

Ecological Impact & Biodiversity Net Gain Assessment

Little Walstead Farm

May 2025

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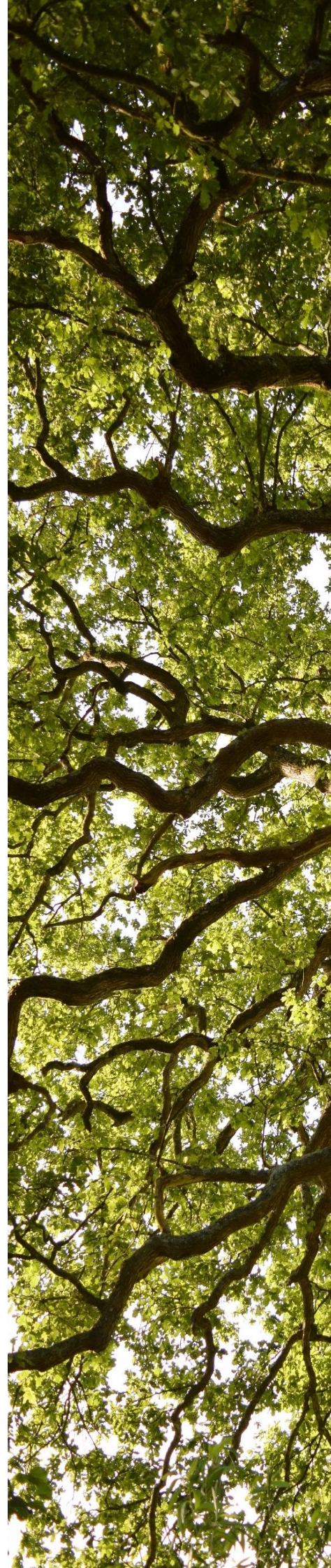
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1.0. SUMMARY

This report details an Ecological Impact and Biodiversity Net Gain assessment for a proposed sand school development at Little Walstead Farm in West Sussex. The one-hectare site comprises grassland, a hardstanding access track and boundary vegetation.

No further surveys have been recommended. However, as habitat exists for protected species, the report recommends precautionary measures during the construction phase of development. This includes sensitive vegetation clearance for reptiles, Great Crested Newts and breeding birds.

The Biodiversity Net Gain assessment indicates significant uplift can be achieved by the proposed development. This includes enhancing part of the existing modified grassland to a moderate-condition neutral grassland through nutrient reduction and diverse native seeding, achieving a 49.95% net gain in area-based habitat units. Additionally, the creation of a new native hedgerow will result in a 30.31% uplift in linear habitat units. These measures ensure the project adheres to the statutory BNG requirements, demonstrating a positive ecological outcome.



Site location plan.



2.0. INTRODUCTION

2.1. OVERVIEW

- 2.1.1. Kent Sussex Ecology was commissioned to undertake an Ecological Impact Assessment (EclA) and Biodiversity Net Gain (BNG) assessment at Little Walstead Farm, East Mascalls Lane, Lindfield, West Sussex, RH16 2QJ. The site is centred on grid reference TQ35662513.
- 2.1.2. The site (redline boundary) is approximately 1ha and mainly comprises a grassland field and hardstanding (the access track). The proposed development is for the provision of a sand school in the western section of the field.
- 2.1.3. The site was subject to a survey on 8th May 2025. The surveyor was Chris Brown BSc (ACIEEM), with over seven years' experience as a professional ecologist. The survey visit was undertaken during calm conditions and in alignment with current CIEEM and JNCC guidance. A desktop study was carried out using DEFRA's MAGIC website and other data resources for records of site designations, protected species and habitat information.
- 2.1.4. The objectives of the EclA were to:
- Identify all relevant statutory and non-statutory designated sites and features of ecological significance within the site and its surroundings.
 - Assess the potential for the presence of protected species and species of principal conservation importance, important habitats, or other biodiversity features within the site and its surroundings.
 - Provide recommendations for, and undertake, further surveys as necessary.
 - Present the likely significance of ecological impacts from potential development.
 - Present any likely mitigation and compensation measures required in relation to the relevant legislation and policy.
- 2.1.5. The EclA aspect of this report will remain valid for between 18 months and three years, in accordance with current CIEEM guidance.
- 2.1.6. The methodology used for the BNG assessment, as well as details regarding the development's BNG obligations under Schedule 7A of the Town and Country Planning Act 1990, is discussed in the BNG section of this report.



3.0. BASELINE ECOLOGICAL CONDITIONS

3.1. DESIGNATED SITES

- 3.1.1. The site is not situated within, or adjacent to, a statutory designated site for nature. The nearest designated site for nature is the 'Freshfield Lane' Site of Special Scientific Interest (SSSI), located approximately 2.5km to the northeast.

3.2. HABITATS

- 3.2.1. The site primarily consists of modified grassland, with a dominance of common grasses and nettles, and is bordered by treelines and hedgerows (see the Existing Site Plan on page 7). Further details of the site's habitat composition can be found in Section 5 of the report.
- 3.2.2. Priority habitat woodland is located close to the site (although not adjacent) and there is reasonable habitat connectivity to the wider natural landscape.

3.3. PROTECTED SPECIES

- 3.3.1. No evidence of protected species presence was observed during the site visit, and the site offers limited habitat opportunities for most protected species. However, some protected species must be considered further regarding the potential to be present and/or capable of being impacted by development activities, as detailed below.

3.4. REPTILES

- 3.4.1. The expanse of grassland, with its varied sward height of 5cm to 30cm, offers a suitable habitat for reptiles, providing foraging opportunities. The boundary vegetation and scattered refugia offer sheltering and hibernation opportunities. Furthermore, as the site has reasonable habitat connectivity to the wider landscape, it is expected reptiles are present and potentially utilise the site.

3.5. GREAT CRESTED NEWT

- 3.5.1. As with reptiles, the site offers suitable terrestrial habitat for Great Crested Newt (GCN), with some of the boundary vegetation offering hibernation and sheltering habitat. While there are no ponds within 100m of the proposed footprint area, there are two ponds within 250m of the site and several more within 500m.
- 3.5.2. It is highlighted that the Great Crested Newt Conservation Handbook, 2001 states that "very short pasture is easily traversed by newts, and provides night-time foraging...". The *Great Crested Newt Mitigation Guidelines* (English Nature 2001) states "Great crested newts have been found to move over considerable distances (up to 1.3km from breeding sites). However, the vast majority of newts will inhabit an area much closer to the pond, and the exact distribution and migration patterns of newts on land depends on a variety of factors. The quality of terrestrial habitat near to breeding ponds is important, as are the lack of barriers to dispersal (such as fast-flowing rivers, or very busy roads). The distribution of ponds and hibernation opportunities may also influence movements. [...] Several studies have been conducted which reveal a great deal of variation, but great

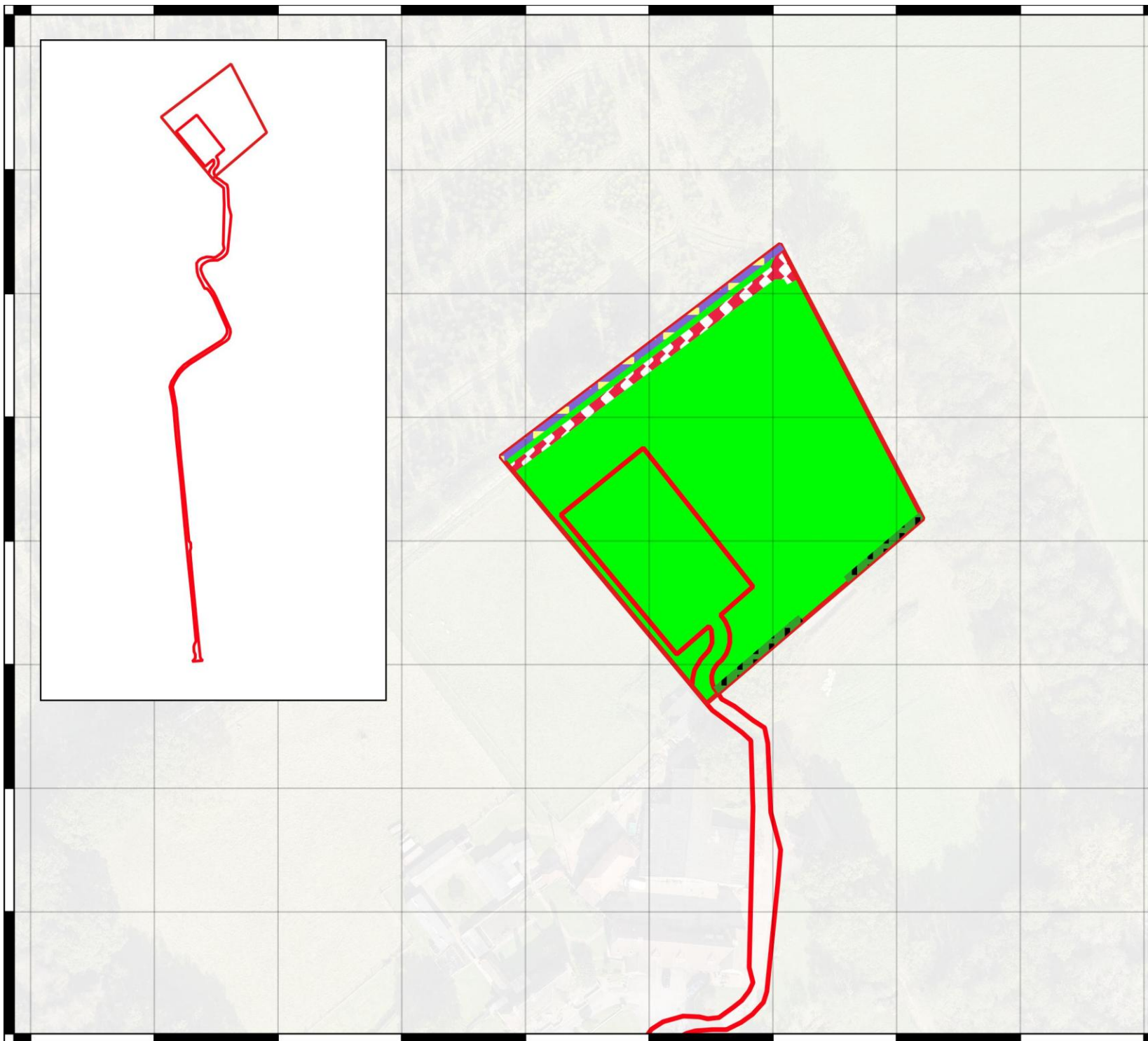


crested newts commonly move between ponds that are within around 250m of each other". Additionally, 'Advice for Land Managers', Natural England (2007) states "Great crested newt may disperse several hundred metres, sometimes over 1km, from the breeding pond, though at most sites the majority of the population is normally found within around 100m of it".

- 3.5.3. Given the presence of ponds within 250m and lack of dispersal barriers, the presence of GCN in the immediate area cannot be ruled out.

3.6. OTHER PROTECTED SPECIES

- 3.6.1. The boundary vegetation offers suitable habitat for breeding birds and dormice, with two of the trees having potential roost features for bats. Additionally, while no field signs of badger use were observed (including latrines, tracks and sett entrances), the optimal habitat within and around the site means that badgers could commute and forage within the site.



-  Redline boundary
-  Modified grassland
-  Developed land
-  Hedgerow
-  Treeline

0 25 50 m



Little Walstead Farm
Existing Site Plan
Scale 1:2000

Reproduced with Google Satellite and QGIS



4.0. CONCLUSION AND RECOMMENDATIONS

4.1. DESIGNATED SITES

- 4.1.1. Schedule 4(w) of the Town and Country Planning (Development Management Procedure) Order 2015 states that Natural England must be consulted on “development in or likely to affect a Site of Special Scientific Interest”.
- 4.1.2. Paragraph 193(b) of the National Planning Policy Framework (NPPF) 2024 states that “development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest”.
- 4.1.3. Regarding the European designation (SPA and SAC), Article 6(3) of the Habitats Directive 2017, states that “Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to an appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public”.
- 4.1.4. The site is not situated within, or close to, a statutory designated site for nature conservation. It is concluded that the proposals will not trigger a consultation with Natural England. Therefore, no further information is recommended regarding designated sites.

4.2. HABITATS

- 4.2.1. Certain habitat types are listed as ‘habitats of principal importance’, or ‘priority habitats’, under the NERC Act 2006. In accordance with Section 41 of the Act, these habitats are capable of being a “...material consideration in the... ..making of planning decisions” (Paragraph 84, Government Circular (ODPM 06/2005)). Additionally, ancient woodland benefits from some protection through the National Planning Policy Framework, which states development resulting in the loss or deterioration of this habitat should not be permitted unless there are wholly exceptional reasons.
- 4.2.2. There are no priority or otherwise notable habitats within the site. While the hedgerow and treelines are more significant ecological features than the grassland, it is anticipated that these will not be impacted by the proposed development. As such, no further recommendations have been made, and the on-site habitat impacts are further addressed in the BNG section of this report (page 12).



4.3. PROTECTED SPECIES

- 4.3.1. Paragraph 99 of the ODPM 06/2005 states that “it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision”.
- 4.3.2. It is concluded that most protected species found in the general area are likely to be absent and/or unaffected by development activities. As such, no further surveys are deemed necessary for the proposed development. However, the implementation of precautionary mitigation measures regarding protected species is recommended, as detailed below.

4.4. REPTILES

- 4.4.1. UK reptile legislation primarily centres on the Wildlife and Countryside Act 1981, which protects all native reptile species, prohibiting the intentional killing or injuring of adders, grass snakes, common lizards, and slow worms.
- 4.4.2. While reptiles are likely to be in the area and utilise the site, only a relatively small area will be cleared for the proposed sand school. Importantly, not only will the majority of the grassland be retained, but an area will be enhanced to benefit both the foraging and sheltering aspects of reptile ecology. As such, it is considered that precautionary mitigation will be sufficient to negate harm or injury to reptiles for this development.
- 4.4.3. Precautionary mitigation measures will include ensuring site clearance is conducted during the reptile active period (March to October). This will involve an initial cut of vegetation to a height of approximately 15cm, using brush cutters, in a directional manner to allow reptiles to move into remaining cover. This cut should be carried out during suitable weather conditions, working from the least sensitive areas towards potential reptile refuges. A second cut down to ground level several hours later, with the area checked by an experienced ecologist before the erection of reptile-proof fencing. All refugia will be removed by hand and on suitably warm days (over 10°C).
- 4.4.4. All construction personnel should receive toolbox talks on reptile identification, behaviour, and legal protection. During construction, all excavations and trenches must be covered overnight or fitted with escape ramps to prevent reptiles from becoming trapped. Materials should be stored on pallets to avoid creating artificial refuges.

4.5. GREAT CRESTED NEWT

- 4.5.1. Great crested newts are strictly protected under both UK and European legislation. This includes the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017, which transposes the EU Habitats Directive into UK law. These combined legal frameworks make it an offence to intentionally kill, injure, capture, or disturb great crested newts; deliberately take or destroy their eggs; damage or destroy any structure or place they use for shelter or protection; obstruct access to



their resting or sheltering places; and possess, sell, control, or transport live or dead newts, or any part of them. Any activity that may impact great crested newts or their habitats requires a licence from Natural England.

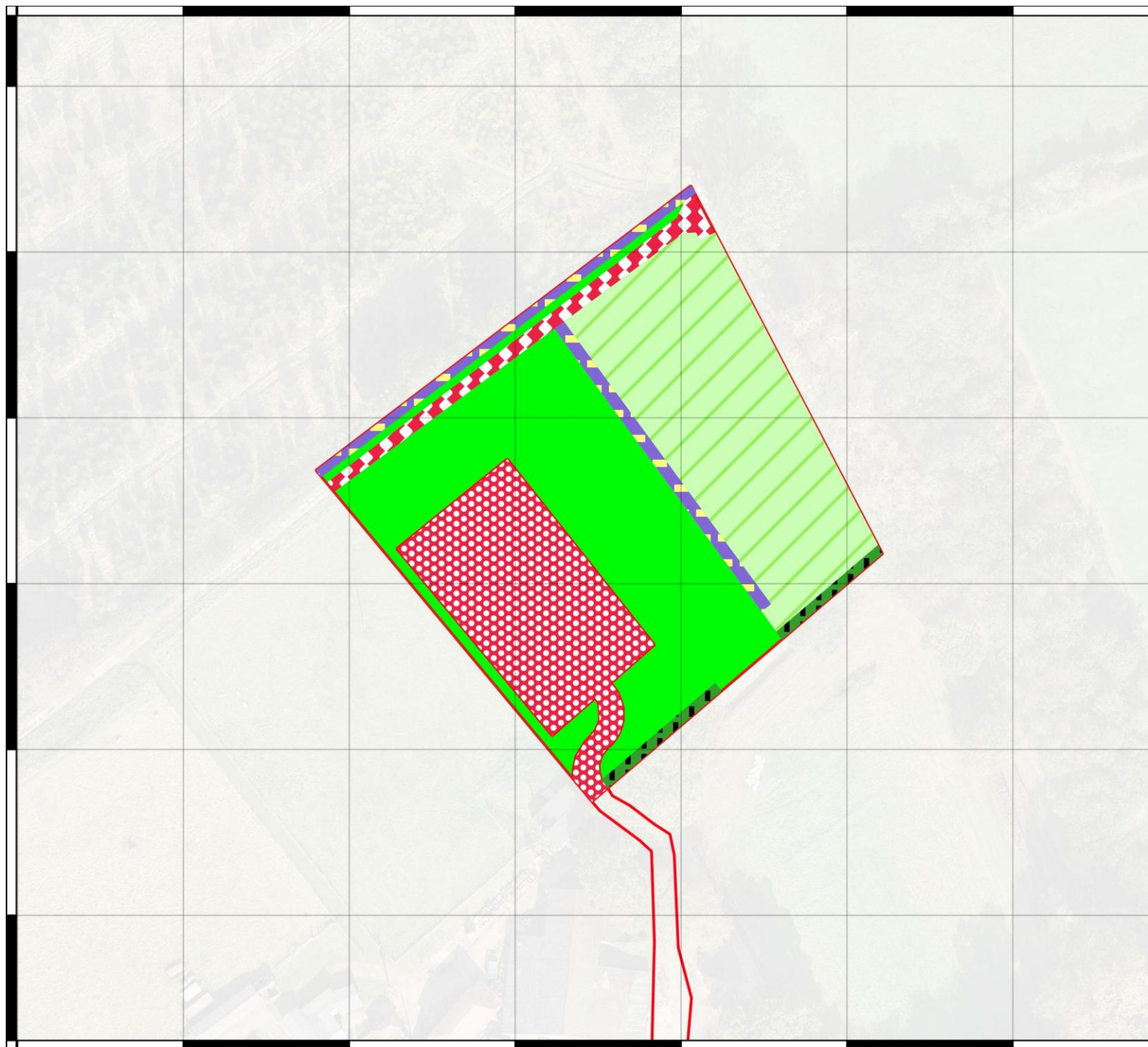
4.5.2. Due to the presence of two ponds within 250m of the site, Great Crested Newts (GCN) must be considered in relation to the development proposals. However, the development is not expected to impact any hibernation or sheltering habitat for GCN, and the Natural England rapid risk assessment tool indicates no offence with the implementation of precautionary mitigation measures. As such, precautionary mitigation measures are considered sufficient to avoid harm or disturbance to GCN (and reptiles) during the construction phase. The following precautionary mitigation measures can be conditioned with any granted planning permission:

- The site will be maintained as grassland up until site clearance and construction work begin.
- Works will take place during the GCN active season (March to October), ideally from March to June, when GCN are likely to be in the water and absent from the site.
- Prior to any works commencing (including any ground clearance), all contractors will be made aware of the potential impacts to GCN and the measures that will be enacted to avoid impacts. Refugia must be removed by hand.
- During the entire construction phase of development, all trenches and excavations will be covered overnight and/or escape routes provided to prevent GCN (and other terrestrial fauna) from being trapped and harmed. Any open excavations will be checked every morning and prior to infilling.
- All site materials should be stored away from boundary vegetation and raised on pallets or other objects to avoid creating resting places or refuges for GCN. Any hazardous materials should be safely stored in a locked container.
- If a GCN is found during development works, or suspected of being found, work must be suspended immediately and the advice of a suitably licenced GCN ecologist sought. No GCN must be handled by non-licenced personnel and a Natural England licence may be required before works can continue.

4.6. BREEDING BIRDS

4.6.1. Under the Wildlife and Countryside Act 1981 (as amended), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built.

4.6.2. The only suitable bird nesting habitat on-site consists of boundary vegetation. As such, precautionary mitigation measures are considered sufficient to avoid impacts on breeding birds. Primarily, this consists of undertaking any work to habitat that may provide suitable nesting habitat for birds undertaken outside of the breeding bird season (March to August, inclusive). If vegetation needs to be removed during the breeding bird season, it is recommended that an experienced ecologist inspect the vegetation prior to works commencing. If nesting birds are found to be present, work cannot take place until the young are fully fledged.



-  Redline boundary
-  Modified grassland
-  Developed land
-  Hedgerow
-  Treeline
-  Unsealed surface (sand school)

0 20 40 m



Little Walstead Farm
Proposed Site Plan
Scale 1:1500

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5.0. BIODIVERSITY NET GAIN METRIC

5.1. INTRODUCTION

- 5.1.1. A BNG assessment was carried out in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021), using the main statutory biodiversity net gain metric tool. The guidance in the 'Statutory Biodiversity Metric User Guide' (February 2024) and the condition assessment sheets (Technical Annex 1) were used to inform the metric inputs. More details of the metric's input criteria can be found in Appendix C, and the calculations will accompany this report.
- 5.1.2. Regarding metric inputs, the four rules to be adhered to for results to be valid are:
- Satisfying the in-metric trading rules;
 - Unit outputs for each type of units must not be summed, traded, or converted between types, to deliver an overall 10% gain;
 - To accurately apply the biodiversity metric formula, the statutory biodiversity metric calculation tool must be used, and;
 - Deviation from this biodiversity metric methodology may be permitted by the relevant planning authority in exceptional circumstances only.
- 5.1.3. The botanical survey was carried out on 8th May 2025. Not all flowering annuals would have been observable at the time; however, a botanical survey is considered sufficient to determine the broad habitat type of the area to be impacted. There were no other limitations to the survey.
- 5.1.4. To ensure accurate input baseline data was used, a botanical assessment of the grassland, using targeted metre-squared quadrats, was conducted and georeferenced on-site using Mergin Maps and synchronised with QGIS for mapping. The maps produced for this report use the colour coding specified within the latest UKHab category definitions document. Individual trees and hedgerow species were recorded separately. The associated condition assessments can be found in the appendices. See page 7 for the overall habitat plan.

5.2. METRIC INPUTS AND DEVELOPMENT IMPACTS

- 5.2.1. The site mainly comprises poor-condition modified grassland and includes grass species such as Perennial ryegrass *Lolium perenne*, Sweet Vernal *Anthoxanthum odoratum*, Soft Brome *Bromus hordeaceus*, Barren Brome *Bromus sterilis* and Cock's-foot *Dactylis glomerata*. Forbs included Common Nettle *Urtica dioica*, Broadleaved Dock *Rumex obtusifolius*, Dandelion *Taraxacum officinale* agg., Creeping Buttercup *Ranunculus repens* and Cow Parsley *Anthriscus sylvestris*.
- 5.2.2. The linear habitat consisted of good-condition native hedgerow along the northern boundary, featuring species such as Hawthorn *Crataegus monogyna*, Blackthorn *Prunus spinosa* and Hazel *Corylus avellana*, and two lines of trees (moderate condition) along the southern boundary.



- 5.2.3. The development will entail the provision of a sand school and access (unsealed surface) in the field, replacing 0.133ha of the modified grassland. The linear habitat will remain unaffected. To compensate for the loss of the grassland, 0.21ha of the remaining modified grassland will be enhanced to moderate-condition neutral grassland (see the proposed site plan on page 11).
- 5.2.4. A 'moderate condition' neutral grassland in the UK represents a notable enhancement from a species-poor or modified state, characterised by a discernible increase in both botanical diversity and structural complexity. This grassland exhibits a moderately species-rich sward, often containing between 9 and 15 vascular plant species per square metre. A significant proportion of the ground cover, usually at least 10%, will be comprised of wildflowers and sedges, distinct from highly competitive species or injurious weeds, which should be present at very low levels. While some vigorous grasses may remain, a broader array of finer, less competitive species, such as cocksfoot and crested dog's-tail, will become more prominent, with perennial ryegrass cover below 30%. The sward will also display a varied structure, with at least 20% of the sward measuring less than 7cm and 20% exceeding 7cm, fostering diverse microhabitats.
- 5.2.5. To enhance poor, modified grassland into a moderate-condition neutral grassland, the primary focus will be on reducing soil fertility and increasing botanical diversity. Given the species-poor nature of the existing sward, the initial step would involve nutrient reduction through a consistent cutting and removal regime. This means taking regular hay cuts, ideally once or twice a year in late summer/autumn, and ensuring all cut vegetation is removed from the site. This process gradually depletes excess nutrients, particularly phosphorus and nitrogen, which otherwise favour vigorous, competitive grasses like perennial ryegrass and common nettle over slower-growing wildflowers.
- 5.2.6. Once nutrient levels begin to decline and a suitable seedbed is prepared, often by creating bare ground through harrowing or light disturbance to ensure good seed-to-soil contact, species diversification can commence. This typically involves introducing a diverse mix of native neutral grassland wildflower and finer grass seeds, ideally of local provenance. This can be achieved through methods such as oversowing (broadcasting seeds onto the prepared ground) or spreading species-rich green hay sourced from a nearby, ecologically valuable neutral grassland. The introduction of hemi-parasitic species like Yellow Rattle *Rhinanthus minor* can also be highly beneficial, as it weakens dominant grasses and reduces competition for emerging wildflowers.
- 5.2.7. Ongoing management is crucial for success. This would involve a continuation of the hay-cutting and removal regime, potentially supplemented by extensive grazing by hardy livestock during appropriate periods. Grazing will help to maintain a varied sward height, creating micro-habitats and preventing dominant species from taking over. This management approach will encourage a richer, more varied sward characteristic of a moderate condition neutral grassland.
- 5.2.8. To meet the linear BNG obligations, approximately 67m of new native hedgerow (in moderate condition) will be established alongside the newly created neutral grassland to delineate it. The hedgerow will comprise a diverse range of native woody species.



5.3. CONCLUSION

- 5.3.1. The result denotes a biodiversity net gain of 49.95% in area of habitat and a 30.31% uplift in linear habitat (see the headline result below), with all metric trading rules satisfied in achieving this result. The uplift in area is achieved through the partial enhancement of existing grassland and the creation of a new hedgerow.

FINAL RESULTS		
Total net unit change (Including all on-site & off-site habitat retention, creation & enhancement)	<i>Habitat units</i>	0.62
	<i>Hedgerow units</i>	0.22
	<i>Watercourse units</i>	0.00
Total net % change (Including all on-site & off-site habitat retention, creation & enhancement)	<i>Habitat units</i>	49.95%
	<i>Hedgerow units</i>	30.31%
	<i>Watercourse units</i>	0.00%
Trading rules satisfied?	Yes ✓	

- 5.3.2. The positive net-gain score demonstrates adherence to the requirements under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). A Habitat Management and Monitoring Plan (HMMP) can be produced to ensure the habitat is established and maintained appropriately.



APPENDIX A: PHOTOGRAPHS



The western section of the field.



The north-east section of the field.



APPENDIX B: CONDITION ASSESSMENTS

Condition Assessment Criteria: Modified Grassland		Criterion passed (Yes or No)	Notes (such as justification)
A	There are 6-8 vascular plant species per m² present, including at least 2 forbs (these may include those listed in Footnote 1). Note - this criterion is essential for achieving Moderate or Good condition. Where the vascular plant species present are characteristic of medium, high or very high distinctiveness grassland, or there are 9 or more of these characteristic species per m² (excluding those listed in Footnote 1), please review the full UKHab description to assess whether the grassland should instead be classified as a higher distinctiveness grassland. Where a grassland is classed as medium, high, or very high distinctiveness, please use the relevant condition sheet.	No	
B	Sward height is varied (at least 20% of the sward is less than 7 cm and at least 20% is more than 7 cm) creating microclimates which provide opportunities for vertebrates and invertebrates to live and breed.	Yes	
C	Any scrub present accounts for less than 20% of the total grassland area. (Some scattered scrub such as bramble <i>Rubus fruticosus</i> agg. may be present). Note - patches of scrub with continuous (more than 90%) cover should be classified as the relevant scrub habitat type.	Yes	



D	Physical damage is evident in less than 5% of total grassland area. Examples of physical damage include excessive poaching, damage from machinery use or storage, erosion caused by high levels of access, or any other damaging management activities.	Yes	
E	Cover of bare ground is between 1% and 10%, including localised areas (for example, a concentration of rabbit warrens) ² .	Yes	
F	Cover of bracken <i>Pteridium aquilinum</i> is less than 20%.	Yes	
G	There is an absence of invasive non-native plant species ³ (as listed on Schedule 9 of WCA ⁴).	Yes	
Essential criterion achieved (Yes or No)			No
Number of criteria passed			6
Condition Assessment Result (out of 7 criteria)	Condition Assessment Score	Score Achieved x/✓	
Passes 6 or 7 criteria including passing essential criterion A	Good (3)		
Passes 4 or 5 criteria including passing essential criterion A	Moderate (2)		
Passes 3 or fewer criteria; OR Passes 4 - 6 criteria (excluding criterion A)	Poor (1)	X	



Hedgerow favourable condition attributes					
Attributes and functional groupings (A, B, C, D and E)		Criteria - the minimum requirements for 'favourable condition'	Criteria description	Criterion passed (Yes or No)	Notes (such as justification)
Core groups - applicable to all hedgerow types					
A1.	Height	>1.5 m average along length	The average height of woody growth estimated from base of stem to the top of the shoots, excluding any bank beneath the hedgerow, any gaps or isolated trees. Newly laid or coppiced hedgerows are indicative of good management and pass this criterion for up to a maximum of four years (if undertaken according to good practice). A newly planted hedgerow does not pass this criterion (unless it is >1.5 m height).	Yes	



A2.	Width	>1.5 m average along length	The average width of woody growth estimated at the widest point of the canopy, excluding gaps and isolated trees. Outgrowths (such as blackthorn <i>Prunus spinosa</i> suckers) are only included in the width estimate when they are >0.5 m in height. Laid, coppiced, cut and newly planted hedgerows are indicative of good management and pass this criterion for up to a maximum of four years (if undertaken according to good practice).	Yes	
B1.	Gap - hedge base	Gap between ground and base of canopy <0.5 m for >90% of length	This is the vertical 'gappiness' of the woody component of the hedgerow, and its distance from the ground to the	Yes	



			lowest leafy growth. Certain exceptions to this criterion are acceptable (see page 65 of the Hedgerow Survey Handbook).		
B2.	Gap - hedge canopy continuity	Gaps make up <10% of total length; and No canopy gaps >5 m	This is the horizontal 'gappiness' of the woody component of the hedgerow. Gaps are complete breaks in the woody canopy (no matter how small). Access points and gates contribute to the overall 'gappiness' but are not subject to the >5 m criterion (as this is the typical size of a gate).	Yes	



C1.	Undisturbed ground and perennial vegetation	>1 m width of undisturbed ground with perennial herbaceous vegetation for >90% of length: · Measured from outer edge of hedgerow; and · Is present on one side of the hedgerow (at least).	This is the level of disturbance (excluding wildlife disturbance) at the base of the hedgerow. Undisturbed ground is present for at least 90% of the hedgerow length, greater than 1 m in width and must be present along at least one side of the hedgerow. This criterion recognises the value of the hedgerow base as a boundary habitat with the capacity to support a wide range of species. Cultivation, heavily trodden footpaths, poached ground etc. can limit available habitat niches.	No	
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C2.	Nutrient-enriched perennial vegetation	Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground.	The indicator species used are nettles <i>Urtica</i> spp., cleavers <i>Galium aparine</i> and docks <i>Rumex</i> spp. Their presence, either singly or together, does not exceed the 20% cover threshold.	Yes	
D1.	Invasive and neophyte species	>90% of the hedgerow and undisturbed ground is free of invasive non-native plant species (including those listed on Schedule 9 of WCA ³) and recently introduced species.	Recently introduced species refer to plants that have naturalised in the UK since AD 1500 (neophytes). Archaeophytes count as natives. For information on archaeophytes and neophytes see the JNCC website ⁴ , as well as the BSBI website ⁵ where the 'Online Atlas of the British and Irish Flora' ⁶ contains an up-to-date list of the status of species. For information on invasive non-native species see the GB Non-	Yes	



			Native Secretariat website ⁷ .		
D2.	Current damage	>90% of the hedgerow or undisturbed ground is free of damage caused by human activities.	This criterion addresses damaging activities that may have led to or lead to deterioration in other attributes. This could include evidence of pollution, piles of manure or rubble, or inappropriate management practices (for example, excessive hedgerow cutting).	Yes	
Additional group - applicable to hedgerows with trees only					
E1.	Tree class	There is more than one age-class (or morphology) of tree present (for example: young, mature, veteran and or ancient ⁸), and there is on average at least one mature, ancient or veteran tree present per 20 - 50m of hedgerow.	This criterion addresses if there are a range of age-classes or morphologies which allow for replacement of trees and provide opportunities for different species.	No	



E2.	Tree health	At least 95% of hedgerow trees are in a healthy condition (excluding veteran features valuable for wildlife). There is little or no evidence of an adverse impact on tree health by damage from livestock or wild animals, pests or diseases, or human activity.	This criterion identifies if the trees are subject to damage which compromises the survival and health of the individual specimens.	Yes	
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The hedgerow condition assessment generates a weighting (score) ranging from 1 - 3, which is used within the Statutory Biodiversity Metric. The scores for each are set out in the tables below.

Condition categories for hedgerows without trees		
Category	Category Requirements	Metric Score
Good	No more than 2 failures in total; AND No more than 1 failure in any functional group.	3
Moderate	No more than 4 failures in total; AND <u>Does not fail both attributes</u> in more than one functional group (for example, fails attributes A1, A2, B1 and C2 = Moderate condition).	2
Poor	Fails a total of more than 4 attributes; OR <u>Fails both attributes</u> in more than one functional group (for example, fails attributes A1, A2, B1 and B2 = Poor condition).	1
Score achieved:		
Condition categories for hedgerows with trees		
Category	Category Requirements	Metric score
Good	No more than 2 failures in total; AND No more than 1 failure in any functional group.	3



Moderate	No more than 5 failures in total; AND <u>Does not fail both attributes</u> in more than one functional group (for example, fails attributes A1, A2, B1, C2 and E1 = Moderate condition).	2	
Poor	Fails a total of more than 5 attributes; OR <u>Fails both attributes</u> in more than one functional group (for example, fails attributes A1, A2, B1 and B2 = Poor condition).	1	
Score achieved:		3	

Habitat Description: Treelines												
TL1 and TL2 are located on the southern boundary of the site and are both dominated by oak. TL1 is a line of trees, whilst TL2 is a line of trees associated with a ditch.												
See the Statutory Biodiversity Metric User Guide. This assessment is based on the Hedgerow Survey Handbook ¹ . For further clarifications please refer to the Handbook. Where ancient and veteran trees are present within the line of trees, see Footnote 2 for standing advice.												
On-site or off-site, site name and location	On-site, Little Walstead Farm	Survey date and Surveyor name	08/05/2025, Chris Brown BSc (Hons) ACIEEM									
		Survey reference (if relating to a wider survey)										
Limitations (if applicable)		Habitat parcel reference										
		TL1	TL2									
		Grid reference										
Condition Assessment Criteria		TQ 357 09	TQ 356 76									



		2514 0	2510 6														
		Criterion passed (Yes or No)														Notes (such as justificati on)	
A	At least 70% of trees are native species.	Yes	Yes														
B	Tree canopy is predominantly continuous with gaps in canopy cover making up <10% of total area and no individual gap being >5 m wide.	Yes	Yes														
C	One or more trees has veteran features and or natural ecological niches for vertebrates and invertebrates, such as presence of standing and attached deadwood, cavities, ivy or loose bark.	Yes	Yes														
D	There is an undisturbed naturally-vegetated strip of at least 6 m on both sides to protect the line of trees from farming and other human activities (excluding grazing). Where veteran trees are present, root protection areas should follow standing advice ² .	No	No														
E	At least 95% of the trees are in a healthy condition (deadwood or veteran features valuable for wildlife are excluded from this). There is little or no evidence of an adverse impact on tree health by damage	Yes	Yes														

[illegible]



APPENDIX C: LEGISLATION

The Wildlife and Countryside Act (as amended) 1981

The Wildlife and Countryside Act 1981 (as amended) is the principal piece of UK legislation relating to the protection of wildlife. It consolidates and amends existing national legislation to implement the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and Council Directive 79/409/EEC on the Conservation of Wild Birds (Birds Directive) in Great Britain.

The Act makes it an offence to:

Intentionally kill, injure, or take any wild bird or their eggs or nests (with exception to species listed in Schedule 2). Special penalties are available for offences related to birds listed on Schedule 1, for which there are additional offences of disturbing these birds at their nests, or their dependent young.

Intentionally kill, injure, or take, possess, or trade in any wild animal listed in Schedule 5, and prohibits interference with places used for shelter or protection, or intentionally disturbing animals occupying such places (subject to exceptions). The Act also prohibits certain methods of killing, injuring, or taking wild animals listed in Schedule 6.

Uproot, trade in, or possess (for the purposes of trade) any wild plant listed in Schedule 8, and prohibits the unauthorised intentional uprooting of such plants (subject to exceptions).

Facilitate the establishment of non-native species which may be detrimental to native wildlife, prohibiting the release of animals and planting of plants listed in Schedule 9. It also provides a mechanism making any of the above offences legal through the granting of licences by the appropriate authorities.

The Conservation of Habitats and Species Regulations 2017

The Conservation of Habitats and Species Regulations 2017 (the 'Habitat Regulations'), as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, establish the requirements for protecting sites that are internationally important for threatened habitats and species and thus the requirement for a 'Habitat Regulations Assessment' of plans or developments with potential to affect them.

The Habitat Regulations also establish the strict protection of some species (European Protected Species) and make it an offence to deliberately capture, kill or disturb certain wild animals, and to damage or destroy a breeding site or resting place of such an animal even if the animal is not present at the time.

The competent authority will have to adhere to the requirements of the Habitats Directive in the exercise of their functions. As such, they must consider whether it is likely that an EPSM Licence from Natural England will be granted, and in so doing must address the three tests when deciding whether to grant planning permission for the proposed development. The three tests are that:

Regulation 55(2)(e) states: a licence can be granted for the purposes of *"preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment"*.

Regulation 55(9)(a) states: the appropriate authority shall not grant a licence unless they are satisfied *"that there is no satisfactory alternative"*.

Regulation 55(9)(b) states: the appropriate authority shall not grant a licence unless they are satisfied *"that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range."*



Natural Environment and Rural Communities Act 2006

Section 41 of the NERC Act requires the Secretary of State to publish a list of habitats and species that are of principal importance for the conservation of biodiversity in England. The S41 list is used to guide decision-makers such as local planning authorities, in implementing their duty under Section 40 of the Act, to have regard to the conservation of biodiversity in England, when exercising their normal functions. 56 habitats and 943 species of principal importance are included on the S41 list. These are all the habitats and species in England that were identified as requiring action in the UK Biodiversity Action Plan (BAP).

National Planning Policy Framework 2024

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

Section 15 of the NPPF sets out key policy requirements regarding ecology and development.

Paragraph 187 of the NPPF: "Planning policies and decisions should contribute to and enhance the natural and local environment by... ..minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures".

The Protection of Badgers Act 1992

The legislation affording protection to badgers is primarily concerned with animal welfare and the need to protect badgers from activities such as baiting and deliberate harm. The Protection of Badgers Act 1992 makes it an offence to:

Wilfully kill, injure, take, possess or cruelly ill-treat a badger, or attempt to do so;

To intentionally or recklessly interfere with a sett (this includes disturbing badgers whilst they are occupying a sett, as well as damaging or destroying a sett or obstructing access to it).

As with The Wildlife and Countryside Act 1981 (as amended), there are several defences to prosecution in the legislation and the text should be consulted for details of these. Penalties for offences include fines up to £5,000, plus up to six months imprisonment for each illegal sett interference, or badger death or injury.

Hedgerows Regulations 1997

Important' hedgerows (as defined by the Regulations) are protected from removal (up-rooting or otherwise destroying). Criteria specified in the regulations are employed to identify 'important' hedgerows for wildlife, landscape or historical reasons.

Office of the Deputy Prime Minister 06/2005

Paragraph 99 of the ODPM 06/2005 states that "it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision".

Biodiversity Net Gain Legislation Summary

The Environment Act 2021 introduced mandatory BNG requirements in England, amending the Town and Country Planning Act 1990 (Schedule 7A). Implementation began February 12, 2024, with some exceptions for smaller developments.

Key Requirements:

Most new developments requiring planning permission must achieve a measurable net gain in biodiversity of at least 10%.

This is assessed using a standardized metric that assigns values to different habitat types.



Developers must demonstrate how they will achieve BNG through habitat creation, enhancement, or compensation measures.

BNG plans must consider a minimum 30-year management period to ensure biodiversity gains are sustained.

A biodiversity net-gain assessment (BNG) assessment involves making a comparison between the biodiversity value of habitats present within the site prior to development (the 'baseline') and the predicted biodiversity value of habitats following the completion of the development (i.e., 'post-development'). The comparison is made in terms of 'biodiversity units', with a 'biodiversity metric' providing the mechanism to allow biodiversity values to be calculated and compared.

The metric calculates the overall loss or gain of biodiversity for development projects by assessing the distinctiveness (type of habitat and its value), condition, extent, and strategic significance of habitats on site pre- and post-development. To achieve biodiversity net gain, the biodiversity unit score must have a post-development score higher than the baseline score. When calculating the post-development biodiversity units, the metric includes a series of standard 'risk multipliers' to account for the inherent risk of creating and restoring habitats, the time taken to establish habitats and the location of the mitigation in relation to the habitats lost on site. The risk multipliers have the effect of reducing the value of the proposed habitats, which means larger areas, habitats of higher distinctiveness, and/or condition are required to achieve net gain.

The metric assesses and generates separate outputs for area-based habitats (measured in habitat units) and linear based habitats, including hedgerows (measured in hedgerow units) and rivers (measured in river units). For the purpose of the BNG assessment, the output with the lowest value is used to determine whether following development there has been a net gain in biodiversity.