptional circumstances where the use relates to essential utility infrastructure.

3. Assessment Methodology

Desk Study

- 3.1 The desktop study involved conducting database searches for statutory and non-statutory designated sites, legally protected species and features of interest within a 2km radius of the site. The data search was based on available information provided by the following sources:
-  Sussex Biological Record Centre (SXBRC, 2024 & 2025);
 -  Multi-Agency Geographical Information for the Countryside (MAGIC, 2024 & 2025);
 -  Ordnance Survey mapping;
 -  Aerial photography; and
 -  The Woodland Trust online Ancient Tree Inventory.

Habitat Survey and Assessment

- 3.2 Phlorum Limited carried out an ecological survey of the site on the 2nd September 2024, with an updated site visit undertaken on the 10th April 2025. The survey was carried out by Amber Howie, a suitably qualified ecologist, (BSc (Hons), qualifying member CIEEM) who holds a Bat Level 1 Survey Class Licence CL17 (Ref:2025-12638-CL17-BAT) with experience in undertaking a range of ecological surveys. The survey results and assessment was reviewed by Paul Carter (BSc (Hons), MBA, MCIEEM), an ecologist with over twenty years of experience of managing ecological and landscaping projects, and by the project director Richard Schofield (BSc (Hons), MSc, CSJK, MCIEEM, MIEMA, CEnv), with over twenty years of experience in managing projects. The weather conditions during the survey were sunny and dry.
- 3.3 The field survey comprised a walkover inspection of the land and habitats present. The survey followed standard Phase 1 survey methodology (JNCC, 2010) and covered all accessible parts of the site, including boundary features. Habitats were described and mapped (Figure 1: Appendix A). A list of plant species was compiled, together with an estimate of abundance made according to the DAFOR scale (Appendix D).
- 3.4 This assessment provides information on the habitats in the survey area and identifies actual or potential presence of legally protected or otherwise notable species/habitats in or immediately adjacent to the site.
- 3.5 Target notes highlighting a particular feature of ecological interest are provided in Appendix B, with associated photographs.

- 3.6 Scientific names are given after the first mention of a species, thereafter, common names only are used. Nomenclature follows Stace (2019) for vascular plant species.

Potential (Bat) Roost Feature (PRF) Inspection Survey

- 3.7 All buildings were inspected and assessed in terms of their potential to support roosting bats, with due consideration for the *Bat Survey for Professional Ecologists: Good Practice Guidelines* (4th edition).

Protected Species Assessment

- 3.8 The potential for the site to provide habitat for protected species was assessed from field observations in conjunction with results of the desk study. The site was inspected for indications of the presence of protected species including:
- 🌿 Habitat considered suitable to support widespread reptile species including areas with a scrub/grassland mosaic and potential hibernation sites;
 - 🌿 On-site ponds offering potential breeding opportunities for great crested newt (*Triturus cristatus*) and the presence of suitable terrestrial habitat including hedgerows and rough grassland;
 - 🌿 The presence of features in, and on trees, indicating potential for roosting bats *Chiroptera*, including knot and rot holes, loose bark. Secondary evidence of bats including staining, droppings and feeding remains were also looked for;
 - 🌿 The presence of nesting habitat for breeding birds, including mature trees, dense scrub and hedgerows and direct evidence of bird nesting including bird song, old nests etc.;
 - 🌿 Habitats considered suitable to support badger (*Meles meles*) setts, and evidence in the form of hair, pathways and latrines;
 - 🌿 Presence of woodland and or hedgerows providing suitable habitat to support hazel dormouse (*Muscardinus avellanarius*); and
 - 🌿 Riparian habitat supporting suitable features for water vole (*Arvicola amphibius*) and otter (*Lutra lutra*).
- 3.9 The potential presence for protected species is categorised as **Negligible, Low, Moderate, High** or **Present**, based on the findings of the field survey and on the evaluation of existing data. However, the potential presence for bats in a structure is categorised as **None, Negligible, Low, Moderate, or High** (Collins, 2023). The potential suitability of trees for bat roosts is as assessed as **None, FAR** (further assessment required), or **PRF** (at least one potential roost feature present) (Collins, 2023).

- 3.10 The purpose of this assessment is to identify whether more comprehensive Phase 2 surveys for protected species or mitigation should be recommended.

EcIA Assessment

Predict the Ecological Impact and Effect

- 3.1 The initial stage of the EcIA is to predict the Ecological impact and effect. In an attempt to avoid confusion in these terms these are defined below:
-  Ecological impact - actions resulting in change to an ecological feature. E.g. loss of pond /hedgerow or trees, during to the construction plans/activities.
 -  Ecological effect – This is the outcome of the ecological impact on an ecological feature. E.g. effect on newts from loss of ponds, effect on dormouse of loss of hedge, effect on birds/bats due to loss of trees.

Establishing Likely Zone of Influence

- 3.2 For the purpose of the assessment, the Site is considered to be inside the following 'zone of influence' of:
-  Internationally designations (e.g. Special Protection Area (SPA), potential SPA sites (pSPA), Special Areas of Conservation (SAC), candidate SAC sites (cSAC), and RAMSAR sites), within **12km** of the Site boundary;
 -  Nationally important designations (e.g. Sites of Special Scientific Interest (SSSI), National Nature Reserves (NNR), Marine Nature Reserves (MNR), Local Nature Reserves (LNR)) within **5km** of the Site boundary;
 -  Regional or County non-statutory designations within **2km** of the Site boundary; and
 -  Locally Importance sites within **1km** of the Site boundary.

Magnitude of Impact

- 3.3 A number of factors may influence the magnitude of an effect or impact, listed below, as listed in the CIEEM guidance:
-  Positive or negative: does the change improve or reduce the quality of the environment. E.g. increasing species/ decreasing species, extending habitat/reducing habitat;
 -  Magnitude: "size" or "amount" of impact, determined on a quantitative basis where possible, e.g. the numbers of a species that are influenced;
 -  Extent: The area over which the impact occurs;
 -  Duration: The time over which the impact is expected to last prior to recovery or replacement of the resource or feature (short, medium or long term);

- Reversibility: whether recovery is possible within a reasonable timescale; and
- Timing and Frequency: Whether impacts coincide with critical life changes or seasons (e.g. breeding bird season) and how frequent the impacts are likely to be.

- 3.4 Impacts in combination may have a cumulative effect that is greater than when the same changes act in isolation. Cumulative impacts may entail the assessment of all the effects of the Scheme upon a feature (e.g. impacts at the construction and operation stage), or the combined impacts of a number of Schemes that will affect the same area.

Cumulative Impacts and Effects

- 3.5 Impacts in combination may have a cumulative effect that is greater than when the same changes act in isolation. Cumulative impacts may entail the assessment of all the effects of the Scheme upon a feature (e.g. impacts at the construction and operation stage), or the combined impacts of a number of Schemes that will affect the same area.

Residual Impacts and Effects

- 3.6 After the ecological avoidance and mitigation measures are finalised, an assessment of the residual impacts needs to be undertaken to determine the significance of their effects on ecological features.

Caveats

Data Search Constraints

- 3.7 It is important to note that, even where data is held, a lack of records for a defined geographical area does not necessarily mean that there is a lack of ecological interest; the area may be simply under-recorded.

Survey Constraints

- 3.8 Ecological surveys are limited by factors that affect presence of plants and animals such as seasonality. Whilst every effort has been made to provide a comprehensive description of the site, no investigation can ensure the complete characterisation of the environment. The appraisal does not constitute a full botanical survey.

Bat Survey Constraints

- 3.9 Bats are mobile animals which can move roost sites throughout the year. It is possible that surveys carried out in September may miss roosts not occupied until later in the year. However, where undisturbed, it is generally possible to find secondary evidence of bats throughout the year.

- 3.10 It is considered that the survey was sufficiently rigorous to assess the ecological value of the site for the purposes of this assessment.

Limitations

- 3.11 This appraisal also does not constitute as a full invasive species survey. All surveys are subject to the conditions on site at the time of the survey. Site surveys are non-intrusive and rely on the visual identification of aboveground growth. If parts of a site are inaccessible then these areas can often not be surveyed, unless they can be viewed from other areas. If any aboveground growth is being managed or has been disturbed or covered, or the below ground growth is dormant, then it may be impossible for us to identify invasive plants in these areas during our non-intrusive survey.

4. Baseline Conditions

Aerial Photography and OS Maps

- 4.1 Aerial photography indicates the site to be predominantly the estate gardens, with woodland and agricultural fields and small residential areas in the immediate and wider surroundings. There appear to be several waterbodies within 250m of the site.

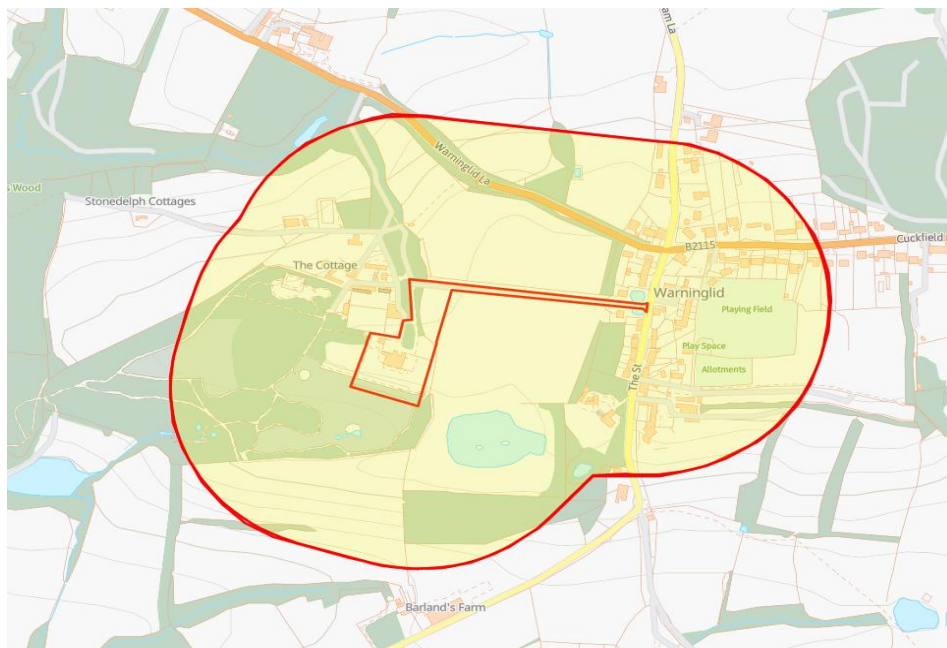


Image 1; Waterbodies present within a 250-meter search radius. Waterbodies are highlighted in blue. The map shows the site boundary marked as the innermost red boundary. (Magic, 2025).

- 4.2 The site is located in the High Weald Area of Outstanding Natural Beauty (AONB).
- 4.3 There are granted European Protected Species Licences (EPSLs) in the surroundings; however, aerial maps show them to be predominantly within the wider surroundings. The closest EPSL for bats is located within the Lydhurst estate grounds to the northwest for common pipistrelle and brown long-eared bats. The next closest is approximately 1km to the southwest for common and soprano pipistrelle, brown long-eared bats and whiskered myotis. The SxBRC data searches returned records of maternity roosts present within 1.5km of the site boundary. The closest EPSLs for great crested newt are over 2.5km to the northeast and west. For mammals (hazel dormouse) the closest is over 4km to the north.

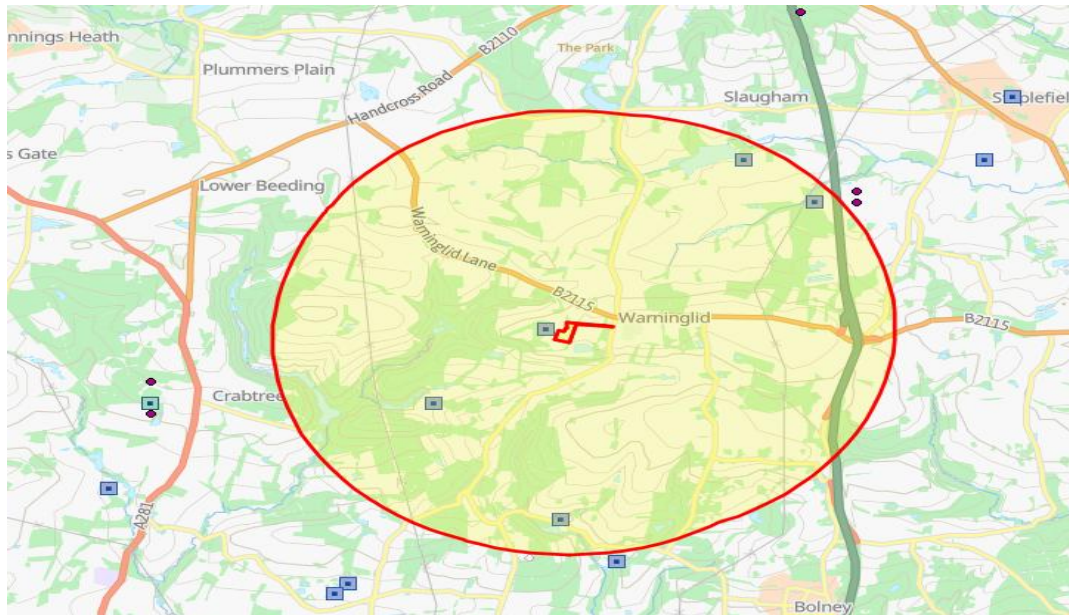


Image 2: Granted European Protected Species Licences (EPSLs) within a 2km search buffer shown by the outer red line. The site boundary is shown as the inner red line. The blue pins show the location of EPSLs for bats, the green pins show EPSLs for amphibians and the purple dots show the location of great crested newt survey locations (Magic, 2025).

- 4.4 The immediate surroundings are also areas monitored by the Countryside Stewardship Scheme (CS) as part of the British Trust for Ornithology (BTO) and Natural England (NE). These areas are monitored for UK priority species, within the search area species present are the lapwing (*Vanellus Vanellus*) (Magic, 2024).

Statutory and Non-Statutory Designated Sites

Internationally Designated Sites (Statutory Sites)

- 4.5 There are international statutory designated sites within 12km of the site.
- 4.6 Therefore, *internationally designated sites are not considered further in this assessment.*

Nationally Designated Sites (Statutory Sites)

- 4.7 The site lies within the High Weald National Landscape (formerly Area of Outstanding National Beauty – AONB). The site provides limited supporting habitat for this statutory designated site, however the site is within the AONB and is subject to statutory designations.
- 4.8 Therefore, *nationally designated sites are taken through to impact assessment.*
- 4.9 Table 4.1 provides a list of Statutory sites within 5km of the site.

Table 4.1: National and Local Wildlife Sites within 5km of the site

Site Name	Reason for Designation	Area (ha)	Distance from the Site (km)
High Weald National Landscape	The High Weald's rolling hills are draped with small, irregular fields – edged with ancient boundaries such as hedgerows and tree belts, and often containing nationally-important species-rich grassland, with 20% of all lowland meadow in England. Colourful areas of heath – with patches of purple heather and yellow gorse – are found on the high, sandy ridges, most famously on the Ashdown Forest. Trees and woodland are a particularly distinctive feature of the High Weald landscape, covering nearly a third of the AONB – much of it being ancient woodland. The High Weald is characterised by having some of the darkest skies in the south-east of England, with the least skyglow, a number of nocturnal species within the High Weald are dependent on dark skies for feeding	146,100	Within
Cow Wood and Harrys Wood Site of Special Scientific Interest (SSSI)	Ancient woodland with stream valleys (ghylls). Supports a rich community of breeding birds. The ghylls are rich in 'Atlantic' bryophytes (mosses and liverworts) and ferns. These include the uncommon liverwort (<i>Harpanthus scutatus</i>) and three ferns with a restricted distribution: Tunbridge filmy fern (<i>Hymenophyllum tunbrigense</i>), royal fern (<i>Osmunda regalis</i>) and hay scented fern (<i>Dryopteris aemula</i>). The woodland supports 47 species of breeding bird including hawfinch, lesser spotted woodpecker, wood warbler, willow tit and redstart. The rides are important feeding grounds for woodland butterflies such as silver washed fritillary (<i>Argynnis paphia</i>) and white admiral (<i>Limenitis Camilla</i>). Some of the woodland	75.1	3.8km to the northeast

Site Name	Reason for Designation	Area (ha)	Distance from the Site (km)
	ponds have common marginal fen plant communities and are valuable for dragonflies including the brilliant emerald (<i>Somatochlora metallica</i>).		
St Leonards Forest SSSI	This site includes the remnants of a formerly more extensive deciduous forest on the Tunbridge Wells Sands (Hastings Beds) 3km east of Horsham. Examples of high forest remain and the ground vegetation is still varied, and the streams which cross the site retain relict flora from the 'Atlantic' period of some 5000 years ago. The woodlands support populations of the rare purple emperor butterfly <i>Apatura iris</i> and a diversity of woodland breeding birds including all three British woodpeckers, nightjar, redstart and wood warbler.	84.5	4.1km to the northwest

Non-Statutory Sites

- 4.10 The closest non-statutory designated site is Mill Hill Pond Local Wildlife Site (LWS). Table 4.2 provides a list of non-statutory sites within 2km of the site.

Table 4.2: Non-statutory sites within 2km of the site

Site Name	Reason for Designation	Area (ha)	Distance from the Site
Mill Pond Local Wildlife Site (LWS)	The site consists of Slaugham Mill Pond, a large area of open water and reedbed which is of particular importance for birds, and a small woodland which adjoins it to the north. The site is of particular importance for birds due to the presence of extensive open water, reedbed, scrub and woodland. Mandarin Duck, Great Crested Grebe and Grey Wagtail breed.	8.9	1.7km to the north

Old Deer Park Local Wildlife Site (LWS)	This site which lies in an old deer park, south of Leonards lee Gardens, is one of the best surviving relics of the formerly vast St. Leonard's Forest. In addition to moderately species-rich dry and wet heath, there is a diverse bog. The ancient parkland trees have a fine assemblage of woodland epiphytic lichens and is grazed by a herd of wallabies.	17	1.8km to the west
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- 4.11 The closest non-statutory site is Mill Hill Pond Local Wildlife Site (LWS), which is 1.7km north of the site. The site does provide limited supporting habitat for this statutory designated site in the form of trees as nesting potential for breeding birds.
- 4.12 The site includes limited supporting habitat for these other locally important sites, due to the scope of works, it is considered that impacts to other sites will be negligible. Therefore, ***non-statutory designated sites are not considered further in this assessment.***

Other Sites

- 4.13 There are areas within 2km of the site that are monitored by the Woodland Trust. The closest is approximately 475m to the northwest at Williams Wood.
- 4.14 There is a site monitored by the Woodland Trust, approximately 475m to the northwest at Williams Wood. The site does provide limited supporting habitat for this statutory designated site in the form of trees as nesting potential for breeding birds.
- 4.15 The immediate surroundings are also areas monitored by the Countryside Stewardship Scheme (CS) as part of the British Trust for Ornithology (BTO) and Natural England (NE). These areas are monitored for UK priority species, within the search area species present are the lapwing (*Vanellus Vanellus*) (Magic, 2024).
- 4.16 The immediate surroundings of the site are monitored for Lapwing (*Vanellus vanellus*) by the Countryside Stewardship Scheme (CS) as part of the British Trust for Ornithology (BTO) and Natural England (NE). The site does not provide supporting habitat for this designated site.
- 4.17 The site includes limited supporting habitat for these other locally important sites, due to the scope of works, it is considered that impacts to other sites will be negligible. Therefore, ***other sites are not considered further in this assessment.***

Ancient Woodland

- 4.18 There is no ancient woodland covering any part of the site or immediately adjacent to the site.
- 4.19 The closest area of ancient woodland is situated 135km to the south and west.

- 4.20 The closest ancient tree is approximately 280m north of the site boundary within the wider Lydhurst estate. No trees on or adjacent to the site are listed on the Woodland Trusts' Ancient Tree Inventory.
- 4.21 Given these distances, no ancient woodland or ancient trees are considered relevant to the site and no impacts from the proposed development would be expected. Therefore, *ancient woodland or ancient trees are not taken through to the impact assessment.*

Priority Habitat

- 4.22 Priority habitats are habitat types or elements with unique or significant value to a diverse assemblage of species.
- 4.23 UK BAP Priority habitats are habitat types or elements with unique or significant value to a diverse assemblage of species. UK BAP priority habitats are identified as being the most threatened and requiring conservation action under the UK Biodiversity Action Plan (UK BAP).
- 4.24** On site there were no habitats that could be classed as priority habitat (Bickmore, 2002). The next closest priority habitats are the ancient and semi-natural ancient woodland, deciduous woodland and traditional orchards 135m south of the site boundary. Therefore, *Priority Habitats are not considered further in this assessment.*

Site Summary

- 4.25 The main habitats recorded within the site are described below. The UKHab code is shown in the bracket after the habitat type (UKHab 2023). Additional details are shown on the habitat survey plan in Appendix B, and the target notes are listed in Appendix A.
- 4.26 The site is within the Lydhurst Estate and comprised a section of the gardens around the main building. The site comprised buildings (u1b5), other developed sealed surface (u1b6), modified grass (g4), ruderal vegetation (u81), flower beds (u1 846), introduced shrub (u1 847) and scattered trees (w32).
- 4.27 The main habitats recorded within the site are described below. The UKHab code is shown in the bracket after the habitat type (UKHab 2023). Additional details are shown on the habitat survey plan in Appendix A, and the target notes are listed in Appendix B.

Buildings (u1b5)

- 4.28 There was a large unoccupied manor house (B1) at the centre of the site, and a smaller building (B2) within the red line boundary. The manor house (B1) is the main focus of the development, B2 is being retained under the current scope of works and is not considered further in this report. If plans change to include B2 within the scope of works this report may need to be updated.

- 4.29 The ecological importance of the main building structure has been assessed under the specific fauna on site (birds and bats).
- 4.30 This habitat was assessed to be of ecological importance and therefore *is considered further in this assessment*.

Other Developed Sealed Surface (u1b6)

- 4.31 Around the site were hardstanding/gravel pathways and a parking area at the north of the site.
- 4.32 This habitat was assessed to be of negligible ecological importance and therefore *is not considered further in this assessment*.

Modified Grassland (g4)

- 4.33 The majority of the site was the gardens which were mown grass lawns. The grass was mown to ground level and species poor with few species noted across the majority of the site. There were areas of less intensively managed grass at the site boundaries and borders along the east and around the bases of trees at the east, where the sward was more varied and a wider variety of species were noted including some meadow flowers. There was a lawn roundabout and grass verges along the access track to the main building.
- 4.34 This habitat was assessed to be of ecological importance and therefore *is considered further in this assessment*.

Other neutral Grassland (g3c)

- 4.35 There was an area of grassland at the east of the site boundary. The grass along the west section of the grassland area ran along a slope that had some ornamental shrubs and trees including daffodils (*Narcissus spp.*) and magnolia (*Magnolia spp.*) and was mown along the slope.
- 4.36 The majority of the grassland area appeared to be unmanaged and had a varied sward with tufts of grass present and a relatively diverse range of species present. The majority of the area of grassland was grass species, the diversity was generally restricted to the margins of the grassland which ran along the access track at the northeast, around the bases of trees.
- 4.37 This habitat was assessed to be of ecological importance and therefore *is considered further in this assessment*.

Ruderal Vegetation (h3d)

- 4.38 Within the areas of less intensively managed grass at the site boundaries and borders along the east of the access track and around the bases of trees within the grassland at the east, where the sward was more varied some ruderal species were present.
- 4.39 This habitat was assessed to be of ecological importance and *therefore is considered further in this assessment*.

Flower Beds (u1 846)

- 4.40 Around the northwest of the site around the smaller B2 were planted beds with ornamental flower species present with areas of bare ground between.
- 4.41 This habitat was assessed to be of negligible ecological importance and therefore *is not considered further in this assessment.*

4.42 Introduced Shrub (u1 847)

- 4.43 Around the areas of planted beds and long the northern boundary around B2, and on the borders of the access track at the southern aspects were introduced shrubs including non-native ornamental species.
- 4.44 This habitat was assessed to be of negligible ecological importance and therefore *is not considered further in this assessment.*

Scattered Trees (w32)

- 4.45 There were several large, moderate and small sized trees scattered around the site, within the modified grassland habitats. Species noted including a large lime tree (*Tilia spp.*), several cherry trees (*Prunus spp.*), and oak (*Quercus robur*).
- 4.46 Within the area of other neutral grassland was a small area of trees including one large London plane tree (*Platanus x hispanica*) and several bordering saplings and young trees including several small beech (*Fagus sylvatica*), and some small holly bushes (*Ilex aquifolium*). Around the grassland edges of the trees and under the canopy were some ancient woodland indicator species including wood anemone (*Anemonoides nemorosa*) and native bluebell (*Hyacinthoides non-scripta*). Lesser celandine (*Ficaria verna*) was also present.
- 4.47 There was a group of trees present to the west. Tree species included Norway spruce (*Picea abies*), beech (*Fagus sylvatica*), and birch (*Betula pendula*). The group of trees was a small area bound on all sides by a modified grass verge and the hardstanding access track. Around the grassland borders of the group were some ancient woodland indicator species including wood anemone (*Anemonoides nemorosa*) and native bluebell (*Hyacinthoides non-scripta*). There were several rhododendron (*Rhododendron spp.*) plants present along the border.
- 4.48 There were large mature purple beech (*Fagus sylvatica f. purpurea*) lining the access track to the site, the majority were offsite adjacent to the site boundary.
- 4.49 This habitat was assessed to be of ecological importance and therefore *is considered further in this assessment.*

Fauna

Birds

- 4.50 Breeding birds receive protection under the Wildlife & Countryside Act, 1981 (as amended) which affords protection to all birds, their nests and eggs. Certain rare species receive additional special protection under Schedule 1 of the Act and Annex 1 of the European Community Directive on the Conservation of Wild Birds (2009/147/EC).
- 4.51 Several Red or Amber listed Birds of Conservation Concern¹ (BoCC), and notable² bird species were returned by the data search that may utilise habitats within the site. Species include swift (*Apus apus*), house martin (*Delichon urbicum*), swallow (*Hirundo rustica*) and starling (*Sturnus vulgaris*).
- 4.52 No breeding birds were observed on site. However, the trees and the buildings provide suitable breeding habitat for a range of widespread bird species including garden and woodland species. Therefore, ***birds are considered further in this assessment.***

Bats

- 4.53 All species of British bat are protected under The Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended).
- 4.54 The data search showed records of bats from the genera pipistrelle (*Pipistrellus*), long eared (*Plecotus*), myotis (*Myotis*), serotine (*Eptesicus*), Noctule/Leisler's (*Nyctalus*), and barbastelle (*Barbastella*) occurring within the 2km search area in the past 15 years.
- 4.55 There data search of Magic showed granted European Protected Species Licences (EPSLs) for bats are located within 100m and 1km of the site for common and soprano pipistrelle, brown long-eared bats and whiskered myotis. The SxBRC data searches returned records of unspecified roosts present for pipistrelle, serotine and long eared bats within 1km of the site boundary.

¹ Birds of Conservation Concern status is prioritised into high concern (Red), medium concern (Amber) and low concern (Green) (Eaton et al, 2009). Red-list species are those that are globally threatened according to the IUCN criteria; those whose population or range has declined rapidly in recent years; and those that have declined historically and have not shown a substantial recent recovery. Amber-list species are those with an unfavourable conservation status in Europe; those whose population or range has declined moderately in recent years; those whose population has declined historically but made a substantial recent recovery; rare breeders; and those with internationally important or localised populations. Green-list species are those that fulfil none of the criteria.

² Notable Birds are based on a list of birds that are particularly scarce or vulnerable either at national or a regional level. The majority of these bird species are designated as Schedule 1 species, under the Wildlife and Countryside Act 1981 (as amended), or listed as red or amber-listed BoCC.

- 4.56 During the survey multiple potential bat roosting features were seen in the main building B1. During the internal survey of the main building's roof void a maternity roost of brown long-eared bats was discovered. Bats were identified from photographs taken during the survey.
- 4.57 Bats were confirmed as present within the building (B1). The site was considered to provide a potential for both foraging and roosting bats. A survey of potential (bat) roost features was carried out of all the buildings/trees on site.
- 4.58 Bats were confirmed as present within the main building B1. The PEA confirmed a maternity roost of brown long-eared bat, the bat emergence/activity survey confirmed common and soprano pipistrelle and serotine within the main building. the hibernation survey confirmed the main building B1 as a hibernation roost (Phlorum, 2024/2025). Therefore, ***roosting bats are considered further in this assessment.***

Badger

- 4.59 Badgers (*Meles meles*) and their setts are protected under the Protection of Badgers Act (1992), which consolidated and added to the previous Badger Acts of 1973 and 1991.
- 4.60 Records for this species are confidential due to the sensitivity of this species and were not returned by the data search.
- 4.61 No badgers were seen on site. Also no secondary signs of badgers, such as setts, latrines, hairs, or footprints, were found on site. However, the habitats on site were considered to be a suitable foraging, and potential breeding area for badgers. Therefore, ***badgers are considered further in this assessment.***

Dormice

- 4.62 SxBRC have provided three records of Dormice within 2km, the closest record was approximately 1km south-east of site and recorded in 1984.
- 4.63 No dormice were seen on site. Also no secondary signs of dormice, such as nest, or the shells for eaten acorns were found on site. The habitats on site were not considered to be a suitable foraging, and potential breeding area for dormice. Therefore, ***dormice are not considered further in this assessment.***

Reptiles

- 4.64 All UK reptiles are afforded varying levels of protection under the Wildlife & Countryside Act, 1981 (as amended). Rarer species including sand lizard (*Lacerta agilis*) and smooth snake (*Coronella austriaca*) receive additional protection under The Conservation of Habitats and Species Regulations 2017 (as amended).
- 4.65 The data search showed records of grass snake (*Natrix helvetica*) and common lizard (*Zootoca vivipara*) within 2km of the site within the past 15 years.

- 4.66** No reptiles were seen on site. The grassland together with boundary features provides varied habitat structure favoured by reptiles. There is also good connectivity to suitable off-site habitat. Therefore, ***reptiles are considered further in this assessment.***

Amphibians

- 4.67 The data search showed records of palmate newt (*Lissotriton helveticus*), smooth newt (*Lissotriton vulgaris*), common frog (*Rana temporaria*) and common toad (*Bufo bufo*) within 2km of the site within the past 15 years.
- 4.68 Ariel maps and imaging show several waterbodies within 500m of the site and the nearest toad crossing is approximately 600m to the north. The data search of Magic showed the closest granted European Protected Species Licences (EPSLs) for great crested newts was over 2km from the site boundary.
- 4.69** No amphibians were seen on site. There are no ponds on site, however the terrestrial habitat is suitable for foraging amphibians. Therefore, ***amphibians are not considered further in this assessment.***

Other Mammals

- 4.70 The data search showed records of hedgehogs (*Erinaceus europaeus*) within 2km of the site within the past 15 years.
- 4.71** No other mammals were seen on site, however mole hills were observed within the grassland. Therefore, ***other mammals are considered further in this assessment.***

Invasive Plants

- 4.72 The data search showed records of plant species including Japanese knotweed (*Reynoutria japonica*) and three-cornered leek (*Allium triquetrum*) occurring within the 2km search area in the past 15 years. These plants are listed as invasive in Schedule 9 Part II of the Wildlife and Countryside Act (1981 amended).
- 4.73 During the updated survey there were several rhododendron (*Rhododendron spp.*) plants present within the group of trees at the west. These plant species are listed in Schedule 9 Part II of the Wildlife and Countryside Act (1981 amended).
- 4.74 Therefore, ***invasive plants are considered further in this assessment.***

Summary of Ecological Features

- 4.75 A summary of the ecological features is provided in Table 4.3.

Table 4.3: Summary of the Ecological Features Considered Further in the Assessment

Ecological Resource / Feature	Highest Geographic Level of Importance
Statutory designated sites including High Weald AONB	National Importance
Modified Grassland	Site
Other Neutral Grassland	Site
Ruderal	Site
Trees	Site
Birds (the trees and building)	Site to Local
Bats(the main building (B1)- maternity and hibernation roost, plus day roost)	County
Badger	Site to Local
Reptiles	Site to Local
Amphibians	Site
Other Mammals	Local
Invasive Species	Site

5. Assessment of Impacts and Effects

Description of the Development Proposals

- 5.1 The development of the site will involve:
-  Demolition of current onsite main building; and
 -  Construction of a new building and associated landscaping.
- 5.2 The site is located within the grounds of the Lydhurst Estate. The estate is private and includes several buildings within the wider ownership boundary, with the main house within the site boundary. The wider surroundings are predominantly rural, Warninglid village, with woodland and agricultural fields in the immediate and wider surroundings, to the east is a small urban area and there are scattered farm buildings around the area with minor roads.

Types of Impact

- 5.3 Development activities may have a range of positive and negative effects upon ecological features during the construction and operational phases and a distinction is often made between direct and indirect impacts. Direct impacts occur where the changes to an ecological feature are directly attributable to an action such as the loss of grassland for the construction of new buildings. Indirect impacts arise as a 'knock-on' effect such as disturbance of bat activity as a result of a change in human use of the site.
- 5.4 Direct and indirect effects can then be sub-divided into temporary or permanent impacts i.e. loss of land in contrast to the temporary use of land for storage of materials). These impacts may also be either temporary or long lasting. Effects may also be cumulative.
- 5.5 Impacts have been divided into construction and operation stages and the following sections are based on the assessment of the magnitude and significance of impacts before mitigation.

Impacts and Effects of Site Construction

- 5.6 Impacts related to the Site preparation and construction will be limited due to the nature and scale of the proposals. However, impacts will include discrete clearance of habitat, including the loss of the main building and some of the grassland and ruderal vegetation habitats. As a result, a range of impacts, with potential adverse ecological effects, are associated with construction works. These are listed in Table 5.1 below.

Table 5.1: Construction Impacts and Effects to Offsite Biodiversity

Construction Impacts	Nature of Impact
Landtake	No land take is expected for offsite habitats as part of the new development. However, the proposed development may have an impact on the root protection area (RPA) of offsite trees, or the offsite grassland habitats.
Noise	Noise associated with construction impacting sensitive species (e.g. breeding birds, bats, badgers). The impacts will be seasonally dependent and this would be a temporary indirect impact.
Dust	Dust arising from construction activities leading to damage to vegetation. This would be either a temporary or permanent direct impact.
Lighting	Construction lighting - a direct impact. The effect of this light could lead to behavioural changes in sensitive species including birds and bats. The impacts will be seasonally dependent. This would be a temporary indirect impact (effect).

Impacts and Effects of Operation

- 5.7 Potential adverse ecological effects/impacts involved with proposals are outlined in Table 5.2 below.

Table 5.2: Operation Impacts to Offsite Biodiversity

Operation Impacts	Nature of Impact
Landtake	No direct land take of offsite habitats is proposed during the operation of the site. However, indirect impact could occur if root protection areas of trees are impacted or the grassland habitats. Habitat loss has a direct impact on the flora being removed, removal grassland will impact insect assemblages, in turn affecting species such as foraging bats and nesting birds. This will be a permanent direct impact.
Noise	Noise associated with human activities impacting sensitive species (e.g. breeding birds, bats, badger). The impacts will

	be seasonally dependent and this would be a temporary indirect impact.
Lighting	On-site lighting could lead to behavioural changes in sensitive species including birds and bats. The impacts will be seasonally dependent. This would be a permanent direct impact.

Evaluation of Impacts on Ecological Features

Statutory Designated Sites

- 5.8 The closest statutory site is the High Weald National Landscape (formerly AONB), the site is within. The site does provide limited supporting habitat for this statutory designated site in the form of trees as nesting potential for breeding birds.
- 5.9 Proposals will have no direct or indirect impacts on any statutory designated sites during construction or operational phases.
- 5.10 The loss of habitat is assessed as being indirect and permanent and the magnitude is assessed as being negligible and in-significant and unlikely to occur. As a result, the statutory sites are not considered further in the assessment.

Habitats

Habitats (Vegetation & Trees)

Potential Impact

Construction

- 5.11 There will be some minor loss of vegetation to the areas of modified grassland, other neutral grassland, ruderal vegetation and trees to create access to the proposed development and the footprint of the proposed building itself. These areas will be discrete in nature and to the habitats in the centre of the site. The vegetative habitats have been assigned of value only in the immediate vicinity of the site. This existing area is limited in its ecological quality or value, and better examples of its type are present within the wider area.
- 5.12 The loss of the vegetative habitat is assessed as being direct and permanent and the magnitude is assessed as being **low** in impact.

Operation

- 5.13 The operational phase will have a minor impact on the retained vegetative habitats around the site. The magnitudes of these impacts have been assessed as **low**.

Mitigation Measure

- 5.14 Planting will be provided in areas to provide mitigation for habitat loss associated with the new development.
- 5.15 Additional tree and shrub planting will be incorporated into the landscape proposals to compensate for any removal to facilitate the works. Planting should include a high proportion of native species and be of local provenance where possible. These should be carefully selected to ensure they contain species suitable for the area. Some species of known wildlife value are listed in Appendix E.

Residual Effects

- 5.16 Subject to the retention and protection of the surrounding vegetative habitats and trees, and the complementary planting. The magnitude of this impact has been assessed as **low**.
- 5.17 With appropriate mitigation and complementary planting to replace any lost habitat on site, this can result in a **positive effect on the site ecology in the medium term**.

Birds

Potential Impact

Construction

- 5.18 It is considered likely breeding birds are using on-site habitat however suitable habitat is restricted to trees around the site boundaries, which are being retained post works with the exception of two small cherry trees and one conifer tree, and the main building which will be lost. Direct impacts on breeding bird populations will primarily be due to habitat loss due to the loss of the building, and disturbance by increased noise levels and vehicle movements during the construction phase. Works to demolish the building or if plans change to include any tree removal, must be done in accordance with legislation outside bird breeding season which runs from March to August inclusively.
- 5.19 The potential number of birds disturbed will be relatively low in terms of the wider populations of any affected species. Any impacts due to disturbance will be **low**.

Operation

- 5.20 Disturbance during the operational phase is a possibility due to increased human activity at the site which may lead to an increase in noise levels. In addition, increased lighting levels as a result of the development will have the potential to disturb birds. Due to the nature of the site, lighting levels are likely to be low and restricted to central areas which may be diffused from boundary habitat.
- 5.21 Overall, any increase in disturbance caused by operational noise/lighting will be of **low** impact.

Mitigation Measure

- 5.22 Planting will be provided in areas which will offer foraging and nesting opportunities for birds. Four bird boxes should be installed on mature trees along the boundary or under the eaves of the on-site buildings. This will result in a net gain of potential nesting opportunities across the site.
- 5.23 The demolition of the building and clearance of any vegetation on site should be done outside the bird nesting season (March to August inclusive).
- 5.24 Additional bird nesting provision could be incorporated into new design proposals. These could either be installed on trees or incorporated into the new building design. Some recommendations are made below as a guide.
- 5.25 Bird boxes could be installed on the walls of the new building or in the remaining trees which could include the following Schwegler bird house or 1B makes, or similar designs from alternative suppliers.
- 5.26 Further details of the bird boxes are provided in Appendix F.
- 5.27 Bird Boxes should be located out of prevailing wind, rain, and strong sunlight, ideally with a clear flight path to the entrance. Ideally they should be installed two to four metres from the ground facing north or north-east.

Residual Effects

- 5.28 Subject to any clearance of nesting habitat outside the bird breeding season/ or pre-commencement nesting bird check, no likely significant effects on nesting birds would be anticipated.
- 5.29 Provision of bird boxes will enhance the nesting potential for birds on the site, and compensate for any nesting areas loss due to any required vegetation clearance works. The provision of bid boxes will result in **positive effect in the short term**

Bats

Potential Impact

Construction

- 5.30 Maternity, hibernation and day bat roosts have been identified in the main buildings on site, which will be lost due to the development. No roosts were identified in any of the trees. The magnitude of impact on any bat roosts within the main building has been assessed as **High**.
- 5.31 There will be some loss in foraging habitat through the reduction in grassland habitat during construction however boundary and off-site habitats will continue to provide a foraging resource for the duration of the works. The magnitude of impact on any foraging bats has been assessed as **low**.

Operation

- 5.32 The maternity, hibernation and day bat roost within the main building will be lost. The roost will be replaced pre-development as part of the mitigation required with the Natural England EPSL license.
- 5.33 Increased lighting levels during the operational phase are a possibility due to increased human activity at the site which has the potential to impact bat foraging behaviour. Due to the nature of the site, lighting levels are likely to be low and restricted to central and boundary areas which may be diffused from boundary habitat.
- 5.34 Overall, any increase in roosting disturbance caused by operational of the site will be of **low** impact.
- 5.35 Overall, any increase in foraging disturbance caused by operational of the site will be of **low** impact.

Mitigation Measure

- 5.36 As part of the license required from Natural England (European Protected Species Mitigation (EPSM)) licence in regard to brown long eared bat, pipistrelles and serotines will be required before any works take place on the building. Appropriate mitigation is required as part of the license, it is understood that a new dedicated bat building will be provided to compensate for the loss of the bat roost in the main building.
- 5.37 In order to avoid long term effects to dispersing and foraging bat, the scheme has been carefully designed to include significant planning to improve the connectivity for bats. In addition, 4 bat boxes should be installed on mature trees along the boundary. This will result in a net gain of potential bat roosting opportunities across the site. Some recommendations are made below as a guide.
- 5.38 Bat roosting opportunities could be provided through the installation of boxes on the outside of the walls or remaining trees, such as the Schwegler 2F, or other makes of a similar design, such as Chavenage Bat box. There are a range of bat boxes available and these can be selected to suit the development and bat species in the locality.
- 5.39 Further details of the bat boxes are provided in Appendix F.
- 5.40 Bat boxes should be installed at appropriate locations ideally with south-east, south, or south-west facing aspects at least 3m from ground level. Ideally they need to be exposed to 6-8 hours of direct sunlight, but sheltered from strong winds. If installed on the building, these should ideally be positioned directly below the eaves.

Residual Effects

- 5.41 Subject to the additional planting and installation of bat boxes, the proposed development will have no significant impact on foraging bats. The provision of bat boxes could increase the bat roosting potential at the site resulting in a **positive short term benefit**.

Badger

Potential Impact

Construction

- 5.42 There are currently no badger setts within the site. However, and there is a **moderate** potential, for badgers to pass through the site and works have potential to impact badgers during the construction period. The impact has been assessed as **moderate**.

Operation

- 5.43 Activities during the operational phase are unlikely to impact badgers. The impacts upon badgers during the operational period are therefore assessed as **low**.

Mitigation Measure

- 5.44 Ensure during the construction work that precautionary measures are adopted to safeguard badgers that may be foraging or commuting through the site, such as fencing, and covering or all trenches at night.

Residual Effects

- 5.45 Subject to the precautionary approach during the construction phase, the proposed development will have **negligible** impact on badgers.

Reptiles

Potential Impact

Construction

- 5.46 Reptiles have been recorded within 2km of the site. Potential populations are likely to occur within the edge habitats around the boundaries, as the main site habitats are small or low value. The main development footprint is of low suitability to reptiles. The magnitude of impact has been assessed as **low**.

Operation

- 5.47 Reptiles encountered within habitat to be removed as a result of the development are unlikely to effect their populations due to the extent of suitable habitat within the wider ownership boundary of the estate which is immediately adjacent to the site boundaries to be retained and enhanced as part of the development. The impacts upon reptiles during the operational period are therefore assessed as **low**.

Mitigation Measure

- 5.48 Whilst no significant impact to any local reptile population are anticipated as a result of the proposed development, as a precautionary measure it is recommended that a destructive search of the limited suitable refugia and gradual vegetation clearance (April to October) is carried out under supervision of a suitable qualified ecologist. In the event that low numbers of reptiles are present this will allow for any individuals to safely disperse to nearby suitable habitats.

Residual Effects

- 5.49 Subject to the precautionary vegetation clearance and destructive search of the building footprint, impacts to any reptiles present will be avoided and **no significant impact** to the favourable local conservation status would be anticipated.

Amphibians

Potential Impact

Construction

- 5.50 It is considered that great crested newts and other amphibians may be using the site for foraging and commuting although it is very unlikely, they are using it to breed as there is no standing water on-site. The impact has been assessed as **low**.

Operation

- 5.51 Activities during the operational phase are unlikely to impact great crested newts and other amphibians. The impacts upon these species during the operational period are therefore assessed as **negligible**.

Mitigation Measure

- 5.52 Whilst newts and amphibians may occasionally commute around the site using the boundary habitats, due to the majority of low quality of habitats within the site boundary, it is considered that impacts to any populations present are unlikely. The modified grassland appeared to be regularly mown which would make it unsuitable for amphibians, and currently limited work is proposed for the area of other neutral grassland at the east.
- 5.53 The main development is confined to the existing building footprint and minor works are expected to impact the other neutral grassland to the east. The site will be accessed during the proposed works by the existing access track. It is therefore considered unlikely that the proposed works will cause a significant increase in disturbance to any newts or amphibians in the area, and that precautionary measures will be sufficient to safeguard this species group.

Residual Effects

- 5.54 Subject to the mitigation measures, the proposed development will have **negligible** residual effects on amphibians.

Other Mammals

Potential Impact

Construction

- 5.55 It is considered that hedgehogs are likely to be on the site due to suitable connective habitat. There is suitable habitat for other mammals including rabbits and moles. As a result, the impact on other mammals has been assessed as **low**.

Operation

- 5.56 Activities during the operational phase will have minor impact on other mammals. The impacts upon these species during the operational period are therefore assessed as **low**.

Mitigation Measure

- 5.57 Due to the potential for other mammals to use on-site habitats precautionary measures such as controlled vegetation clearance will be sufficient to safeguard this species group. If any burrows or evidence of burrowing mammals is discovered within the works area, a suitable buffer should be implemented to ensure no animals are harmed during the works.

Residual Effects

- 5.58 Subject to the mitigation measures, the proposed development will have **negligible** residual effects on other mammals.

Invasive Plants

Potential Impact

Construction

- 5.59 Rhododendron which is a Schedule 9 plant species was identified on site.
- 5.60 Although these areas may not be directly impacted by the proposed works or scaffolding, it is recommended that a member of the Property Care Association Invasive Weed Control Group (PCA IWCG) is used to control/manage these plants. The impact has been assessed as **low**, if the areas are disturbed by the works.

Operation

- 5.61 Activities during the operational phase will not impact invasive plant species. The impacts upon these species during the operational period are therefore assessed as **negligible**.

Mitigation Measure

- 5.62 As stated above, it is recommended that a member of the Property Care Association Invasive Weed Control Group (PCA IWCG) is used to control/manage these plants. If this is carried out then this will have a **high positive** impact on controlling the invasive plant species on the site.

Residual Effects

- 5.63 It is considered the proposed development will have **high positive** residual effects on invasive plant species on the site.

Summary

- 5.64 A summary of the significance of the impacts on the ecological habitats, protected species and invasive species without mitigation is provided in Table 5.3.

Table 5.3: Significance of Impacts without Mitigation

Receptor	Value	Potential Impact (without mitigation)	Magnitude of Impact
Baseline Habitats (grassland and trees)	Site/Local	Construction: Loss of grassland, ruderal and tree habitats	Low
		Operational: Loss of habitat	Low
Breeding Birds	Local	Construction: Loss of habitats, Noise disturbance	Low
		Operational: Noise and lighting disturbance	Low
Bats	Site to Local	Construction: Loss of roosting habitat	High
		Construction: Loss of foraging habitat	Low
		Operational: replacement roosting habitat provided pre-development	Low
Badger	Site to Local	Construction: Disturbance to foraging/commuting badgers	Low
		Operational: Disturbance to foraging/commuting badgers	Negligible
Reptiles	Site	Construction: Disturbance to basking/foraging reptiles	Low
		Operational: Disturbance to basking/foraging reptiles	Low
Great Crested Newts	Local	Construction: Disturbance to foraging/commuting great crested newts	Low

		Operational: Disturbance to foraging/commuting great crested newts	Negligible
Other Mammals	Local	Construction: Disturbance to foraging/commuting badgers	Low
		Operational: Disturbance to foraging/commuting badgers	Low
Invasive Plants	Site	Construction: Disturbance to invasive species causing spread	Low
		Operational: Disturbance to invasive species causing spread	Negligible

5.65 The summary of the main residual effects after mitigation is shown in Table 5.4.

Table 5.4: Significance of the Main Residual Effects

Important Ecological Feature	Potential Impact (before mitigation) and/or legal implication	Mitigation / compensation Measures	Mechanism by which mitigation is secured	Residual effects (after mitigation)
Habitat (Grassland, trees)	Adverse effect significant at the local level (loss of resource)	Compensatory planting and retention of existing habitats and trees to increase biodiversity and create connectivity.	Planning condition	Beneficial effect (medium term)
Bats	Adverse effect significant at the local level (loss of bat roost)	Replace roosts for species identified within the current roost. Compensatory planting and retention of existing habitats to increase foraging	Planning condition and Natural England EPSL license	Beneficial effect (short term)

		opportunities and create connectivity.		
Birds	Potential adverse effect on protected species (impacts to breeding birds)	Precautionary works under eco watching brief if to occur during breeding season. Install 4 bird boxes around the site	Planning condition	Beneficial effect (short term)
Badger	Potential adverse effect on foraging /commuting badgers.	Precautionary controls during the construction phase.	Construction good practice	No significant effect
Reptiles	Potential adverse effect on protected species (killing /injury).	Precautionary pre-works check by ecologist.	Planning condition	No significant effect
Amphibians	Potential adverse effect on protected species (killing /injury).	Surveys followed by appropriate mitigation measures.	Planning condition	No significant effect
Other Mammals	Potential adverse effect on protected species (killing /injury).	Precautionary controls during the construction phase.	N/A	No significant effect
Invasive Plants	Potential adverse effect on protected species (spreading).	Require PCA IWCG member to control/ manage growth	N/A	No significant effect

Cumulative Effects

- 5.66 The proposed development will result in a change in land use at the site however with a series of mitigation and enhancement measures incorporated into the design, the development is considered to have low negative effects on the ecological value at the site.

- 5.67 A search of the planning application displayed online by Mid Sussex District Council, was made in March 2025 in order to assess potential cumulative effects of other proposed developments on the ecological features at the site. No planning applications were observed adjacent to the site and therefore no cumulative effects on the ecology of the site are likely to result from any cumulative effects of other developments in the area.

6. Conclusions

Conclusions

- 6.1 This report described and evaluated the ecological impacts of the proposed developments in line with current guidance (CIEEM, 2018) and legislation and policy frameworks. The ecological surveys entailed a Preliminary Ecological Appraisal (PEA), bat activity/emergence survey and bat hibernation survey (Phlorum, 2024/2025)
- 6.2 The site is located at The Lydhurst Estate, Warninglid Lane, West Sussex, RH17 5SJ. The National Grid Reference for the centre of the site is TQ24612593. The survey area extended over approximately 1.8 hectares (ha).
- 6.3 Development proposals involve demolition of the existing main building, construction of a new building and associated hard and soft landscaping.
- 6.4 The site comprised a large vacant manor house (main building B1), with a smaller building (B2) to the southwest bound by short mown grassland, parking bays, shrubs and flower beds. The site was accessed by a hardstanding access track, which was bound by grassland which extended offsite into the ownership boundary and wider site surroundings. There were trees across the northern and eastern site habitats, with scattered trees across the site.
- 6.5 The site falls within the High Weald AONB which is designated for its landscape value. The site does not fall within any other international, national or local areas designated for their ecological value. The habitats present within the site boundary are therefore subject to specific legal protection.
- 6.6 The site and desktop surveys identified the need for more detailed protected species surveys for bats; due to the presence of a maternity roost within the main building.
- 6.7 Impacts arising from the proposed development during site preparation will include the demolition of the main building, minor clearance of grassland on-site together with disturbance arising from human activity, noise and lighting.
- 6.8 Mitigation measures will be required to minimise the potential negative effects arising from noise and general disturbance during construction and changes in lighting levels together with permanent habitat loss arising from the proposed development. Specific mitigation measures will be undertaken to reduce impacts on birds through the installation of bird and bat boxes on-site. Specific bat mitigation will be provided as part of the Natural England EPSL license which will be required for each of the bat species identified within the roost in the main building. Precautionary measures will be taken to avoid potential negative impacts on nesting birds, badgers, herpetofauna, hedgehogs, and other mammals.

6.9 The following general mitigation measures are proposed:

-  All site workers will receive a 'Toolbox Talk' where the ecologist will brief personnel on the ecological sensitivities of the site.

- 6.10 Overall, in the absence of mitigation, the development has the potential to have adverse effects at the site level as a result of direct habitat loss, and impacts on the functionality of features for wildlife through construction and optional phase of the development.
- 6.11 After mitigation and compensation, no adverse significant effects are predicted above the site level once the new planting establishes.
- 6.12 As part of the license required from Natural England (European Protected Species Mitigation (EPSM)) licence in regard to brown long eared bat, pipistrelles and serotines will be required before any works take place on the building. Appropriate mitigation is required as part of the license, it is understood that a new dedicated bat building will be provided to compensate for the loss of the bat roost in the main building.
- 6.13 Ecological enhancement measures are to be delivered as part of the proposed development to improve opportunities for local wildlife, including new opportunities for nesting birds and bats and the provision of new native planting.
- 6.14 Based on successful implementation of mitigation, compensation and enhancement measures, the scheme is considered to accord with relevant nature conservation legislation, as well as national and local planning policy. The measures set out herein can be secured through appropriate conditions imposed on any consent required.

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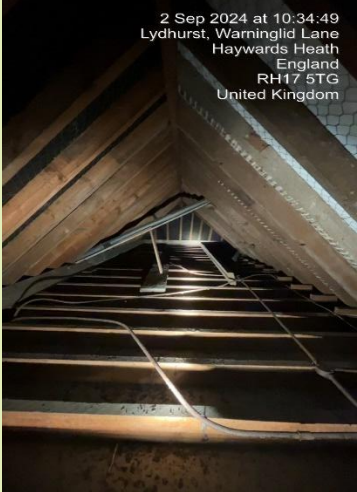
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Appendix A

Target Notes and Photographs

Target Notes and Photographs

Target Note (TN)	Feature	Photograph of Feature
1	TN1- Bat roost Brown long eared bats roosting in the roof void of B1. There were two cavities filled with roosting bats	 2 Sep 2024 Lydhurst, Warn Hayw Unit  2 Sep 2024 Lydhurst, Warn Hayw Unit  2 Sep 2024 at 10:39:29 Lydhurst, Warninglid Lane Haywards Heath England RH17 5TG United Kingdom

Target Note (TN)	Feature	Photograph of Feature
2	View of the internal roof space showing droppings	2 Sep 2024 at 10:32:13 Lydhurst, Warninglid Lane Haywards Heath England RH17 5TG United Kingdom  2 Sep 2024 at 10:34:49 Lydhurst, Warninglid Lane Haywards Heath England RH17 5TG United Kingdom 
3	View of the front face of B1 facing south Top image shows the western half which connects to the newer extension at the west Middle image shows the front face and the lower floors to the east The bottom image shows the roof of the lower floors to the east	2 Sep 2024 Lydhurst, Warn Hayv Unit 

Target Note (TN)	Feature	Photograph of Feature
		 2 Sep 2024 Lydhurst, Warn Hayv Unit
		 2 Sep 2024 Lydhurst, Warn Hayv Unit
4	View of the east face of B1 The image shows the east face which had PRFs including loose guttering and lifted/missing tiles	 2 Sep 2024 Lydhurst, Warn Hayv Unit

Target Note (TN)	Feature	Photograph of Feature
		 2 Sep 2024 Lydhurst, Warn Hayv Unit
5	View of the main building B1 facing north, which is cream with three storeys has PRFs across the entire roof, the image shows the east face which had PRFs including loose guttering and lifted/missing tiles	 2 Sep 2024 Lydhurst, Warn Hayv Unit  2 Sep 2024 Lydhurst, Warn Hayv Unit

Target Note (TN)	Feature	Photograph of Feature
6	Exterior B1 facing east showing the newer one storey extension to the west side of the main building The main building which is cream with three storeys has PRFs across the entire roof, the image shows the west face which had PRFs including loose guttering and lifted/missing tiles	 2 Sep 2024 Stable Cottage, Warn Hayv Unit
7	Exterior B2 facing north showing some loose/lifted tiles (PRF)	 2 Sep 2024 Stable Cottage, Warn Hayv Unit
8	Exterior B2 facing northwest	 2 Sep 2024 Stable Cottage, Warn Hayv Unit

Target Note (TN)	Feature	Photograph of Feature
9	Exterior B2 facing east showing some loose/lifted tiles (PRF)	 2 Sep 2024 Stable Cottage, Warn Hayw Unit
10	Large lime tree at the southeast	 2 Sep 2024 Lydhurst, Warn Hayw Unit

Target Note (TN)	Feature	Photograph of Feature
11	The southern aspect of the site was predominantly mown lawns	
	Top facing west	
12	Bottom facing east	
	The site is bordered at the southeast corner by trees and grassland	

Target Note (TN)	Feature	Photograph of Feature
13	Scattered Trees and hardstanding at the north of the site	 2 Sep 2024 Lydhurst, Warn Hayv Unit
14	Buildings are bordered by planted beds and shrubs	

Target Note (TN)	Feature	Photograph of Feature
15	Prf-I in beech tree along the access track toward the main house area	
16	Facing north with the grassland and trees along the access track present in the image	

Target Note (TN)	Feature	Photograph of Feature
17	Scattered trees along the west side of the access track	
18	Scattered trees along the grassland	

Target Note (TN)	Feature	Photograph of Feature
19	Facing west showing the main house and the grassland to the east of the house	
20	Rhododendron present in the trees in the northwest boundary	

Target Note (TN)	Feature	Photograph of Feature
21	Access track bound by grass borders and trees	
22	Small area of trees in the eastern grassland habitats	

Target Note (TN)	Feature	Photograph of Feature
23	The lake to the southeast- offsite	
24	The pond at the access to the site, the pond is not within the site boundary and is covered by the access driveway bridge.	

Appendix B

Habitat Map

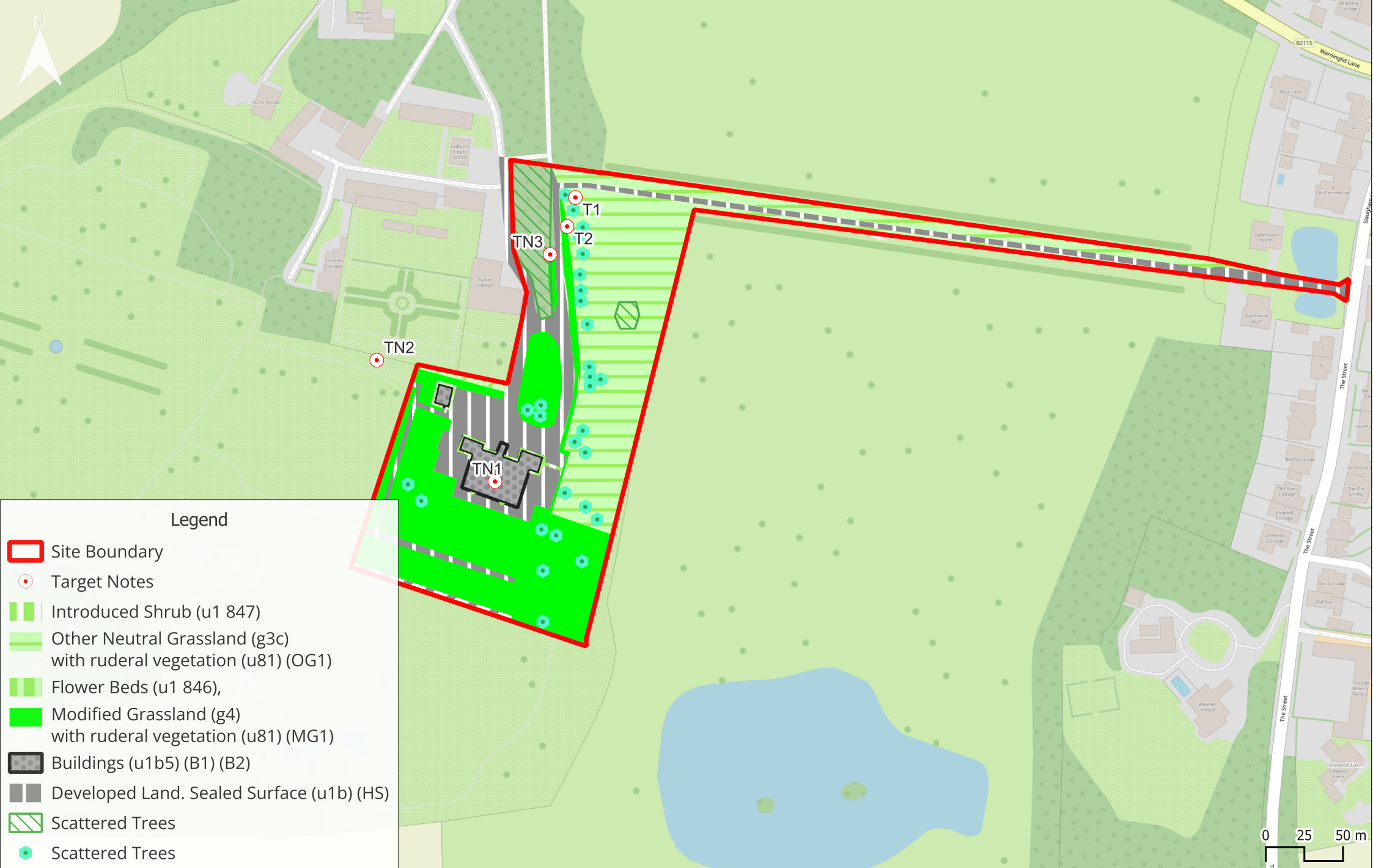


Figure 1 - PEA map for Land at The Lydhurst Estate, Warringlid

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Job No: 13362
 Author: A.Howie
 Date: 28.05.2025
www.Phlorum.com



Appendix C

Legislation - protected species and invasive plant species

Legislation

This section contains information pertaining to the legislation and planning policy applicable in Britain. This information is not applicable to Northern Ireland, the Republic of Ireland the Isle of Man or the Channel Islands. Information contained in the following appendix is provided for guidance only.

Species

The objective of the EC Habitats Directive³ is to conserve plants and animals which are considered to be rare across Europe. The Directive is transposed into UK law by The Conservation of Habitats and Species Regulations 2010 (as amended) (formerly The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) and The Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (as amended).

The Wildlife and Countryside Act 1981 (as amended) implements the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and also implements the obligations set out for species protection from the Council Directive 2009/147/EC (formerly 79/409/EEC) on the Conservation of Wild Birds (EC Birds Directive) in Great Britain.

Various amendments have been made since the Wildlife & Countryside Act came into force in 1981. Further details pertaining to alterations of the Act can be found on the following website: www.opsi.gov.uk. Key amendments have been made through the Countryside and Rights of Way (CROW) Act (2000) and Nature Conservation (Scotland) Act 2004.

There are a number of other legislative Acts affording protection to species and habitats. These include:

-  Countryside and Rights of Way (CROW) Act 2000;
-  Deer Act 1991;
-  Natural Environment & Rural Communities (NERC) Act 2006;
-  Protection of Badgers Act 1992; and
-  Wild Mammals (Protection) Act 1996.

Badger

Badgers and their setts are protected under the Protection of Badgers Act (1992), which consolidated and added to the previous Badger Acts of 1973 and 1991. Under this legislation it is an offence to:

-  cruelly ill-treat a badger, including use of tongs and digging;

³ Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora.

- ☞ intentionally or recklessly cause a dog to enter a badger sett;
- ☞ intentionally or recklessly damage, destroy or obstruct access to a badger sett⁴ or any part thereof;
- ☞ intentionally or recklessly disturb⁵ a badger when it is occupying a badger sett;
- ☞ possess or control a dead badger or any part of a badger;
- ☞ sell or offers for sale, possesses or has under his control, a live badger; and
- ☞ wilfully kill, injure, take, or attempt to kill, injure or take a badger.

A Development Licence will be required from Natural England for any development works affecting an active badger sett, or to disturb badgers while individuals are occupying the sett. Depending on the nature of the works and the specifics of the sett, badgers could be disturbed by work near the sett even if there is no direct interference or damage to the sett itself. Natural England has issued guidelines on what constitutes a licensable activity. There is no provision in law for the capture of badgers for development purposes and therefore it is not possible to obtain a licence to translocate badgers from one area to another.

Bats

Bats are protected under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended). This act protects individuals from:

- ☞ intentional or reckless disturbance (at any level);
- ☞ intentional or reckless obstruction of access to any place of shelter or protection; and
- ☞ selling, offering or exposing for sale, possession or transporting for purpose of sale.

In addition, all species of bat are fully protected under The Conservation of Habitats and Species Regulations 2017 (as amended) through their inclusion on Schedule 2. Regulation 41 prohibits:

- ☞ deliberate killing, injuring or capturing of Schedule 2 species (all bats);
- ☞ deliberate disturbance of bat species as to impair their ability:
 - (i) to survive, breed, or reproduce, or to rear or nurture young; and
 - (ii) to hibernate or migrate.

⁴ A badger sett is defined in the legislation as *"any structure or place which displays signs indicating current use by a badger"*. This includes seasonally used setts. Natural England (2009) have issued guidance on what is likely to constitute current use of a badger sett: www.naturalengland.org.uk/Images/WMLG17_tcm6-11815.pdf

⁵ For guidance on what constitutes disturbance and other licensing queries, see Natural England (2007) Badgers & Development: A Guide to Best Practice and Licensing. www.naturalengland.org.uk/Images/badgers-dev-guidance_tcm6-4057.pdf, Natural England (2009) Interpretation of 'Disturbance' in relation to badgers occupying a sett www.naturalengland.org.uk/Images/WMLG16_tcm6-11814.pdf, Scottish Natural Heritage (2002) Badgers & Development. www.snh.org.uk/publications/online/wildlife/badgersanddevelopment/default.asp and Countryside Council for Wales (undated) Badgers: A Guide for Developers. www.ccw.gov.uk.

-  deliberate disturbance of bat species as to affect significantly the local distribution or abundance of the species;
-  damage or destruction of a breeding site or resting place; and
-  keeping, transporting, selling, exchanging or offering for sale whether live or dead or of any part thereof.

A European Protected Species Mitigation (EPSM) Licence issued by Natural England will be required for works liable to affect a bat roost or for operations likely to result in a level of disturbance which might impair their ability to undertake activities listed above. A licence is required to allow derogation from the relevant legislation but also to enable appropriate mitigation measures to be put in place and monitored.

Breeding Birds

Under the Wildlife & Countryside Act, 1981 (as amended), a wild bird is defined as any bird of a species that is resident in or is a visitor to the European Territory of any member state in a wild state. Game birds, however, are not included in this definition (except for limited parts of the Act). They are covered by the Games Acts, which fully protect them during the closed season.

Under the Wildlife & Countryside Act, 1981 (as amended), all birds, their nests and eggs are protected under Sections 1-8 of the Act and it is an offence, with certain exceptions, to:

-  intentionally (or recklessly in Scotland) kill, injure or take any wild bird;
-  intentionally (or recklessly in Scotland) take, damage or destroy (or, in Scotland, otherwise interfere with) the nest of any wild bird while it is in use or being built;
-  intentionally take or destroy the egg of any wild bird;
-  have in one's possession or control any wild bird, dead or alive, or any part of a wild bird, which has been taken in contravention of the Act;
-  have in one's possession or control any egg or part of an egg which has been taken in contravention of the Act;
-  use traps or similar items to kill, injure or take wild birds;
-  have in one's possession or control any bird (dead or alive) unless registered, and in most cases ringed, in accordance with the Secretary of State's regulations; and
-  in Scotland only, intentionally or recklessly obstruct or prevent any wild bird from using its nest.

Certain rare species receive additional special protection under Schedule 1 of the Act and Annex 1 of the European Community Directive on the Conservation of Wild Birds (2009/147/EC). This affords them protection against:

-  intentional or reckless disturbance while it is building a nest or is in, on or near a nest containing eggs or young;
 -  intentional or reckless disturbance of dependent young of such a bird;
-

- in Scotland only, intentional or reckless disturbance whilst lekking; and
- in Scotland only, intentional or reckless harassment.

The British Trust for Ornithology (BTO) has a list of birds that are Species of Conservation Concern. These birds are not legally protected but where they are found on site they should be given planning consideration. The criteria for birds listed as amber (medium conservation concern) include:

- historical population decline during 1800-1995, but recovering: population has more than doubled over last 25 years;
- moderate (25-49%) decline in UK breeding population over last 25 years;
- moderate (25-49%) contraction of UK breeding range over last 25 years;
- moderate (25-49%) decline in UK non-breeding population over last 25 years;
- species with unfavourable conservation status in Europe (Species of conservation Concern);
- five year mean of breeding pairs in the UK;
- ≥50% of UK breeding population in 10 or fewer sites;
- ≥50% of UK non-breeding population in 10 or fewer sites;
- ≥20% of European breeding population in UK; and
- ≥20% of NW European (wildfowl), East Atlantic Flyway (waders) or European (others) non breeding populations in UK.

Hazel Dormouse

The hazel dormouse (*Muscardinus avellanarius*) is fully protected under The Conservation of Habitats and Species Regulations 2010 through its inclusion on Schedule 2. Regulation 41 prohibits:

- deliberate killing, injuring or capturing;
- deliberate disturbance as to impair its ability:
 - (i) to survive, breed, or reproduce, or to rear or nurture young; and
 - (ii) to hibernate or migrate.
- deliberate disturbance as to affect significantly the local distribution or abundance of the species;
- damage or destruction of a breeding site or resting place; and
- keeping, transporting, selling, exchanging or offering for sale whether live or dead or of any part of this species.

The hazel dormouse is also currently protected under the Wildlife and Countryside Act 1981 (as amended) through its inclusion on Schedule 5. Under this Act, this species is additionally protected from:

- intentional or reckless disturbance;
-

-  intentional or reckless obstruction of access to any place of shelter or protection; and
-  selling, offering or exposing for sale, possession or transporting for purpose of sale.

A European Protected Species Mitigation (EPSM) Licence issued by Natural England will be required for works liable to affect dormouse breeding or resting places (N.B. this is usually taken to mean dormouse 'habitat') or for operations likely to result in a level of disturbance which might impair their ability to undertake those activities mentioned above. The licence will allow derogation from the relevant legislation but will also to enable appropriate mitigation measures to be put in place and monitored.

Herpetofauna (Reptiles and Amphibians)

The following species receive full protection under the Conservation of Habitats and Species Regulations 2017 (as amended) through their inclusion on Schedule 2.

-  sand lizard (*Lacerta agilis*);
-  smooth snake (*Coronella austriaca*);
-  natterjack toad (*Epidalea calamita*);
-  great crested newt (*Triturus cristatus*); and
-  pool frog (*Pelophylax lessonae*).

Under this legislation, Regulation 41 prohibits:

-  deliberate killing, injuring or capturing of species listed on Schedule 2;
-  deliberate disturbance of any Schedule 2 species as to impair their ability:
 - (i) to survive, breed, or reproduce, or to rear or nurture young; and
 - (ii) to hibernate or migrate.
-  deliberate disturbance of any Schedule 2 species as to affect significantly the local distribution or abundance of the species;
-  deliberate taking or destroying of the eggs of a Schedule 2 species;
-  damage or destruction of a breeding site or resting place; and
-  keeping, transporting, selling, exchanging or offering for sale whether live or dead or of any part of a species.

With the exception of the pool frog, these species are also currently listed on Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Under this Act, they are additionally protected from:

-  intentional or reckless disturbance (at any level);
 -  intentional or reckless obstruction of access to any place of shelter or protection; and
-

- selling, offering or exposing for sale, possession or transporting for purpose of sale.

Other native species of herpetofauna are protected solely under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended). These species include:

- adder (*Vipera berus*);
- grass snake (*Natrix natrix*);
- common lizard (*Zootoca vivipara*); and
- slow-worm (*Anguis fragilis*).

Under this legislation, for these species it is prohibited under Section 9(1) & (5) to:

- intentionally (or recklessly in Scotland) kill or injure these species; or
- sell, offer or expose for sale, possess or transport for purpose of sale these species, or any part thereof.

The following species are listed in respect to Section 9(5) of Schedule 5 of the Wildlife & Countryside Act 1981 (as amended) which only affords them protection against sale, offering or exposing for sale, possession or transport for the purpose of sale:

- common frog (*Rana temporaria*);
- common toad (*Bufo bufo*);
- smooth newt (*Lissotriton vulgaris*); and
- palmate newt (*L. helveticus*).

Water Vole

The water vole (*Arvicola amphibius*) (= *terrestris*) is fully protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). This makes it an offence to:

- intentionally kill, injure or take (capture) this species;
- intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection;
- intentionally or recklessly disturb water voles while they are occupying a structure or place used for shelter or protection; and
- sell, offer or expose for sale, or have in his possession or transport for the purpose of sale, any live or dead water vole or part of this species.

Where development works are liable to affect habitats known to support water voles, Natural England must be consulted. All alternative design options must have been explored and communicated to Natural England in order to demonstrate that works have tried to avoid contravening the legislation e.g. the use of alternative sites, appropriate timing of works to avoid times of the year in which water voles are most vulnerable etc. Conservation licences for the capture and translocation of water voles may be issued by Natural England for the purpose of development activities if it can be shown that the

activity has been properly planned and executed and thereby contributes to the conservation of the population.

Otter

Otters (*Lutra lutra*) are fully protected under The Conservation of Habitats and Species Regulations 2010 through their inclusion on Schedule 2. Regulation 41 prohibits:

-  deliberate killing, injuring or capturing of otters;
-  deliberate disturbance as to impair their ability:
 - (i) to survive, breed, or reproduce, or to rear or nurture young; and
 - (ii) to hibernate or migrate.
-  deliberate disturbance as to affect significantly the local distribution or abundance of the species;
-  damage or destruction of a breeding site or resting place; and
-  keeping, transporting, selling, exchanging or offering for sale whether live or dead or of any part of this species.

Otters also receive protection under the Wildlife and Countryside Act 1981 (as amended) through their inclusion on Schedule 5. Under this Act, they are additionally protected from:

-  intentional or reckless disturbance (at any level);
-  intentional or reckless obstruction of access to any place of shelter or protection; and
-  selling, offering or exposing for sale, possession or transporting for purpose of sale.

A European Protected Species Mitigation (EPSM) Licence issued by Natural England will be required for works liable to affect breeding or resting places or for activities likely to result in a level of disturbance which might impair their ability to undertake those activities mentioned above. The licence is to allow derogation from the relevant legislation but also to enable appropriate mitigation measures to be put in place and monitored.

Red Squirrel

The red squirrel (*Sciurus vulgaris*) is fully protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). This makes it an offence to:

-  intentionally (or recklessly in Scotland) kill, injure or take (capture) red squirrels;
 -  intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection;
 -  intentionally or recklessly disturb this species while they are occupying a structure or place used for shelter; and
 -  sell, offer or expose for sale, or have in his possession or transport for the purpose of sale, any live or dead red squirrel or part of this species.
-

White Clawed Crayfish

The white clawed crayfish (*Austropotamobius pallipes*) receives partial protection under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended). This species is protected under Sections 9(1) and 9(5), making it an offence to:

- 🌿 intentionally take/capture white-clawed crayfish; and
- 🌿 sell, offer or expose for sale, have in possession or transport for the purpose of sale, any live or dead white clawed crayfish or part of this species.

A conservation licence for the capture and translocation of crayfish may be issued for the purpose of development activities if it can be demonstrated that the activity has been carefully planned and this species considered. The activity must also demonstrate that it contributes to the conservation of the population.

Wild Mammals

All wild mammals are protected against intentional acts of cruelty under the Wild Mammals (Protection) Act 1996. Under this legislation it is 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.

To avoid possible contravention of this legislation, due care and attention should be taken when carrying out works that have the potential to impact any wild mammal as described above.

Plants

Wild plants are protected under the Wildlife and Countryside Act 1981 (as amended) which makes it an offence for an 'unauthorised' person to intentionally (or recklessly in Scotland) uproot wild plants. An authorised person can be the owner of the land on which the action is taken, or anybody authorised by them.

Some rare plant species also receive full protection under Schedule 8 of the Wildlife and Countryside Act 1981 (as amended). This prohibits:

- 🌿 intentionally (or recklessly in Scotland) picking, uprooting or destruction of any wild Schedule 8 species (or seed or spore attached to any such wild plant in Scotland only); and
- 🌿 selling, offering or exposing for sale, or possessing or transporting for the purpose of sale, any wild live or dead Schedule 8 plant species or parts.

In addition to the legislation outlined above, several plant species are fully protected under Schedule 5 of The Conservation of Habitats and Species Regulations 2017. Regulation 45 makes it an offence to:

- 🌿 deliberately pick, collect or destroy a wild Schedule 5 species; and
 - 🌿 be in possession of, or control, transport, sell or exchange any wild live or dead Schedule 5 species or anything derived from it.
-

A European Protected Species Mitigation (EPSM) Licence issued by Natural England will be required for works liable to affect species of plant listed under The Conservation of Habitat and Species Regulations 2017.

Invasive Plant Species

Certain plants are listed on Part II of Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) in respect to Section 14(2). Species include:

-  Japanese knotweed (*Fallopia japonica*);
-  giant hogweed (*Heracleum mantegazzianum*);
-  Himalayan balsam (*Impatiens glandulifera*);
-  certain species of rhododendron (*Rhododendron* sp.); and
-  certain species of cotoneaster (*Cotoneaster* sp.).

Species listed are non-natives whose establishment or spread in the wild may be detrimental to native wildlife. Inclusion on Part II of Schedule 9 therefore makes it an offence to:

-  plant or otherwise cause these species to grow in the wild.

This legislation makes it is an offence to cause species listed to grow in the wild. Therefore, if they are present on site and development activities have the potential to cause the further spread of these species to new areas; it will be necessary to ensure appropriate measures are in place to prevent this.

Appendix D

Plant Species List

Plant Species List

Scientific nomenclature follows Stace (2019) for vascular plant species and British Bryological Society (BBS) Special Volume No. 5 *English Names for British Bryophytes* for bryophyte species. Vascular plant common names follow the Botanical Society of the British Isles 2003 list, published on its web site, www.bsbi.org.uk. The plant species list was generated as part of a Phase 1 Habitat survey and does not constitute a full botanical survey.

Abundance was estimated using the DAFOR scale as follows:

D = dominant, A = abundant, F = frequent, O = occasional, R = rare, L = locally

Key to qualifiers: G = garden origin, P = planted, Y = young, S = seedling or sucker, T = tree, H = hedge, W = water, ? = identification uncertain.

Scientific Name	Common Name	Abundance	Qualifier
<i>Abies spp.</i>	Fir		T
<i>Anemonoides nemorosa</i>	Wood anemone	R	
<i>Betula pendula</i>	Silver birch		T
<i>Clematis montana</i>	Clematis	P	
<i>Chaenomles speciosa</i>	Flowering quince	P	
<i>Cupressa spp.</i>	Cypress		T
<i>Dasiphora fruticosa</i>	Shrubby cinquefoil	P	
<i>Dioscorea communis</i>	Black briony	P	
<i>Epilobium montanum</i>	Broad leaved willow herb	O	
<i>Fagus sylvatica</i>	Beech		T
<i>Ficaria verna</i>	Lesser celandine	R	
<i>Galium aparine</i>	Cleavers	O	
<i>Heracleum sphondylium</i>	Hogweed	O	
<i>Hyacinthoides non-scripta</i>	Native bluebell	R	

<i>Ilex aquifolium</i>	Holly		T
<i>Lolium perrene</i>	Perennial ryegrass	D	
<i>Lotus corniculatus</i>	Birds foot trefoil	R	
<i>Lavandula spp.</i>	Lavender	P	
<i>Prunus spp.</i>	Cherry		T
<i>Picea spp.</i>	Spruce		T
<i>Quercus robur</i>	Oak		T
<i>Rubus fruticosus</i>	Bramble	O	
<i>Rhododendra spp.</i>	Rhododendron	O	
<i>Rudbeckia triloba</i>	Brown eyed susan	P	
<i>Romneya coulteri</i>	Matilija poppy	P	
<i>Spirae japonica</i>	Japanese spiraea	P	
<i>Silene coronaria</i>	Rose campion	P	
<i>Trifolium repens</i>	White clover	O	
<i>Taraxacum officinale</i>	Dandelion	O	
<i>Tilia spp.</i>	Lime		T
<i>Verbena bonariensis</i>	Purpletop vervain	P	

Appendix E

Suggested Compensatory Planting

Suggested Compensatory Planting

This section provides a list of plants which are of proven value to wildlife. The list is not exhaustive and merely provides a guide for suggested planting for wildlife value. Planting should be tailored on a site by site basis. The list includes some native and ornamental species however the emphasis should always be on the use of predominantly native species.

N = Native, NN = Non-native.

This list includes species that may be harmful if handled or ingested. Schedule 9 (Part 2) of the Wildlife and Countryside Act, 1981 (as amended) includes a list of invasive plants, including aquatic species, that should always be avoided in planting schemes.

Large Shrubs

Hedge veronica/Hebe (*Veronica* spp.) NN

Hawthorn (*Crataegus monogyna*) N

Blackthorn (*Prunus spinosa*) N

Rose: dog rose (*Rosa canina*), field rose (*R. arvensis*), burnet rose (*R. pimpinellifolia*) N

California lilac (*Ceanothus* spp.), (*C. arborea*) NN

Wild privet (*Ligustrum vulgare*) N

Common holly (*Ilex aquifolium*) N

Barberry (*Berberis* spp.) (*B. darwinii*), (*B. thunbergii*), (*B. x stenophylla*) NN

Daisy Bush (*Olearia* spp.), (*O. x hastii*), (*O. macrodonta*) and (*O. traversii*) NN

Firethorn (*Pyracantha coccinea*) NN

Hazel (*Corylus avellana*) N (*C. maxima*) NN

Viburnum (*Viburnum* spp.), wayfaring tree (*V. lantana*) N, guelder rose (*V. opulus*) N, laurustinus (*V. tinus*) E Note: *V. lantana* can become invasive in more open habitats.

Dogwood (*Cornus sanguinea*) N

Broom (*Cytisus scoparius*) N

Escallonia (*Escallonia macrantha*) NN

Hardy fuchsia (*Fuchsia magellanica*) NN

Buckthorn (*Rhamnus cathartica*) N

Spindle (*Euonymus europaeus*) N

Tutsan (*Hypericum androsaemum*) N

Yew (*Taxus baccata*) N

Trees

Cherry (*Prunus* spp.), wild cherry (*P. avium*), bird cherry (*P. padus*), domestic plum (*P. domestica*) N or cherry plum (*P. cerasifera*) NN

Ash (*Fraxinus excelsior*) N

Apple (*Malus* spp.), edible apple (*M. domestica*), crab apple (*M. sylvestris*) N

Pear (*Pyrus* spp.), edible pear (*P. communis*) NN

Small-leaved lime (*Tilia cordata*) N

Silver birch (*Betula pendula*) N

Yew (*Taxus baccata*) N

Black poplar (*Populus nigra*) N

Foxglove tree (*Paulownia tomentosa*) NN

Beech (*Fagus sylvatica*) N

Climbers

Jasmine (*Jasminum* spp.), summer jasmine (*J. officinale*), winter jasmine (*J. nodiflorum*) NN

Ivy (*Hedera helix*) N

Climbing hydrangea (*Hydrangea anomala* ssp. *petiolaris*) NN

Honeysuckle (*Lonicera* spp.) (*L. periclymenum*) N

Clematis (*Clematis* spp.) NN

Firethorn (*Pyracantha atalantioides*) NN

Nasturtium (*Tropaeolum majus*) NN

Bulbs

English bluebell (*Hyacinthoides non-scripta*) N

Squill species (*Scilla* spp.) N/NN

Snowdrop (*Galanthus nivalis*) N

Winter aconite (*Eranthis hyemalis*) E

Crocus species (*Crocus* spp.) NN

Wild Daffodil (*Narcissus pseudonarcissus*) N

Onion species (*Allium* spp.) N/NN. N.B. *Allium triquetrum* (three cornered leek) and *Allium paradoxum* (few-flowered leek) are Schedule 9 invasive plant species.

Wood anemone (*Anemone nemorosa*) N

Lesser celandine (*Ficaria verna*) N

Appendix F

Bat and Bird Box Designs

Bat and Bird Box Designs

Bat Boxes

Example	Type	Dimension D x W x H (cm)	Target Species	Location
	2F Schwegler Bat Box (General Purpose) with or without Double Front Panel	16 x 16 x 33	Without panel: Particularly successful with brown long-eared bat. Also used by noctule. With panel: Ideal for crevice-dwelling species: pipistrelles, Myotis species (particularly Daubenton's), Leisler's and serotine.	On trees or buildings and at a height of 3 to 6m. In open sunny positions and in groups of 3 to 5 facing different directions. Please note that once bats have inhabited a roost site they may only be disturbed by licensed bat workers.
	Chavenage Bat Box	10 x 18 x 38	Small crevice-dwelling bats e.g. pipistrelles.	On trees in gardens or woodland and also on house walls. 2.5 - 5m high on a building, mature tree or vegetation line (trees/tall hedge) or on a feeding/flight route in partial daytime sun. Please note that once bats have inhabited a roost site they may only be disturbed by licensed bat workers.

Bird Boxes

Example	Type	Dimension D x W x H (cm)	Target Species	Location
 A red, cylindrical bird box with a white entrance hole and a metal ring at the top for hanging.	Schwegler Nest Box 1B Hole-fronted 26mm entrance hole	16 x 16 x 23	Multi-purpose, including: blue-, marsh-, coal and crested tit and possibly wren. All other species are prevented from using the nest box due to the smaller entrance hole.	Suitable walls or semi-mature/mature trees and shrubs; attached to a tree trunk or hung from branches. Ideal points include discrete areas away from predators, such as against walls, plant and metal supports.
 A yellow, arched bird house with a dark entrance hole and a hanging bracket on the back.	Schwegler Bird House 32mm entrance hole	15 x 21 x 33	Multi-purpose, including: great-, blue-, marsh- and coal tit, redstart, nuthatch, pied flycatcher and sparrows.	Fixed to a semi-mature/mature tree trunk, wall or fence using the hanging bracket on the back. Between 1.5 m and 3 m high, and should be sited higher if your area has a particularly high cat population.
 A brown, rectangular bird box with multiple small entrance holes and a small door at the bottom.	Schwegler Sparrow Terrace 1SP	20 x 43 x 24.5	House sparrow. It may also occasionally attract tits, redstarts and spotted flycatchers.	In an elevated position such as on post/platform within dense shrub/tree planting or on top of lighting columns. Alternatively, they could be attached to the side of a building. The terrace can be fixed on to the surface of a suitable wall or incorporated into the wall. It is

Example	Type	Dimension D x W x H (cm)	Target Species	Location
				suitable for all types of houses in built-up areas, and on industrial and agricultural buildings such as barns, sheds and factories. Due to its weight (15kg), it is not suitable for fences or garden sheds. Ideally place the terrace two metres or more above the ground. Either install on the surface of the wall using the plugs and screws provided, or install directly into the wall. Cleaning is not necessary. The front panel can be removed by turning the screw hook.



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