URBAN EDGE ENVIRONMENTAL CONSULTING

NATURAL PROGRESSION

# Land Adjoining Evergreen, London Road, Hassocks, West Sussex

## Preliminary Ecological Appraisal Report

December 2025

URBAN EDGE ENVIRONMENTAL CONSULTING

NATURAL PROGRESSION

# Land Adjoining Evergreen, London Road, Hassocks, West Sussex

## Preliminary Ecological Appraisal Report

| | | |
|---|---|---|
| **Client:** | Phil Harris | |
| **Report No.:** | UE0763_LondonRd_PEA_0_251211 | |
| **Author:**<br>Ed Peters BSc(Hons) MSc Qualifying CIEEM | **Proofed:**<br>Tim Lees BA (Hons) MSc MCIEEM | **Approved:**<br>Nick Pincombe BA(Hons) MSc CEnv MISEP MCIEEM |
| **Revision No.:** | **Status/Comment:** | **Date:** |
| 0 | First issue to client | 11 December 2025 |

Urban Edge Environmental Consulting Ltd is a Registered Practice of the Chartered Institute of Ecology and Environmental Management. The information, advice and opinions provided in this report are true and were prepared and provided in accordance with CIEEM's Code of Professional Conduct. We confirm that the opinions expressed are our true and professional bona fide opinions.

CIEEM REGISTERED PRACTICE 2025-2026

# Contents

# List of Tables and Figures

# Abbreviations

| | |
|---|---|
| EPS | European Protected Species |
| GCN | Great crested newt |
| HPI | Habitat of Principal Importance |
| LWS | Local Wildlife Site |
| MMU | Minimum Mapping Unit |
| NERC | Natural Environment and Rural Communities Act 2006 |
| NPPF | National Planning Policy Framework |
| PEA | Preliminary Ecological Appraisal |
| PRF | Potential (bat) Roost Feature |
| SAC | Special Area for Conservation |
| SPA | Special Protection Area |
| SSSI | Site of Special Scientific Interest |
| SxBRC | Sussex Biological Records Centre |
| TN | Target Note |
| UKHab | UK Habitat Classification |
| WCA | Wildlife & Countryside Act 1981 (as amended) |

# 0 Executive Summary

## 0.1 Introduction

0.1.1 A Preliminary Ecological Appraisal was undertaken for the site of a proposed residential development at Land Adjoinoing Evergreen, London Road, Hassocks, West Sussex. The report was prepared to establish the site's suitability for development, inform the design process for the proposal, record the ecological baseline and identify key ecological features within and around the Application Site.

## 0.2 Results

0.2.1 There is one nationally important National Park within the 2km desk study search area. Additionally there are two non-statutory Local Wildlife Sites. There are records of a range of protected or notable species in the locality, including amphibians, birds, fish, invertebrates, terrestrial mammals, flowering plants and terrestrial mammals, together with four Priority Habitats: Chalk Stream, Traditional Orchard, Deciduous Woodland and Ancient Woodland.

0.2.2 The survey area lies to the north of the village and civil parish of Hassocks in the Mid Sussex district of West Sussex. The survey area comprises c.0.29ha of previously undeveloped land, currently dominated by one large, modified grassland field, with native hedgerow with trees, bramble scrub, and mixed scrub also present. A tributary of the River Adur runs near to the south-eastern boundary. The wider landscape is characterised by an extensive network of arable fields with blocks of connected boundary woodland to the north, east and west, and the village of Hassocks to the south. Twelve ponds lie within 500m of the survey area.

## 0.3 Evaluation

0.3.1 Table 0.1 presents a summary of ecological constraints and opportunities identified within the survey area.

***Table 0.1: Summary of ecological constraints and opportunities***

| Feature | Detail |
|---|---|
| ***Constraints:*** | |
| Designated sites | None of the statutory or non-statutory wildlife sites or areas of Ancient Woodland within the desk-study search zone are likely to be affected by the Proposed Development, considering the size and scale of the proposal and its distance from the designated sites; the closest designation is 1.4km south (Lag Wood and Butcher's Wood Local Wildlife Site). |
| Habitats | Permanent losses of up to c.0.29ha of modified grassland, bramble scrub and mixed scrub across the site, depending on the final extent and layout of proposals. These |

| Feature | Detail |
|---|---|
| | areas are of relatively low ecological value but provide habitats suitable for a number of protected species (e.g. amphibians, nesting birds, badger, bats, hazel dormouse and reptiles). It is currently anticipated that the majority of the hedgerow will be retained and protected during construction. However, an unknown amount will need to be removed to allow for new site access. This loss would be offset by the creation of new hedgerow elsewhere on-site. |
| Birds (nesting) | Possible permanent loss of nesting habitats (hedgerow and scrub). |
| Hazel dormouse | Possible permanent losses of hedgerow suitable for hazel dormouse. |
| Reptiles | Possible permanent losses of suitable habitats (modified grassland, hedgerow, mixed scrub and brash / rubble piles). |
| Hedgehog | Possible permanent losses of suitable habitats (modified grassland, hedgerow and mixed scrub). |
| ***Opportunities:*** | |
| Habitat creation | Habitat creation and enhancement opportunities include hedgerow creation, habitat piles, bird/bat boxes and hedgehog houses. |

## 0.4 Recommendations

0.4.1 Recommendations are made for further protected species surveys, together with preliminary recommendations for the protection of important ecological features to avoid or mitigate ecological impacts, and to enhance the ecology of the survey area post-construction; these are summarised in Table 0.2. It is intended that these recommendations should be considered during future changes to the design of development proposals so that protection of important ecological features is secured and opportunities for ecological enhancement are realised. The recommendations should be reviewed following the completion of further ecological surveys.

***Table 0.2: Summary of recommendations***

| # | Summary of recommendations |
|---|---|
| ***Botanical / protected species surveys*** | |
| **R1** | Presence / absence surveys for reptiles, undertaken between April and September. |
| ***Precautionary measures*** | |
| **R2** | Removal of nesting bird habitats (including vegetation and buildings) will be undertaken outside of the bird nesting season, which runs from 1 March to 31 August. It will therefore be carried out between September and February, but should be planned and implemented in accordance with the findings of the further ecological surveys recommended above. |
| **R3** | Badger's use of the landscape is dynamic and can change rapidly. A repeat badger survey should be undertaken prior to commencement of development works in order to determine if any new badger setts have established within the survey area. The survey area should include the construction zone plus a 30 metre buffer to ensure that disturbance to badgers occupying a sett does not occur during the works. |

| # | Summary of recommendations |
|---|---|
| **R4** | Hedgerow removal works will be undertaken in accordance with a Non-Licenced Method Statement to reduce the risk of killing / injury to hazel dormouse. |
| **R5** | Negative impacts on otter, water vole, their holts and burrows will be avoided by establishing, where possible, a 10m exclusion zone around the section of the river in the south-east boundary, within which construction activity is prohibited. The plan shown at Appendix I indicates the extent of the exclusion zone. |
| **R6** | Vegetation clearance works will be undertaken during the hedgehog active season (broadly April to October) and in accordance with a Precautionary Working Method Statement to reduce the risk of killing / injury to hedgehog. |
| ***Ecological protection measures*** | |
| **R7** | Construction works (including demolition, ground works and vegetation clearance) will be carried out in accordance with a Construction Environmental Management Plan. |
| **R8** | Standard site procedures to prevent impacts on nearby aquatic environments will be adhered to during construction. |
| **R9** | The use of external lighting will be avoided or minimised to prevent impacts to nocturnal species. Lighting should not be directed towards the boundary hedgerow or woodland off-site to the south-east. |
| **R10** | To ensure amphibians, reptiles and other wildlife can escape from entrapment in drainage gullies, it is recommended that wildlife ladders are installed. |
| **R11** | Small access gaps will be provisioned at the base of new fence boundaries to enable continued dispersal of small mammals across the site. |
| **R12** | At the end of each working day excavations will be covered over and open pipework capped to prevent entrapment of mammals, amphibians and other fauna. |
| **R13** | Destruction of fox dens or rabbit warrens will be undertaken in accordance with the Mammals Act 1996 by a registered pest control company. |
| ***Ecological enhancement*** | |
| **R14** | Green spaces will be sown with a native wildflower grassland seed mix. |
| **R15** | Hedgerow creation and/or restoration will use a range of native fruit, seed, nut and nectar-bearing shrub species. |
| **R16** | The site's landscaping plans will utilise plant species which encourage bats by providing additional food sources or roosting opportunities. |
| **R17** | Habitat piles for amphibians, invertebrates and reptiles will be created within or close to areas of retained rough grassland, scrub, woodland, hedgerows and ponds. |
| **R18** | The value of the survey area for birds will be enhanced by installing a range of artificial nest boxes in new buildings and on retained trees. |
| **R19** | The value of the survey area for bats will be enhanced by installing a range of artificial roost boxes onto new buildings and retained trees. |
| **R20** | The value of the survey area for hedgehog will be enhanced by installing hedgehog houses to quite, sheltered locations with plenty of natural vegetative cover. |

## 0.5 Conclusions

0.5.1 The majority of the survey area is of low ecological value. Significant constraints to the Proposed Development were identified including the potential presence of reptiles. Further ecological surveys and impact assessment are required prior to submitting a planning application, to determine the value of the site for these species and to formulate a suitable mitigation strategy.

# 1 Introduction

## 1.1 Purpose of this Report

1.1.1 This report presents a Preliminary Ecological Appraisal (PEA) for the site of a proposed residential development at Land Adjoinoing Evergreen, London Road, Hassocks, West Sussex (Grid Reference: TQ 30317 16724). The report has been prepared to establish the site's suitability for development, inform the design process for the proposal, record the ecological baseline and identify key ecological features within and around the Application Site.

## 1.2 Objectives and Approach of the Study

1.2.1 The objectives of the PEA were to:

- Identify features present on or adjacent to the Application Site which are ecologically significant and which may act as constraints or opportunities to the Proposed Development;
- Consider the need for further ecological surveys which may be necessary; and
- Make preliminary recommendations for the protection of important ecological features, to avoid or mitigate ecological impacts, and to enhance the Application Site for wildlife following construction.

1.2.2 The approach to establishing the ecological baseline found within this report has been achieved through:

- A desk study involving a review of statutory and non-statutory nature conservation sites, and records of habitats and species from the local area;
- An extended UK Habitat Classification (UKHab) survey identifying the main habitats on and adjacent to the Application Site, and the presence of, or potential for, protected and/or notable species; and
- A PEA of the effects of development proposals with respect to the nature conservation value of the site.

## 1.3 Survey Area

1.3.1 The Application Site boundary is expected to be the same as the survey area boundary.

1.3.2 The survey area lies to the north of the village and civil parish of Hassocks, West Sussex. The survey area comprises c.0.29ha of previously undeveloped land, currently dominated by one large, modified grassland field, with native hedgerow with trees, bramble scrub, and mixed scrub also present. A tributary of the River Adur runs near to the south-eastern boundary.

1.3.3 The survey area is bound to the north and east by woodland with mixed scrub, to the west by London Road and to the south by woodland and residential properties. The extent of the survey area is outlined in red on Figure 1.1.

1.3.4 The wider landscape is characterised by an extensive network of arable fields with blocks of connected boundary woodland to the north, east and west, and the village of Hassocks to the south. Twelve ponds lie within 500m of the survey area.

## 1.4 Proposed Construction Activities

1.4.1 Planning consent is being sought for a residential development. The proposals would include the construction of four new dwellings, together with parking, access, landscaping and associated facilities. A Masterplan Layout is shown in Figure 1.2.

# Land Adjoining Evergreen, London Road, Hassocks, West Sussex

Site boundary


***Figure 1.1: Survey area***

0 30 60

Metres

N



**Scale (at A4):** 1:1,000 **Created by:** MT

**Date:** Nov 2025 **Reviewed by:** NP

**Drawing number:**

UE0763ECO-LondonRoadHassocks: Site location: 251110

URBAN EDGE ENVIRONMENTAL CONSULTING

**Tel:** 01273 686 766
**Email:** hello@ueec.co.uk
**Web:** www.ueec.co.uk

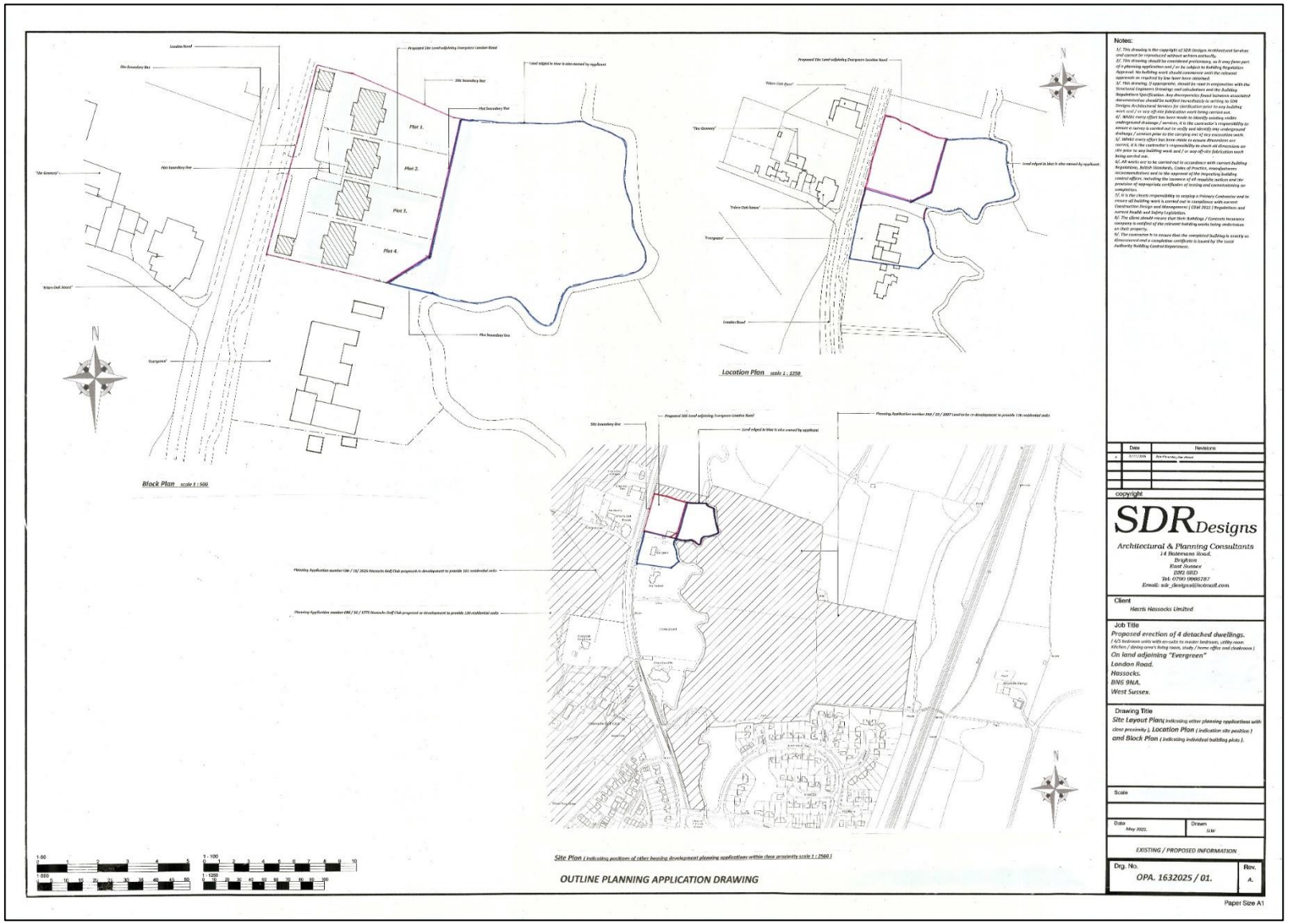



***Figure 1.2: Proposed site layout***

# 2 Survey Methodology

## 2.1 Desk Study

2.1.1 A desk-based study was undertaken to examine published information and biological records from within the search area (survey area centroid plus 2km for all data). The desk study established the presence of designated sites of nature conservation interest, or records of protected/notable habitats/species within and surrounding the survey area. This information was collected from the following sources:

- The 'MAGIC' (Multi-agency Geographic Information for the Countryside) website: www.magic.gov.uk; and
- Sussex Biological Records Centre (SxBRC).

## 2.2 Preliminary Ecological Appraisal

2.2.1 The PEA (compliant to British Standard BS42020:2013) is based on a survey of the site undertaken on 20 October 2025 by a suitably experienced ecologist. Weather conditions were mild (c.13°C), with a light southerly breeze (Beaufort Scale 2), 100% cloud cover and light-moderate precipitation.

2.2.2 Within the survey area every parcel of land was classified, recorded and mapped using standard colour codes, in accordance with the habitat types specified within the methodology for UKHab survey (UKHab Ltd, 2023). This allows rapid visual assessment of the extent and distribution of different habitat types. The UKHab System comprises a five-level Primary Habitat Hierarchy and a list of Secondary Codes. Each recorded habitat parcel is allocated a single Primary Habitat Code. Secondary Codes are associated with habitat parcels, where it is relevant to the whole parcel. UKHab guidance recommends that secondary codes are added to habitat parcels to:

- confirm the identity of habitat mosaic and complexes,
- add information about habitat origin and modifications; and
- add information on environmental context, management and land use in a consistent manner.

2.2.3 The divergence from this methodology is in relation to individual trees, whereby these features are recorded and mapped separately from the baseline habitat that they sit within; and hedgerows / line of trees which follow the classification methodology outlined within *The Statutory Biodiversity Metric User Guide* (Natural England, 2024).

2.2.4 No Minimum Mapping Unit (MMU) has been applied to the survey area and professional judgement has been used to define notable habitat parcels. Target notes were used to provide supplementary information on features which are of particular interest, significant to specific

construction proposals, too small to map or to provide additional details, for example relating to species composition and structure.

2.2.5 This basic methodology was extended to provide more detail in relation to habitats with potential to support rare or protected fauna, as described by the Chartered Institute of Ecology and Environmental Management's *Guidelines for Preliminary Ecological Appraisal* (CIEEM, 2017b). The assessment of habitat suitability for protected, rare or priority species is based on current good practice guidance such as that presented in the *Herpetofauna Workers' Manual* (Gent and Gibson, 2003) and *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (Collins, J. (ed.), 2023). Where a species/group is not specifically evaluated, this indicates that no habitat of potential value for the species was identified during the survey.

***Scope of the survey***

2.2.6 The buffer zone for the desk study was set at 2km from the centre of the survey area – a distance within which any notable ecological features likely to be affected by the Proposed Development would be identified.

2.2.7 All habitats within the survey area as indicated at Appendix I were included in order to identify any ecological constraints that would be likely to apply to the scheme from within this zone. Adjacent habitats were also surveyed where appropriate in order to identify constraints falling outside of the Application Site and to place the survey area in its ecological context.

***Evaluation criteria***

2.2.8 Important ecological features were evaluated to the extent possible under the survey methods used, and in relation to a geographical frame of reference, i.e. international / European value being most important, then national, regional, metropolitan / county / district / borough, and lastly local (based on CIEEM, 2018).

2.2.9 Value judgements are based on various characteristics that contribute to the importance of ecological features. These include site designations (such as Sites of Special Scientific Interest (SSSI), or for undesignated features, the extent, naturalness, conservation status (local or national importance and so on), and quality of the ecological resource. Quality can refer to habitats (for instance if they are particularly diverse, are a good example of a specific habitat type, or provide for the requirements of important species or assemblages), other features (such as connectivity provided by wildlife corridors or mosaics of habitats) or the richness and abundance of species populations or assemblages.

## 2.3 Hedgerow Regulations Survey

2.3.1 If a hedgerow is classified as important under the Hedgerow Regulations 1997, local planning authorities are able to prevent its removal. To be classified as important, the hedgerow should be over 30 years old and should comprise one of the following:

- At least 7 woody species / 30m;

- At least 6 woody species / 30m and at least 3 features such as; an associated ditch, bank or wall, standard trees, parallel hedge, or connections to woodland or pond;
- At least 6 woody species / 30m and including any one of black poplar *Populus nigra*, wild service tree *Sorbus torminalis*, small-leaved lime *Tilia cordata*, large-leaved lime *Tilia platyphyllos*;
- At least 5 woody species and at least 4 associated features; and
- If adjacent to a bridleway or footpath, at least 4 woody species and at least 2 features.

2.3.2 The Hedgerow Regulations do not apply to hedgerows which form the curtilage of residential properties or gardens. It should also be noted that hedgerows may qualify as important for historic or archaeological reasons and this report only assesses them according to the ecological criteria set out in the Hedgerow Regulations (HMSO, 1997).

***Ground Level Tree Assessment***

2.3.3 Trees were assessed from ground level for PRFs such as woodpecker holes, cavities, cracks or splits in major limbs (e.g. hazard beams, rot holes, frost cracks, knot holes, occlusions, flush cuts, tear-outs, cankers or butt-rots), loose platey bark, aerial deadwood and dense ivy or epicormic growth.

***Table 2.1: Potential suitability of trees for roosting bats (after Collins, J. (ed.), 2023)***

| Suitability | Roosting habitats |
|---|---|
| None | No habitat features on site likely to be used by any roosting bats at any time of year (i.e. a complete absence of crevices / suitable shelter at all ground / underground levels). |
| Negligible | No obvious habitat features on site likely to be used by roosting bats; however, a small element of uncertainty remains as bats can use small and apparently unsuitable features on occasion. |
| PRF-I | PRF is only suitable for individual bats or very small numbers of bats either due to size or lack of suitable surrounding habitats. |
| PRF-M | PRF is suitable for multiple bats and may therefore be used by a maternity colony. |

2.3.4 The surveys were carried out with the aid of the following equipment: high-powered searchlight fitted with a red filter to search dark areas for signs of bats and close-focusing binoculars to view areas inaccessible on foot.

## 2.4 Limitations

2.4.1 Biological records gathered during the desk study can provide an indication of the likely presence of a species on or adjacent to a site, however, the absence of records for protected species does not equate to evidence of their absence from the locality. Data search accuracy is variable and records are often georeferenced to the nearest 1km grid square.

2.4.2 Time of year when the survey was carried out and other variations will influence the results of the survey. Botanical species vary considerably in their flowering, seeding and fruiting periods, and

surveys outside of these periods can confound accurate species identification. Where this is the case plants have been identified to lowest possible taxonomic group, normally genus. The possibility nonetheless exists for other species to be present within the survey area which were not recorded or otherwise indicated by the survey. Ornamental species are not included in botanical listings.

2.4.3 The survey report herein was carried out in mid-autumn, after the flowering period for many botanical species. This may have resulted in the under recording of woodland plant species within the hedgerows and woodland within the survey area. However, within the other habitats, diagnostic vegetative characteristics were often still discernible and therefore the timing of the survey is not considered to be a significant limitation to meeting the report objectives.

2.4.4 There were no difficulties in gaining access to habitats within the survey area and assess protected species suitability. However, not all of the habitats surrounding the survey area could be assessed for badger *Meles meles* due to access restrictions. This included adjacent private properties to the south and west and an area to the north which was inaccessible due to dense scrub.

2.4.5 This report aims to provide general advice on the ecological constraints associated with development proposals for the survey area and includes recommendations for further survey where appropriate. Where impacts are likely or further ecological surveys are recommended, a more detailed Ecological Impact Assessment (EcIA) of the effects of the Proposed Development should be carried out based on the results of recommended surveys. The EcIA will include detailed advice on ecological avoidance, mitigation, enhancement and/or compensation measures. This is in line with the latest guidance from the Chartered Institute of Ecology and Environmental Management (CIEEM, 2017a, 2017b, 2018).

2.4.6 The details of this report will remain valid for a period of 18 months from the date of the survey (October 2025), after which the validity of this assessment should be reviewed to determine whether further updates are necessary (CIEEM, 2019). Note that the recommendations within this report should be reviewed (and reassessed if necessary) should there be any changes to the Application Site boundary or the Proposed Development upon which this report was based.

2.4.7 See Appendix VI for general Legal and Technical Limitations which apply to this document.

## 2.5 Personnel

2.5.1 The survey was carried out by Ed Peters BSc (Hons) MSc Qualifying Member of CIEEM, Assistant Ecologist with 2 years' professional consultancy experience in ecological field survey for a range of small-scale sites and development projects. Ed was assisted on site by Dan Maude BSc (Hons) MRes ACIEEM, a Senior Ecologist with four years' professional consultancy experience. The report was extensively reviewed by Nick Pincombe BA(Hons) MSc CEnv MISEP MCIEEM, Director of Urban Edge Environmental Consulting, who has over twenty years' experience in leading survey and impact assessment teams for a wide range of ecology and environmental planning projects. Nick holds Natural England Class Licenses to survey for bats (WML-CL18) and great crested newt *Triturus cristatus* (GCN) (WML-CL08).

# 3 Results

## 3.1 Desk Study

***Statutory and non-statutory site designations***

3.1.1 There is one nationally important National Park within the 2km desk study search area. Additionally there are two non-statutory Local Wildlife Sites (LWS). The information provided by SxBRC regarding these sites is presented in Table 3.1, while Figure 3.1 and Figure 3.2 show their locations in relation to the survey area.

***Table 3.1: Nature conservation sites within the desk study search area***

| Site name | Location* | Description |
|---|---|---|
| **National statutory sites** | | |
| South Downs National Park | c.1.4km south-west | Comprising of 630 square miles, the South Downs National Park contains many UK priority habitats, including chalk download, lowland heath, deciduous woodland, priority wetland, farmland, coastal and marine habitats. As a result, it also contains a number of protected species, including the Adonis blue *Lysandra bellargus*, burnt orchid *Neotinea ustulata*, sand lizard *Lacerta agilis*, brown trout *Salmo trutta* and the barbastelle bat *Barbastella barbastellus*. |
| **Non-statutory sites** | | |
| Lag Wood and Butcher's Wood LWS | c.1.4km south | This site consists of two small ancient woods with a meadow between them just north of the South Downs scarp slope and just south of Hassocks. The woods hold a range of plants indicative of ancient woodland as well as some interesting meadow flora along the ride edges within the wood. The meadow is important for butterflies. |
| Keymer Meadow LWS | c.1.9km South-east | This site is a small, damp MG5 meadow with a species-rich sward. The field has ditches to the north and south and hedgerows on three sides. The northern hedgerow/shaw has encroached into the field but scrub control has taken place recently and has created a good sunny and graded ecotone between the field and the shaw. There are some deadwood piles in the west of the field. |

* Approximate distance and bearing from the survey area

***Priority Habitats***

3.1.2 Priority Habitats include those listed on local Biodiversity Action Plans and Habitats of Principal Importance (HPI) listed under section 41 of the Natural Environment and Rural Communities Act 2006 (NERC). SxBRC and a search of the MAGIC database returned the following data on priority and other habitats within the desk study search area: Chalk Stream, Traditional Orchard, Deciduous Woodland and Ancient Woodland. None of these are shown as present within the survey area; see Figure 3.3.

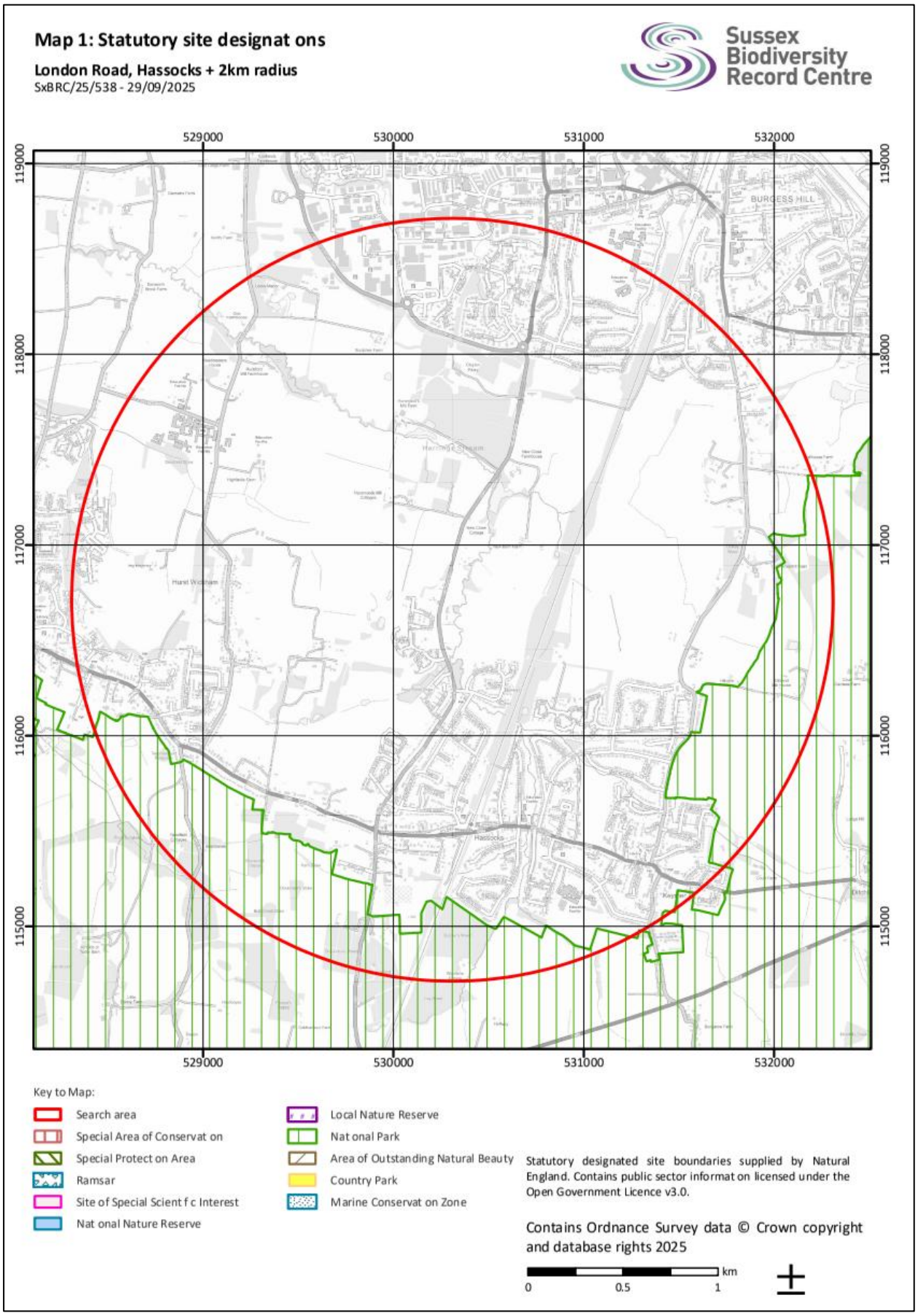



*Figure 3.1: Statutory nature conservation sites within the desk study search area*

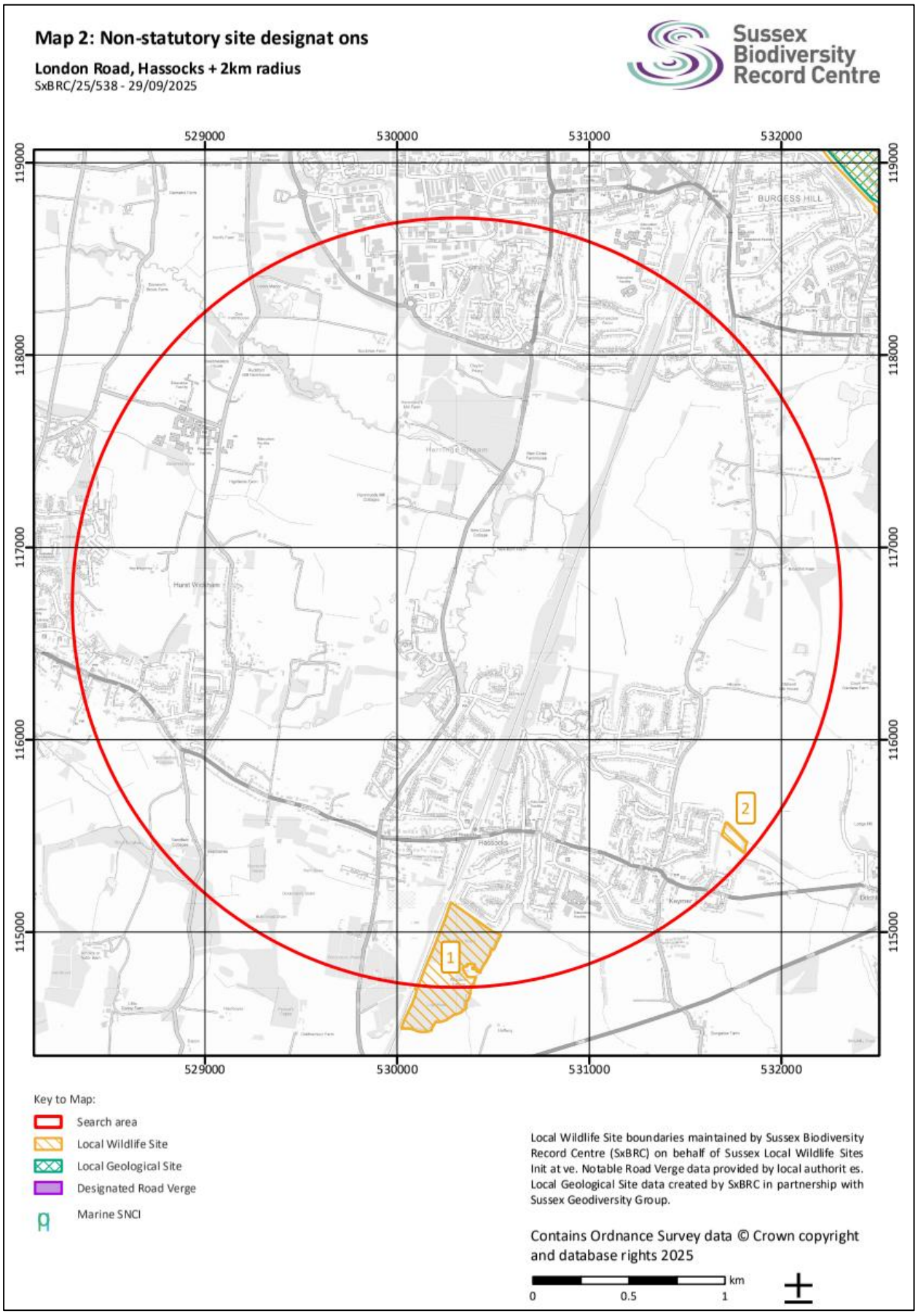



*Figure 3.2: Non-statutory nature conservation sites within the desk study search area*

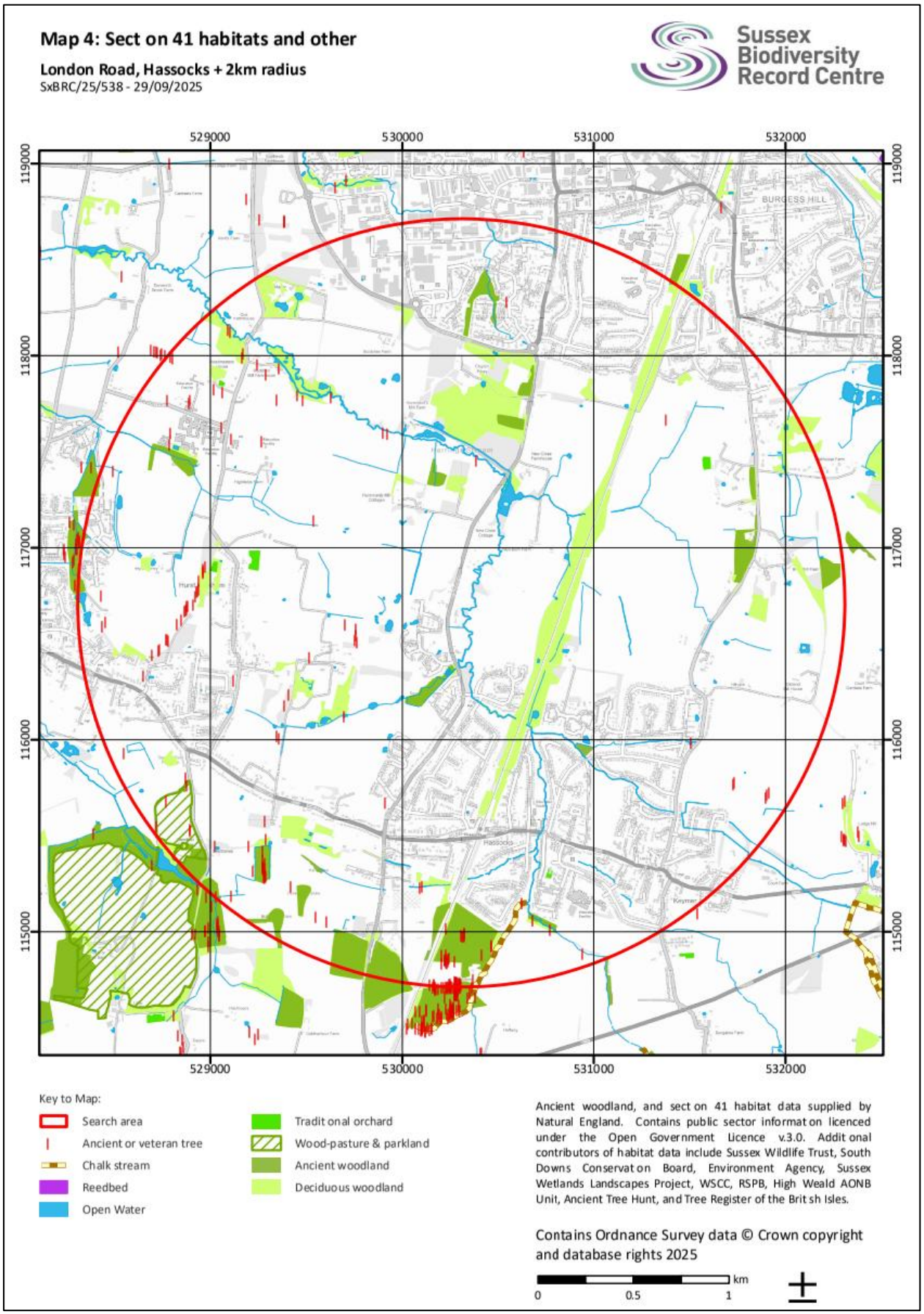



*Figure 3.3: Priority Habitats within the desk study search area*

***Records of protected, rare and notable species***

3.1.3 Biological records were obtained from SxBRC for the desk study search area and are summarised in section 4.4, where relevant to the survey area.

## 3.2 Habitats

3.2.1 The following UKHab habitats were identified within or adjacent to the survey area and are shown on the UKHab habitats plan at Appendix I. The habitats are described below broadly in the order of their extent, and Table 3.2 provides the area / length of each habitat type recorded within the survey area.

***Table 3.2: Area / Lengths of habitat types recorded within the survey area***

| Habitat type | Measurement |
|---|---|
| **Area habitats** | |
| Modified grassland | 0.26ha |
| Bramble scrub | 0.02ha |
| Mixed scrub | 0.01ha |
| **Linear habitats** | |
| Hedgerows | 61.78m |

***Modified grassland***

3.2.2 One large, modified grassland field made up the majority of the survey area, which continued east past the proposed red line boundary off-site towards the tributary of the River Adur. The field had a relatively consistent sward height of 20-30cm, except from a small patch in the north-east boundary, which had a significantly longer sward (50-60cm). The grassland contained abundant perennial Rye-grass *Lolium perenne* and cock's foot *Dactylis glomerata*; frequent creeping buttercup *Ranunculus repens* and Yorkshire fog *Holcus lanatus*; occasional red fescue *Festuca rubra*, common sorrel *Rumex acetosa* and white clover *Trifolium repens* and rare occurrences of birds foot trefoil *Lotus corniculatus*, creeping thistle *Cirsium arvense*, dove's foot cranesbill *Geranium molle*, hogweed *Heracleum sphondylium*, lesser celandine *Ficaria verna*, vervain *Verbena officinalis* and a *Vicia* sp. Four shipping containers (TN1), scattered log piles (TN2) and a rubbish pile (TN3) were also present in the south-west corner of the grassland.


Longer modified grassland sward looking north-east


Modified grassland looking south-west


TN1, four shipping containers looking north-west


TN2, scattered log piles looking north-west


TN3, rubbish pile looking north-west


TN4, burning pile looking south-east

***Bramble scrub***

3.2.3 Two patches of bramble *Rubus fruticosus* scrub were present within the survey area, one larger patch to the north-west and one smaller patch to the south-east, adjacent to the river. Both patches contained predominantly bramble with the occasional young oak *Quercus robur* also present. The occasional cock's foot and rye-grass could also be seen encroaching into the scrub around the boundary habitat.


Larger bramble scrub looking north-west


Smaller bramble scrub parcel looking north-west

***Mixed scrub***

3.2.4 A small area of mixed scrub was present along the northern boundary, behind the bramble scrub. The scrub varied from 5-10m high, and access into the scrub was limited due to dense vegetation, but the scrub consisted of grey willow *Salix cinerea*, ivy *Hedera helix* and elder *Sambucus nigra*.


Mixed scrub looking north-east


Mixed scrub looking north-east

***Hedgerows***

3.2.5 H1 was a native, species poor hedgerow with trees present along the western boundary. The hedgerow measured 60m in length, 10m tall and approximately 0.5m wide, with the occasional gap present. It consisted of sycamore *Acer pseudoplatanus*, hawthorn *Crataegus monogyna* and ivy and had a relatively sparse understory, consisting of occasional bramble and blackthorn *Prunus spinosa*, with English oak and ash *Fraxinus excelsior* saplings also found. Much of the understory was obscured as the trees within the hedgerow were mostly the other side of a temporary 4m high timber fence.


H1 with understorey looking north-west


H1 looking south-west

***Rivers and streams***

3.2.6 A small section of a tributary of the River Adur runs nearby to the survey area's south-eastern boundary, with it eventually joining the River Adur in Wineham c.6km north-west. A short section of this river is present approximately just over 10m metres south-east of the survey area's south-east boundary in the form of a meander. The bank has been built up on the river's north side steeply with topsoil and compost, about c.3m high and 70° steep, preventing access to the main channel for a closer inspection. However, this small section of the river appeared clear and non-turbid at the time of survey, with a densely vegetated species composition on the river's south bank, consisting of bramble, nettle, common reed *Phragmites australis* and Himalayan balsam *Impatiens glandulifera* (TN5).


River Adur tributary and bank looking south


River Adur tributary looking south-west and TN5, Himalayan balsam

***Ground Level Tree Assessment***

3.2.7 No observable PFRs were identified on any of the trees located within the survey area.

# 4 Evaluation

## 4.1 Introduction

4.1.1 This section evaluates the survey area in terms of the habitats and species present or potentially present on site or its immediate vicinity, in the context of relevant legislation and planning policy. See Appendix V for a review of the legislation and planning context.

## 4.2 Designated Sites

4.2.1 None of the statutory or non-statutory wildlife sites or areas of ancient woodland within the desk-study search zone are likely to be affected by the Proposed Development, considering the size and scale of the proposal and its distance from the designated sites; the closest designation is 1.4km south (Lag Wood and Butcher's Wood LWS).

## 4.3 Habitats

### *Evaluation*

4.3.1 Table 4.1 presents a preliminary evaluation of the habitats recorded within or adjacent to the survey area, with reference to the criteria defined at section 2.2.8. It is important to note that these preliminary evaluations may be updated following completion of more detailed botanical or protected species surveys.

***Table 4.1: Preliminary evaluation of habitats within the survey area***

| Habitat | Evaluation | Rationale |
|---|---|---|
| Hedgerow | Negligible | H1 is not considered to be priority habitat. However it provides suitable habitat for hazel dormouse *Muscardinus avellanarius* and breeding birds, additionally providing connectivity to woodland to the north within the wider landscape. |
| All other habitats | Negligible | All other habitats within the survey area are common and widespread or poor quality examples of their type. They do still provide habitats suitable for a number of protected species (e.g. amphibians, breeding birds, reptiles). |

### *Priority Habitats*

4.3.2 There are no Priority Habitats within the survey area which could be affected by the development proposals.

4.3.3 All the hedgerows within the survey area (H1) were classified as species-poor. Hedgerow Priority Habitats are defined "as any boundary line of trees or shrubs over 20m long and less than 5m

wide, and where any gaps between the trees or shrub species are less that 20m wide…, consisting predominantly (i.e. 80% cover or more) of at least one woody UK native species" (any bank, wall, ditch or tree within 2m of the centre of the hedgerow is considered to be part of the hedgerow habitat, as is the herbaceous vegetation within 2m of the centre of the hedgerow) (Maddock, 2008). H1 is not considered Priority Habitat because the native woody species present (hawthorn, English oak, ash and blackthorn), did not cover >80% of the hedgerow; H1 was dominated by sycamore.

4.3.4 As the current planning application is for outline consent, the full detail of potential hedgerow losses and gains is not known. However, proposals for the site post-development have been provided in Figure 1.2 and using this as a guide, it is currently anticipated that the majority of H1 will be retained and protected during construction, with a small area of the hedgerow needing to be removed along the western boundary to provide vehicular access to the site. This loss will need to be offset by the creation of a new hedgerow on site of similar length.

4.3.5 All the hedgerows within the survey area were assessed according to criteria set out in the Hedgerow Regulations 1997; see Table 4.2. A table showing full survey results is presented in Appendix III. If a hedgerow is classified as important under the Regulations, local planning authorities are able to prevent its removal.

***Table 4.2: Hedgerow assessment***

| Hedgerow # | Importance under Hedgerow Regulations 1997 | Priority Habitat? |
|---|---|---|
| H1 | Not important | No |

***Other habitats***

4.3.6 The Proposed Development would result in permanent losses of up to c.029ha of modified grassland, bramble scrub and mixed scrub across the survey area, depending on the final extent and layout of proposals. These areas are of relatively low ecological value, but provide habitats suitable for a number of protected species (e.g. amphibians, nesting birds, badger, bats, hazel dormouse, and reptiles).

## 4.4 Species

***Amphibians (excluding great crested newt)***

4.4.1 The poor condition, modified grassland that dominates most of the site is of low ecological value for common and widespread amphibian species due to its uniform structure, short sward length and lack of shelter areas. The hedgerow and scrub habitats, which are present on the west and north boundaries provide more suitable terrestrial habitats for amphibian species; however, the majority of these habitats are due to be retained and habitats of similar suitability are widely available in the surrounding area. In addition, a tributary of the River Adur isolates the survey area to the south, east and north-east, and London Road to the west, reducing the suitability of the survey area for amphibians due to its poor connectivity. Common amphibians are not considered to present a constraint to the Proposed Development.

***Great crested newt***

4.4.2 SxBRC returned 158 records of GCN from within the desk-study search zone, ranging from 1983 – 2023. The closest record was located c.251m south-west of the survey area in 2022.

4.4.3 The survey area contains predominantly sub-optimal terrestrial habitat for GCN, comprising mainly poor condition modified grassland with a short sward height. Grasslands of this nature are occasionally used by foraging or dispersing GCN but contain few shelter habitats and are unlikely to support high numbers, although if this habitat is left unmanaged it could quickly become suitable for great crested newts. However, there were patches of more suitable habitat for this species, including the boundary hedgerow, scrub, log and rubbish piles (TN2 and TN3) and longer sward grassland towards the north-east boundary, which together provide small sections of potential foraging, shelter and hibernation habitats.

4.4.4 There are no ponds within the survey area, but analysis of Ordnance Survey maps and aerial photography indicated that twelve ponds are present within 500m of the survey area; see appendix II for a pond plan. Pond P1 is the closest to the survey area at c.251m south-west, separated from the survey area by London Road. Potential GCN present within this pond are more likely to use adjacent terrestrial habitats than migrate to sub-optimal habitat within the survey area, with the presence of London Road presenting a further barrier to migration.

4.4.5 In conclusion, the grassland which encompasses the majority of the survey area is considered to be sub-optimal terrestrial habitat for GCN. The west and north boundary habitat provides more suitable terrestrial habitat for foraging and shelter; however, the survey area is isolated to the south, east and north-east by a river, and to the west by London Road. Combined with the lack of potentially suitable breeding ponds connected to the site, the scope for potential impacts to GCN is negligible. GCN is not considered to present a constraint to the Proposed Development and no further surveys for this species are required.

***Birds (nesting)***

4.4.6 SxBRC returned 924 records of 52 notable bird species from within the desk-study search zone during a date range of 1980 to 2025. The boundary hedgerow, trees and scrub within the survey area are suitable for nesting birds such as wren *Troglodytes troglodytes*, dunnock *Prunella modularis* (an Amber-listed bird of conservation concern (BoCC5); Stanbury *et al.*, 2021), robin *Erithacus rubecula* and chaffinch *Fringilla coelebs*. The modified grassland is unlikely to support ground-nesting species such as skylark *Alauda arvensis* (BoCC5 Red-listed) under its currently intensive management regime due to the short sward height and poor structural form. Precautionary measures for nesting birds are recommended at section 5.3.

***Fish***

4.4.7 SxBRC returned seven records of three protected fish species from within the desk-study search zone during a date range of 1997 to 2024, including European eel *Anguilla Anguilla* and brown / sea trout *Salmo trutta*. The nearest record was of European eel and brown / sea trout, located c.1.24km north-west in 1997.

4.4.8 The river located at the south-east survey area boundary is separated from the development by a 10m buffer. In addition, precautionary measures / ecological protection measures to prevent surface run-off, or any other impacts to the river are advised in section 5.4. As such, no further surveys for fish are recommended.

***Invertebrates***

4.4.9 SxBRC returned records of 47 species of protected invertebrate from within the desk-study search zone, during a date range of 1995 to 2025, principally of *Lepidoptera* (moths and butterflies) but also including stag beetle *Lucanus cervus* (NERC s41 species of principal importance).

4.4.10 The hedgerow, bramble and mixed scrub are likely to provide moderate value for a common and widespread range of invertebrates. Species such as small heath *Coenonympha pamphilus*, dingy skipper *Erynnis tages* and wall *Lasiommata megera* (all NERC s41 species of principal importance) will potentially be attracted to the longer sward grassland within the survey area which provides suitable larval host plants including cock's foot, Yorkshire fog and bird's foot trefoil. However, these habitats are abundant, and are in much larger size within the wider landscape, and thus losses within the survey area resulting from the Proposed Development are not considered likely to affect invertebrate communities. Invertebrates are not considered to present a constraint to the Proposed Development and no further surveys for this group are required.

***Mammals (terrestrial)***

*Badger*

4.4.11 SxBRC does not supply badger *Meles meles* records for animal welfare reasons.

4.4.12 The survey area provides suitable foraging habitat for badger but limited sett creation potential. A search for badger setts and signs of their presence was undertaken within a 30m radius of the survey area boundary, but did not include the adjacent private properties to the south and west and the area to the north which was inaccessible due to dense scrub. Sett building habitats were restricted to the west boundary hedgerow and north boundary scrub, and no setts were found despite extensive searching. There was no other observable evidence of badger activity within or around the survey area, such as badger paths, footprints, latrines, dung pits, or badger hairs caught at fence lines. However, badgers are a dynamic species and due to the sett creation habitat present within the hedgerow and mixed scrub, a repeat badger walkover survey is recommended in section 5.3 prior to commencing ground works. General ecological protection measures for badgers and other mammals are advised in section 5.4.

*Bats*

4.4.13 SxBRC returned 340 records of at least eleven species of bat from within 2km of the survey area, during a date range of 1984 to 2024, including serotine *Cnephaeus serotinus*, Bechstein's bat *Myotis bechsteinii*, Daubenton's bat *Myotis daubentonii*, whiskered / Brandt's *M. mystacinus / M. brandtii*, Natterer's bat *M. nattereri*, noctule *N. noctula*, Nathusius' pipistrelle *Pipistrellus nathusii* common pipistrelle *Pipistrellus pipistrellus,* soprano pipistrelle *P. pygmaeus* and brown long-eared *Plecotus auritus*. Most of these records were of bats in flight but included 54 roost sites,

eight of which were maternity roosts, the closest to the survey area being located c.1.43km south-east in 1987.

4.4.14 None of the trees within the scrub and hedgerow displayed potential roost features during a ground-level assessment, and PRFs are considered unlikely to be present higher up due to the relatively young age and good condition of the trees. Bats roosting in trees are not considered to present a constraint the Proposed Development and no further surveys are required. However, there were a number of trees in the woodland to the south of the survey area near the site boundary which had a number of PRFs. As a result precautionary measures to mitigate disturbance to potential roosting bats is recommended and laid out in section 5.3.

4.4.15 The modified grassland which dominates the survey area offers low value habitat for invertebrates and is considered to be of low suitability habitat for foraging bats. The boundary hedgerow and scrub may serve as a navigation route or foraging feature for bats, but it is anticipated that these will mostly be retained and protected during the works. Given the scale of Proposed Development, the small area (c.0.29ha) of suitable habitat to be affected, and the Proposed Development's position away from potential commuting features, significant impacts to foraging / commuting bats are unlikely. Further bat activity surveys are not required.

*Hazel dormouse*

4.4.16 SxBRC returned twelve records of hazel dormouse within the desk study search area, during a date range of 2006 to 2019, the nearest record being located c.570m east in 2019.

4.4.17 The west boundary hedgerow and north boundary dense scrub provide potentially suitable habitat for dormouse, with the scrub being well-connected to woodland further north of the survey area. Food plants are also present (bramble, hazel and hawthorn) and in relatively large number, providing a good year-round source of food. It is currently anticipated that H1 will be retained and protected during the Proposed Development, with only a small section (c.15m) needing to be removed for one new site access point. Further connectivity to the survey area will also persist to the north, with minimal loss anticipated to the north boundary scrub. Pre-construction site clearance works to hedge H1 and the bramble and mixed scrub should be undertaken in accordance with a Non-Licenced Method Statement to reduce the risk of killing / injury to hazel dormouse, as recommended at section 5.3.

*Water vole and otter*

4.4.18 SxBRC returned four records of water vole from within the desk study search area, during a date range of 1996 to 2015. SxBRC does not supply records of otter.

4.4.19 A tributary of the River Adur runs close the south, east and north-east survey area boundaries. However, a small section runs more closely to the survey area's south-east boundary, with the top of the north bank being separated by a 10m buffer. The river could not be fully assessed due to the steep, unstable bank on the river's north side; however, a brief visual inspection of the river showed it could be potentially suitable habitat for water vole, with its steep and vegetated banksides suitable for burrowing and foraging. A more accessible area of the tributary's banksides was assessed (north-east of the survey area) in order to search for signs of otter (such

as spraints, tracks, feeding remains, slides, holts and couches) and water vole (such as feeding stations, droppings and latrines, burrows and nests, footprints and runways). No evidence of either species was identified.

4.4.20 Water vole and otter are not expected to present a constraint to the Proposed Development due to the river being separated from the survey area by a 10m buffer. However, their presence within this section of river cannot currently be ruled out, and there is a risk that works may indirectly affect the river, such as via surface runoff as a result of the development. Ecological protection measures are recommended in section 5.4.

***Plants, native***

4.4.21 SxBRC returned 38 records of three protected plant species from within the desk-study search zone during a date range of 1980 to 2025.

4.4.22 No rare or protected species of flora were recorded within the survey area and, based on the habitat types present (modified grassland, hedgerow and scrub) it is considered unlikely that these are present. Plant species are not considered to present a constraint to the Proposed Development and no further surveys for this group are required.

***Plants – invasive non-native species and injurious weeds***

4.4.23 A small area of Himalayan balsam, an invasive non-native species listed on Schedule 9 of the Wildlife and Countryside Act, was noted on the southern bank of the river offsite c.10m south-east of the survey area and was labelled as TN5. No further actions regarding treatment or removal are recommended due to its distance from the survey area and no other schedule 9 plants were recorded.

***Reptiles (terrestrial)***

4.4.24 SxBRC returned 163 records of terrestrial reptile species from within the desk-study search area, during a date range of 1982 to 2023. All four widespread reptile species have been recorded in the vicinity; slow worm *Anguis fragilis*, common lizard *Zootoca vivipara*, grass snake *Natrix helvetica* and adder *Vipera berus*. The closest record to the site was a slow worm located c.90m east in 2014.

4.4.25 The survey area contains predominantly sub-optimal habitat for reptiles, comprised mainly of modified grassland with a short sward height and little structural variation. Grasslands of this nature contain few shelter habitats and are unlikely to support high numbers, although if this habitat is left unmanaged it could quickly become suitable for reptiles. However, there are several patches of better habitat for these species, including longer sward modified grassland at the north-east boundary, along with the areas of scrub and hedgerow, which together provide potential foraging, shelter and hibernation habitats. Log and rubble piles (TN2 and TN3) provide additional shelter and hibernation habitats. Construction works would involve site clearance, creation of access tracks and materials storage compounds, vehicle movements and groundworks, which together could present a risk of killing or injury for reptiles if present within the survey area. Further surveys for reptiles are recommended at section 5.2.

***Other protected, rare or notable species***

4.4.26 SxBRC returned 70 records of hedgehog *Erinaceous europaeus* from within the desk-study search zone during a date range of 2004 to 2022. The closest to the survey area was located c.510m south in 2015. The survey area contains habitats suitable for this species, including grassland, hedgerow and scrub. Hedgehog is listed as a species of principal importance under the NERC and is undergoing a significant population decline. Works within suitable habitat should be undertaken in accordance with a Precautionary Working Method Statement to reduce the risk of killing/injury to hedgehogs, as recommended at section 5.3. Measures should be taken to continue accommodating this species within the survey area post-development (see section 5.4).

# 5 Recommendations and Conclusions

## 5.1 Introduction

5.1.1 With regard to the objectives of this PEA, recommendations are made below for further protected species survey where necessary. Preliminary recommendations are also made for the protection of important ecological features, and/or to avoid or mitigate ecological impacts, and to enhance the survey area for wildlife following construction. It is intended that these recommendations should be considered during future changes to the design of development proposals so that protection of important ecological features is secured and opportunities for ecological enhancement are realised. The recommendations should be reviewed following the completion of further ecological surveys.

## 5.2 Botanical or Protected Species Surveys

5.2.1 The following species / groups (Table 5.1) will require additional surveys prior to refining development designs and formulating a suitable avoidance and mitigation strategy (if required).

***Table 5.1: Recommendations for further ecological surveys***

| # | Recommendations for further ecological survey |
|---|---|
| **R1** | Presence / absence surveys for reptiles, undertaken between April and September. |

***Reptiles***

5.2.2 The survey area contains habitats suitable for reptiles including grassland, scrub, hedgerow and log / rubble piles (TN2, TN3). There is hence a risk of killing or injury to reptiles and further surveys by an experienced herpetologist are required to establish their presence or likely absence within the proposed construction footprint. The survey should involve a minimum of seven visits to the site in suitable weather conditions during the active season (broadly April to September), following current guidelines (Froglife, 1999; Gent & Gibson, 2003). Methods include visual encounter surveys (i.e. targeted transects) and searches of artificial and natural refuges.

## 5.3 Precautionary Measures

5.3.1 The following species / groups (Table 5.2) require specific precautionary measures to be adhered to prior to and during construction to ensure that an offence under the relevant legislation is avoided. These measures may need to be added to or amended following completion of the protected species surveys described above.

***Table 5.2: Recommended precautionary measures***

| # | Recommended precautionary measures |
|---|---|
| **R2** | Removal of nesting bird habitats (including modified grassland, hedgerow and scrub) will be undertaken outside of the bird nesting season, which runs from 1 March to 31 August. It will therefore be carried out between September and February, but should be planned and implemented in accordance with the findings of the further ecological surveys recommended above, as other protected species may still be present outside of the bird breeding season.<br>Any construction works undertaken within the bird breeding season where suitable bird breeding habitat exists will require a site check for nesting birds by a suitably qualified ecologist. This will take place no more than two days prior to works commencing. This is to ensure that no disturbance to active bird nests occurs. If a nest is found it must be cordoned off and works adjacent to the nest must be delayed until such time that the chicks have fledged from the nest. This will be supervised by a suitably qualified ecologist. |
| **R3** | Badger's use of the landscape is dynamic and can change rapidly. A repeat badger survey should be undertaken prior to commencement of development works in order to determine if any new badger setts have established within the survey area. The survey area should include the construction zone plus a 30 metre buffer to ensure that disturbance to badgers occupying a sett does not occur during the works. |
| **R4** | Works to remove sections of hedgerow H1 will be undertaken in accordance with a Non-Licenced Method Statement to reduce the risk of killing/injury to hazel dormouse. The Method Statement will specify reasonable avoidance measures including progressive reduction of vegetation height by hand (initial cut to 15cm max during November to March, stump removal from May) to enable any dormice present to disperse into suitable surrounding areas of retained habitat, and will be carried out under the supervision of a suitably qualified ecologist. |
| **R5** | Negative impacts on otter, water vole, their holts and burrows will be avoided by establishing a 10m exclusion zone around the river within which construction activity is prohibited. The plan shown at Appendix I indicates the extent of the exclusion zone. |
| **R6** | Vegetation clearance works in the small areas of grassland, scrub and hedgerow will be undertaken in accordance with a Precautionary Working Method Statement to reduce the risk of killing/injury to hedgehog. The Method Statement will specify reasonable avoidance measures including and timing restrictions (works to be carried out during the hedgehog active season, broadly April to October) and progressive reduction of vegetation height to displace any hedgehog present will be carried out. Where possible, rotational clearance should be employed, with scrubby patches left to provide nesting habitat. If rotational clearance is not possible, temporary piles of dead wood and brash piles can be created in undisturbed areas on site for nesting. Areas of high traffic (vehicle movements), should be blocked off to prevent hedgehog access, whilst maintaining connectivity throughout the rest of the survey area. |

## 5.4 Ecological Protection Measures

5.4.1 The following protection measures (Table 5.3) will be carried out as part of the Proposed Development scheme alongside any specific measures that are recommended following the protected species surveys described above.

***Table 5.3: Recommended ecological protection measures***

| # | Recommended ecological protection measures |
|---|---|
| **R7** | Construction works (including demolition, ground works and vegetation clearance) will be carried out in accordance with a Construction Environmental Management Plan (CEMP: Biodiversity). The CEMP will specify: potentially damaging construction activities; "biodiversity protection zones"; measures to avoid or reduce impacts during construction (including protective fences, exclusion barriers, pollution control and methodological or seasonal restrictions); location and timing of sensitive works; periods during which ecological supervision is required; and the role & responsibilities of an Ecological Clerk of Works (ECoW). |
| **R8** | Standard site procedures, as recommended by NetRegs *Guidance for Pollution Prevention 5* (2018), will be required to ensure that no contaminants or effluent are released into nearby aquatic environments. |
| **R9** | The use of external lighting will be avoided or reduced to the minimum required for its intended purpose, during both construction and operation. This will be of benefit to nocturnal species e.g. bats. Where external lighting is to be provided, it will be low-level, directional lighting with minimal spill and glare, and consideration will be given to reduced hours of operation and/or a movement responsive system of control. Use narrow-spectrum bulbs and light sources that emit minimal UV light, avoiding white and blue wavelengths of the spectrum. Use glass lantern covers instead of plastic to filter UV light. Lighting will not be directed towards the boundary hedgerow or woodland with PRF's to the south-east. . |
| **R10** | To ensure amphibians, reptiles and other wildlife can escape from entrapment in drainage gullies, it is recommended that wildlife ladders are installed. Ladders are usually constructed from a mesh material, allowing a stable footing for animals to escape. Examples include the ACO wildlife gully ladder[1]. |
| **R11** | To enable continued dispersal of hedgehogs (which require large territory sizes) and other small mammals across the site and within the local area following the Proposed Development, small access gaps to measure c.13x13cm are recommended to be provisioned at the base of all new fence boundaries. These will allow easy passage for small mammals to continue foraging in the area while still being small enough to contain pets. |
| **R12** | All excavations left overnight will either be covered over, or provided with a ramp to enable easy escape of badgers, hedgehogs, small mammals, amphibians and other fauna, and inspected each morning prior to recommencement. Open pipework greater than 150mm outside diameter will be blanked off at the end of each working day. |
| **R13** | Where fox dens or rabbit warrens are to be damaged or destroyed as part of the proposed works, this will be undertaken in accordance with the Mammals Act 1996 by a registered pest control company. |

## 5.5 Recommendations for Ecological Enhancement

5.5.1 The following ecological enhancements (Table 5.4) should be considered to improve the value of the survey area for biodiversity after construction, but should be reviewed and specified further following the completion of recommended protected species surveys.

[1] https://www.aco.co.uk/products/wildlife-gully-ladder#:~:text=ACO's%20new%20Wildlife%20Gully%20Ladder,often%20fall%20into%20road%20gullies.

***Table 5.4: Preliminary recommendations for ecological enhancement***

| # | Preliminary recommendations for ecological enhancement |
|---|---|
| **R14** | Buffers of less intensively managed vegetation (e.g. coarse grasses and wildflowers, including the use of tussock-forming grass species such as cock's foot, Yorkshire fog, tufted hair-grass *Deschampsia cespitosa* and false oat-grass *Arrhenatherum elatius*) will be created within soft landscaped areas within the Proposed Development, towards the survey area boundaries and alongside the hedgerow and scrub. This will help to maintain/enhance ecological connectivity through the survey area for reptiles, amphibians and small mammals, and provide foraging habitat for invertebrates. |
| **R15** | Hedgerow creation and / or restoration as part of the landscaping plan for the survey area will use a range of native shrub species. Fruit, seed, nut and nectar-bearing species will be used preferentially when selecting species for landscape planting, so that food sources are available throughout the year (e.g. hazel *Corylus avellana*, hawthorn, blackthorn, field maple *Acer campestre*, dogwood *Cornus sanguinea*, privet *Ligustrum vulgare*, spindle *Euonymus europaeus* and honeysuckle *Lonicera periclymenum*). If an evergreen hedge is required for landscape screening, suitable native species include holly, yew *Taxus baccata*, although both can be rather slow growing. Beech *Fagus sylvatica* and hornbeam *Carpinus betulus* are also widely used as hedging plants and, although not evergreen, these will keep their brown leaves through winter if trimmed in late summer. |
| **R16** | The landscaping plans for the survey area will utilise plant species which encourage bats. The table at Appendix IV lists species of plants that can provide benefit for bats either by providing a food source for insects on which bats feed, or providing additional roosting opportunities (Gunnell *et al.*, 2012). The plant species are predominantly native to Britain, but not all species will be suitable in all situations. The aim is to encourage a diverse range of invertebrate food sources and increased bat roost potential. |
| **R17** | Habitat piles will be created within areas of retained modified grassland or marginal vegetation, at the edges of the survey area close to the boundary hedgerow and scrub. These will provide additional hibernation and shelter resources for amphibians, invertebrates, reptiles, and a range of other wildlife, and egg-laying substrate for grass snakes. Hibernacula can be created by partially burying logs and stones in sheltered areas away from flood risk, and covering over with earth or turf. Breeding habitats can be created by collecting grass clippings and other prunings arising from landscape management of the site, and composting them in a secluded corner of the site. Deadwood piles can be created using arisings from site clearance to provide shelter and breeding opportunities for invertebrates, particularly saproxylic species which are dependent on deadwood. |
| **R18** | The value of the survey area for birds will be enhanced by installing a range of artificial nest boxes. These will be placed on retained mature trees within the development or at the site boundaries, or incorporated within building facades. For instance:<br>▪ New buildings: nest boxes can be installed under the eaves for birds that utilise buildings for nesting, e.g. house sparrow *Passer domesticus* and swift *Apus apus* (compliant to British Standard BS 42021:2022). These species are of principal importance, of conservation concern and are notable in Sussex.<br>▪ Trees: nest boxes with entrance holes suitable for tit species, woodpeckers and nuthatches, and open-fronted boxes suitable for spotted flycatcher *Muscicapa striata* or song thrush *Turdus philomelos*, and treecreeper *Certhia familiaris* boxes. |

| # | Preliminary recommendations for ecological enhancement |
|---|---|
| **R19** | The value of the survey area for bats will be enhanced by installing a range of artificial roost boxes. These will be placed on retained mature trees within the development or at the site boundaries, or incorporated within building facades. Boxes suitable for a range of species should be used, for instance:<br>▪ New buildings: integral bat tubes can be installed within buildings which face vegetated areas, particularly towards the north, south and east of the development. Bat tubes can be incorporated into the design of the building so that only the access holes are visible from the exterior of the building. The Schwegler 1FR or 2FR Bat Tube is designed to meet the characteristic requirements of the types of bats that inhabit buildings such as pipistrelles or serotines. It is designed to be installed on the external walls of buildings, either flush or beneath a rendered surface.<br>▪ Pipistrelles: bat boxes suitable to install on mature trees either within or at the edges of the development include the Schwegler 1FF Flat Bat Box, or other manufacturer's equivalent.<br>▪ Noctules and brown long eared bats: bat boxes suitable to install on mature trees either within or at the edges of the development include the Schwegler 2F General Purpose Bat Box or the 2FN Woodland Bat Box, or other manufacturer's equivalent.<br>Bat boxes on buildings should ideally be located south-facing (between south-east and south-west) and above 4m from ground level. On trees, bat boxes should ideally be located on three aspects of each tree (facing north, south-east and south-west) and at ≥5m from ground level. In both cases they should be installed facing vegetation features such as mature hedgerows or trees, but with a clear line of flight for bats exiting the roost, and away from sources of artificial light. |
| **R20** | The value of the survey area for hedgehog will be enhanced by installing hedgehog houses. Ready-made hedgehog homes can be purchased, but placement is key if hedgehogs are encouraged to use these resources. Hedgehog houses should be placed in a quiet, shady, sheltered, dry spots (for example, against a wall, fence or hedge), with plenty of natural cover from vegetation. Entrances should not face north or north-east to ensure any occupants are protected against cold winter winds. An entrance tunnel or dividing walls inside will help prevent access by predators.<br>Hedgehog houses placed in public areas may be at risk of vandalism unless placed in very discrete locations and covered with natural materials, such as beneath a brash or log pile.<br>An alternative cost effective and natural technique for a site is discrete log piles, appropriately located and which provide suitably sized openings at the base and a void inside that acts as a chamber. |

## 5.6 Conclusions

5.6.1 The majority of the survey area is of low ecological value. However, significant constraints to the Proposed Development were identified including the potential presence of reptiles. Further ecological surveys and impact assessment are required prior to submitting a planning application, to determine the value of the site for these species and to formulate a suitable mitigation strategy.

# References and Bibliography

CIEEM (2017b): *Guidelines for Preliminary Ecological Appraisal.* 2nd Edition, CIEEM, Winchester.

CIEEM (2018): *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine version 1.3.* Chartered Institute of Ecology and Environmental Management, Winchester.

CIEEM (2019): *Advice Note on the Lifespan of Ecological Reports & Surveys.* Available online at: https://cieem.net/resource/advice-note-on-the-lifespan-of-ecological-reports-and-surveys/

Collins, J. (ed.) (2023): *Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th Edition),* Bat Conservation Trust, London.

Froglife (1999): *Reptile Survey: An Introduction to planning, conducting and interpreting surveys for snake and lizard conservation.* Froglife Advice Sheet 10, Froglife, Halesworth.

Gent, A.H. and Gibson, S.D., eds. (2003): *Herpetofauna Workers' Manual*. Joint Nature Conservation Committee, Peterborough.

Gunnel K., Grant, G. and Williams, C. (2012): *Landscape and Urban Design for Bats and Biodiversity*. Bat Conservation Trust.

HMSO - Her Majesty's Stationery Office (1997). *The Hedgerows Regulations*. HMSO, London.

Maddock A. (ed.) (2008): *UK Biodiversity Action Plan: Priority Habitat Descriptions*. UK Biodiversity Reporting and Information Group. Updated December 2011.

Multi-agency Geographic Information for the Countryside (MAGIC) (www.magic.gov.uk)

Natural England, (2024). *The Statutory Biodiversity Metric User Guide*, [online] Available at https://assets.publishing.service.gov.uk/media/669e45fba3c2a28abb50d426/The_Statutory_Biodiversity_Metric_-_User_Guide__23.07.24_.pdf

NetRegs (2018): *Guidance for Pollution Prevention 5: Works and Maintenance in or Near Water Version 1.2 February 2018.* NRW, NIEA and SEPA regulatory guidance, available online: https://www.netregs.org.uk/media/1418/gpp-5-works-and-maintenance-in-or-near-water.pdf

Stanbury, A., Eaton, M., Aebischer, N., Balmer, D., Brown, A., Douse, A., Lindley, P., McCulloch, N., Noble, D., and Win I. (2021): *The status of our bird populations: the fifth Birds of Conservation Concern in the United Kingdom, Channel Islands and Isle of Man and second IUCN Red List assessment of extinction risk for Great Britain. British Birds 114: 723-747.* ["BoCC5"] Available online at: https://britishbirds.co.uk/content/status-our-bird-populations

UKHab Ltd (2023): UK Habitat Classification Version 2.0, [online] Available at https://www.ukhab.org.

*This page is intentionally blank.*

# Appendix I: UKHab Habitats Plan

# Land Adjoining Evergreen, London Road, Hassocks, West Sussex

- Site boundary
- Modified grassland
- Bramble scrub
- Mixed scrub
- 10m river buffer
- Native hedgerow
- Other rivers and streams
- Target note


0 10 20

Metres

N



**Scale (at A4):** 1:500 **Created by:** MT

**Date:** Nov 2025 **Reviewed by:** NP

**Drawing number:**

UE0763ECO-LondonRoadHassocks: HabitatsPreDev: 251107

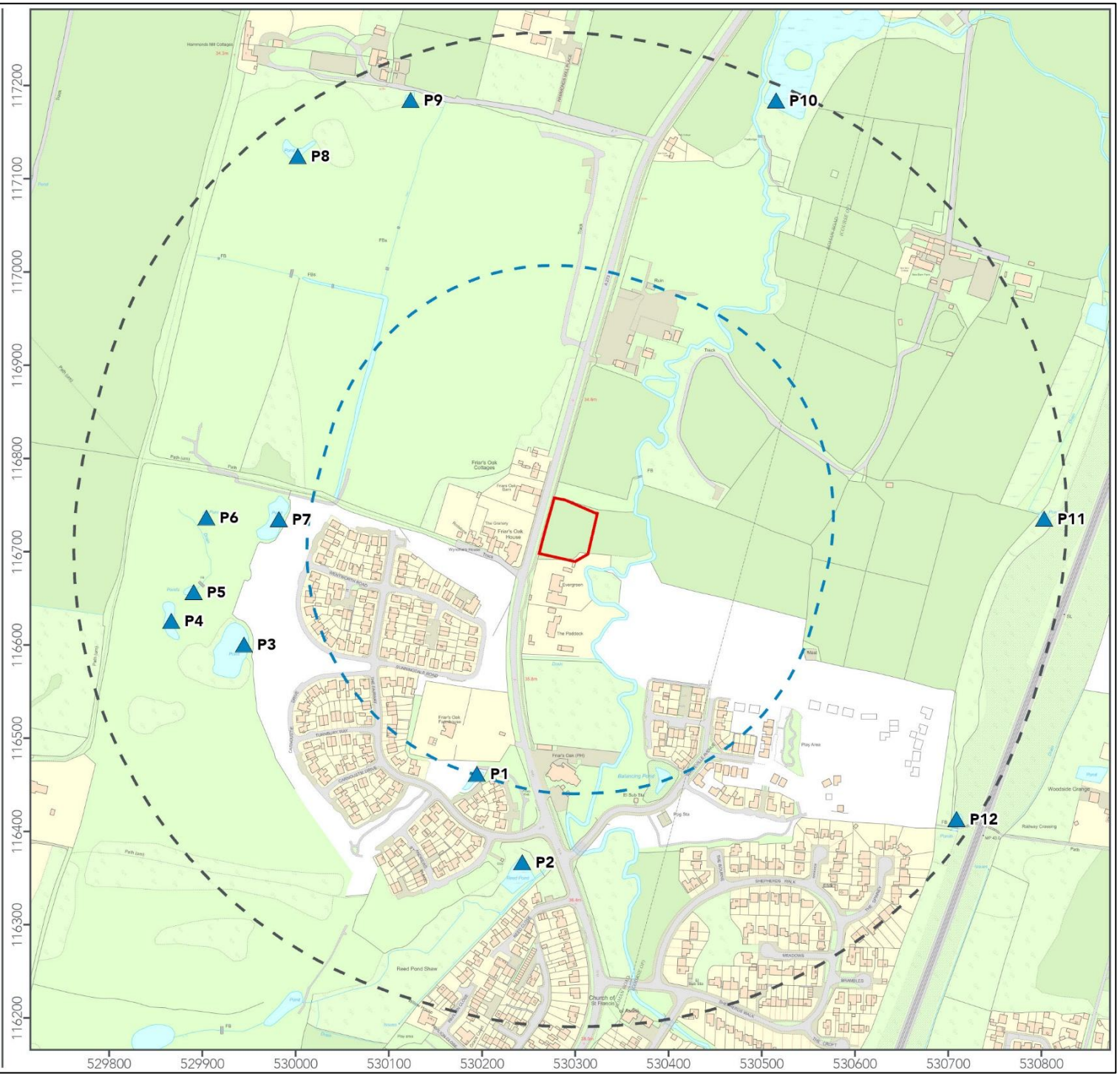
URBAN EDGE ENVIRONMENTAL CONSULTING

**Tel:** 01273 686 766
**Email:** hello@ueec.co.uk
**Web:** www.ueec.co.uk

# Appendix II: Pond Plan

# Land Adjoining Evergreen, London Road, Hassocks, West Sussex

- Site boundary
- 250m buffer
- 500m buffer
- Pond




0 190 380

Metres

N



**Scale (at A4):** 1:6,000 **Created by:** MT

**Date:** Nov 2025 **Reviewed by:** NP

**Drawing number:**

UE0763ECO-LondonRoadHassocks: Ponds: 251110

URBAN EDGE ENVIRONMENTAL CONSULTING

**Tel:** 01273 686 766
**Email:** hello@ueec.co.uk
**Web:** www.ueec.co.uk

# Appendix III: Hedgerow Regulations Survey

| | Hedgerow Number |
|---|---|
| **Feature** | **H1** |
| **Adjacent to bridleway/path** | No |
| ***Populus nigra, Sorbus torminalis, Tilia cordata, Tilia platyphyllos* present** | No |
| **Average number of woody species within 30m sections** | 3 |
| **Associated bank or wall** | No |
| **Intact hedgerow** | Yes |
| **Trees present within hedge** | Yes |
| **Number of woodland species within 1m** | 0 |
| **Ditch** | No |
| **Connection points** | One |
| **Parallel hedge** | No |
| **Residential curtilage** | No |
| **IMPORTANT** | No |

*This page is intentionally blank.*

# Appendix IV: Plant Species Which Encourage Bats

Please see following pages which are drawn from Gunnell *et al*. (2012).

| Plant Species | Common name | Native | Type | Benefit | Soil | Light | Extensive green roofs | Living walls | Rain Gardens | Hedges/ trees | Beds/ borders |
|---|---|---|---|---|---|---|---|---|---|---|---|
| *Acer campestre* | Field maple | N | T/S | C | Any | Sun / shade | | | | Y | |
| *Acer platanoides* | Norway maple | | T | S | Well drained / alkaline | Sun / shade | | | | Y | |
| *Acer saccharum* | Sugar maple | | T | S | Any | Sun / shade | | | | Y | |
| *Achillea millefolium* | Yarrow | N | HP | C,F | Well drained | Sun | Y | | | | |
| *Ajuga reptans* | Bugle | N | HP | C,F | Any | Sun / shade | Y | | | | |
| *Anthyllis vulneraria* | Kidney vetch | N | HP | F | Well drained | Sun | Y | | | | |
| *Aubrieta deltoidea* | Aubrieta | | H | F | Well drained | Sun / shade | | Y | | | |
| *Betula pendula* | Silver birch | N | T | C | Sandy / Acid | Sun | | | | Y | |
| *Cardamine pratensis* | Cuckoo-flower | N | HP | F | Moist | Sun / shade | | | | | Y |
| *Carpinus betulus* | Hornbeam | N | T | C | Clay | Sun | | | | Y | |
| *Centaurea nigra* | Common knapweed | N | HP | C,F | Dry, not acid | Sun | Y | | | | Y |
| *Centranthus ruber* | Red valerian | | HP | F | Well drained / alkaline | Sun | Y | | | | Y |
| *Clematis vitalba* | Old man's beard | N | C | F | Well drained / alkaline | Sun | | | | Y | |
| *Corylus avellana* | Hazel | N | S | C | Any dry | Sun / shade | | Y | | Y | |
| *Crataegus monogyna* | Hawthorn | N | S | S,C | Any | Sun / shade | | | | Y | |
| *Daucus carota* | Wild carrot | N | Bi | S,C,F | Any | Sun | Y | | | | Y |
| *Dianthus spp.* | Pinks | N | A-Bi | F | Well drained | Sun | Y | Y | | | Y |
| *Digitalis purpurea* | Foxglove | N | Bi | C | Well drained | Shade / partial shade | | | | Y | Y |
| *Erica cinerea* | Bell heather | N | S | F | Sandy | Full sun | | | | | Y |
| *Erysimum cheiri* | Wallflower | | Bi-P | F | Well drained | Sun | | Y | | | |
| *Eupatorium cannabinum* | Hemp agrimony | N | H | F | Moist | Sun / shade | | | | | Y |
| *Fagus sylvatica* | Beech | N | T | C,R | Well drained / alkaline | Sun / shade | | | | Y | |
| *Foeniculum vulgare* | Fennel | | H | F | Well drained | Sun | | | | | Y |
| *Fraxinus excelsior* | Common ash | N | T | C,R | Any | Sun / shade | | | | Y | |
| *Hebe spp.* | Hebe species | | S | F | Well drained | Sun / shade | | | | Y | Y |
| *Hedera helix* | Ivy | N | C | F,C | Any | Sun / shade | | Y | | Y | Y |
| *Hesperis matrionalis* | Sweet rocket | | H | F | Well drained / dry | Sun / shade | | | | | Y |
| *Hyacinthoides non-scripta* | Bluebell | N | B | F | Loam | Shade / partial shade | | Y | | Y | Y |
| *Ilex aquifolium* | Holly | N | T | C | Any | Sun / shade | | | | Y | |

| Plant Species | Common name | Native | Type | Benefit | Soil | Light | Extensive green roofs | Living walls | Rain Gardens | Hedges/ trees | Beds/ borders |
|---|---|---|---|---|---|---|---|---|---|---|---|
| *Jasminum officinale* | Common jasmine | | C | F | Well drained | Sun | | Y | | | Y |
| *Lavandula spp.* | Lavender species | | S | F | Well drained / sandy | Sun | | Y | | | Y |
| *Linaria vulgaris* | Toadflax | N | HP | C | Well drained / alkaline | Sun | Y | | | | Y |
| *Lonicera periclymenum* | Honeysuckle | N | C | F | Well drained | Sun | | Y | | Y | |
| *Lotus corniculatus* | Bird's foot trefoil | N | HP | F | Well drained / dry | Sun | Y | | | | Y |
| *Lunaria annua* | Honesty | | Bi | F | Any | Sun / partial shade | Y | | | | |
| *Malus spp.* | Apple | | T | C | Any | Sun | | | | Y | |
| *Matthiola longipetala* | Night-scented stock | | A | F | Well drained/ moist | Sun | | | Y | | |
| *Myosotis spp.* | forget-me-not | N | A | F | Any | Sun | Y | Y | | | |
| *Nicotiania alata* | Ornamental tobacco | | A | F | Well drained/ moist | Sun / partial shade | | | Y | | |
| *Oenothera spp.* | Evening primrose species | | Bi | F | Well drained/ dry | Sun | Y | | | | |
| *Origanum vulgare* | Marjoram | N | HP | F | Well drained/ dry | Sun | Y | Y | | | |
| *Populus alba* | White poplar | N | T | C | Clay loam | Sun | | | | Y | |
| *Primula veris* | Cowslip | N | HP | F | Well drained/moist | Sun / partial shade | Y | | | | |
| *Primula vulgaris* | Primrose | N | HP | F | Moist | Partial shade | Y | Y | | Y | |
| *Prunus avium* | Wild cherry | N | T | C | Any | Sun | | | | Y | |
| *Prunus domestica* | Plum | | T | C | Well drained/ moist | Sun | | | | Y | |
| *Prunus spinosa* | Blackthorn | N | S | C | Any | Sun / partial shade | | | | Y | |
| *Quercus petraea* | Sessile oak | N | T | C,R | Sandy loam | Sun / shade | | | | Y | |
| *Quercus robur* | Common oak | N | T | C,R | Clay loam | Sun / shade | | | | Y | |
| *Rosa canina* | Dog rose | N | S | C | Any | Sun | | | Y | Y | |
| *Salix spp.* | Willow species | N | S | S,C | Moist | Sun / shade | | | Y | Y | |
| *Sambucus nigra* | Elder | N | T | C | Clay loam | Sun | | | | Y | |
| *Saponaria officinalis* | Soapwort | N | HP | F | Any | Sun | | | | | |
| *Saxifraga oppositifolia* | Saxifrage | N | HP | C | Well drained | Sun | Y | Y | | | |
| *Scabiosa columbaria* | Small scabious | N | HP | F | Well drained/ alkaline | Sun | Y | | | | |
| *Sedum spectabile* | Ice plant | | HP | F | Well drained/ dry | Sun | Y | | | | |
| *Silene dioica* | Red campion | N | HP | F | Any | Shade / partial shade | | Y | Y | Y | |
| *Sorbus aucuparia* | Rowan | N | T | C | Well drained | Sun | | | | Y | |

| Plant Species | Common name | Native | Type | Benefit | Soil | Light | Extensive green roofs | Living walls | Rain Gardens | Hedges/ trees | Beds/ borders |
|---|---|---|---|---|---|---|---|---|---|---|---|
| *Stachys lanata* | Lamb's ears | | HP | F | Well drained/dry | Sun | Y | | | | |
| *Symphotrichum spp.* | Michaelmas daisies | | HP | F | Any | Sun | | | | | |
| *Tegetes patula* | French marigold | | A | F | Well drained/moist | Sun | | | | | |
| *Thymus serpyllum* | Creeping thyme | N | HP/S | F | Well drained/dry | Sun | Y | Y | | | |
| *Tilia x europaea* | Common lime | | Type | C | Any | Sun / shade | | | | Y | |
| *Trifolium spp.* | Clover species | N | HP | F | Any | Sun | Y | | | | |
| *Veleriana spp.* | Valerian species | N | HP | F | Moist | Sun / partial shade | | | Y | | |
| *Verbascum spp* | Mulleins | N | Bi,HP | C | Well drained | Sun | Y | | | | |
| *Verbena bonariensis* | Verbena | | HP | F | Well drained/moist | Sun | | | | | |
| *Viburnum lantana* | Wayfaring tree | N | S | C | Any | Sun / shade | | | | Y | |
| *Viburnum opulus* | Guelder rose | N | S | C | Moist | Sun / shade | | | Y | Y | |
| *Viola tricolor* | Pansy | N | A | F | Well drained/moist | | Y | Y | | | |

The table above is derived from the BCT publication Landscape and Urban Design for Bats and Biodiversity (Gunnell et al., 2012) and lists suggested plant species that can provide benefit for bats either by providing a food source for insects or roost potential. The plants listed are predominately native to Britain. The small group of non-native plants is included for their documented value for wildlife. This list has been checked against Natural England's list of invasive non-native plants.

HP: Herbaceous perennial
Bi: Biennial
BiP: Biennial perennial

T: Tree
S: Shrub
H: Herb

A: Annual
B: Bulb
C: Creeper/climber

Benefit:
C: Moth caterpillar food plant
S: Sap sucking insects (e.g. whiteflies)

F: Flowers attract adult moths
R: Good roost potential

# Appendix V: Legislation and Planning Context

**Legislation**

*General*

The main legislative instruments for ecological protection in England and Wales are: the Wildlife and Countryside Act 1981 (WCA; as amended); Countryside and Rights of Way Act 2000 (CRoW; as amended); Natural Environment and Rural Communities Act 2006 (NERC; as amended); the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations; as amended); and the Environment Act 2021.

WCA 1981 consolidated and amended pre-existing national wildlife legislation in order to implement the Bern Convention and the European Union Wild Birds Directive (Council Directive 2009/147/EC). It complements the Habitats Regulations, offering protection to a wider range of species than the latter. The Act also provided for the designation and protection of nationally important conservation sites of value for their floral, faunal or geological features, termed Sites of Special Scientific Interest (SSSI). Schedules of the act list protected species of flora and fauna, as well as invasive species, and detail the possible offences that apply to these species.

The CROW Act 2000 amended and strengthened existing wildlife legislation detailed in the WCA. It placed a duty on government departments & the National Assembly for Wales to have regard for biodiversity, provided increased powers for the protection and maintenance of SSSI, and created a right of access to parts of the countryside. The Act contained lists of habitats and species (Section 74) for which conservation measures should be promoted, in accordance with the recommendations of the Convention on Biological Diversity (Rio Earth Summit) 1992.

The NERC Act 2006 consolidated and replaced aspects of earlier legislation. Section 40 of the Act places a duty upon all local authorities and public bodies in England and Wales to have regard to the purpose of conserving biodiversity in exercising all of their functions, including by restoring or enhancing habitats and species populations. Sections 41 (England) and 42 (Wales) list habitats and species of principal importance to the conservation of biodiversity (otherwise known as Priority Habitats/species as listed in the now superseded UK Biodiversity Action Plan). These lists supersede Section 74 of the CRoW Act 2000. These species and habitats are a material consideration in the planning process.

The Habitats Regulations 2017 are the principal means by the European Union Habitats Directive (Council Directive 92/43/EEC) was transposed into English and Welsh law, and place a duty upon the relevant authority of government to identify sites which are of importance to the habitats and species listed in Annexes I and II of the Habitats Directive. Those sites which meet the criteria in Europe are designated as Sites of Community Importance by the European Commission, and subsequently identified as Special Areas of Conservation (SAC) by the European Union member states. Since the UK's departure from the European Union the European Commission no longer has a role in designating SACs in the UK. The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 establish a single stage designation process, where the appropriate authority is the decision maker. The selection and designation of SACs is based on the criteria set out in Annex III of the Habitats Directive insofar as it applies to the UK, and having regard to the advice of the appropriate nature conservation body.

The 2019 Amendment Regulations have created a new national site network on land and at sea, including both the inshore and offshore marine areas in the UK. The national site network includes existing SACs, existing Special

Protection Areas (SPA) originally designated as a result of Council Directive 2009/147/EC on the Conservation of Wild Birds, and any new SACs and SPAs designated under the 2019 Regulations. SACs and SPAs in the UK therefore no longer form part of the EU's Natura 2000 ecological network.

The Habitats Regulations also provide for the protection of individual species of fauna and flora of European conservation concern listed in Schedules 2 and 5 respectively (European Protected Species (EPS)). Schedule 2 includes species such as otter and great crested newt for which the UK population represents a significant proportion of the total European population. It is an offence to deliberately kill, injure, disturb or trade in these species. Schedule 5 plant species are protected from unlawful destruction, uprooting or trade under the regulations. Under the Habitats Regulations disturbance includes any activity which is likely to: impair the ability of a EPS to survive, breed, reproduce, or rear/nurture its young; impair the ability of a EPS to migrate or hibernate; or significantly affect the local distribution or abundance of the species.

The Environment Act 2021, among other things: established an Office for Environmental Protection; introduced a mandatory requirement for all new development requiring planning permission to achieve a net gain for biodiversity of at least 10% (although implementation of this is transitionary); amended the NERC Act duty to conserve biodiversity by explicitly adding a duty to enhance; and requires local authorities to produce local nature recovery strategies.

*Great crested newt (Triturus cristatus; GCN) (and natterjack toad Bufo calamita)*

GCN is fully protected by the WCA and the Habitats Regulations. The legislation makes it an offence, *inter alia*, to:

- Intentionally kill, injure or take a GCN (including its eggs).
- Possess or control a live or dead GCN, any part of, or anything derived from a GCN.
- Intentionally or recklessly damage, destroy or obstruct access to any structure or place that a GCN uses for shelter or protection.
- Intentionally or recklessly disturb a GCN while it is occupying a structure or place that it uses for shelter or protection.

*Wild birds*

Wild birds are protected by the Wildlife and Countryside Act, 1981 (as amended). This legislation makes it an offence to intentionally kill, injure or take away any wild bird. It is also an offence to take, damage or destroy the nest of any wild bird while it is in use or being built or to take or destroy the egg of any wild bird. In addition, certain species are listed on Schedule 1 of the WCA (such as kingfisher *Alcedo atthis*). This makes it an additional offence to intentionally or recklessly disturb the adults while they are in and around their nest or intentionally or recklessly disturb their dependent young. Such species are considered to be in greater need of legal protection or of high nature conservation priority.

Birds of Conservation Concern (BoCC5) are included on Red and Amber lists (Stanbury *et al.*, 2021). Birds on the Red list are those of highest conservation priority due significant and sustained population decreases and/or range contractions (e.g. house sparrow *Passer domesticus* and starling *Sturnus vulgaris).* Birds on the Amber list are the next most critical group and include species whose population/range have shown moderate declines, or which have recovered to some extent from historical decline, such as dunnock *Prunella modularis*.

*Badger (Meles meles)*

Badgers are listed under Schedule 6 of the Wildlife and Countryside Act which grants them partial protection. This protection is extended by the Protection of Badgers Act 1992 (Badger Act) which makes it an offence to take, injure or kill a badger, interfere with a sett, sell or possess a live badger, or mark or ring a badger without a licence. Under the Act disturbance is illegal without a licence. Natural England has published guidelines to be adopted when determining whether an activity is 'disturbing' i.e. a licence is required when, for example, using heavy machinery (generally tracked vehicles) within 30m of any entrance to an active sett. Licences are not normally issued during the badger breeding season (December – June inclusive).

*Bats (Chiroptera)*

Bats and their roosts are fully protected by protected by the WCA and the Habitats Regulations, and seven species of bats are species of principal importance. The legislation makes it an offence, *inter alia*, to:

- Intentionally kill, injure or take a bat.
- Possess or control a live or dead bat, any part of a bat, or anything derived from a bat.
- Intentionally or recklessly damage, destroy or obstruct access to any structure or place that a bat uses for shelter or protection. This is taken to mean all bat roosts whether bats are present or not.
- Intentionally or recklessly disturb a bat while it is occupying a structure or place that it uses for shelter or protection.
- Make a false statement in order to obtain a licence for bat work.

Under the Habitats Regulations disturbance includes any activity which is likely to:

- Impair the ability of a bat to survive, breed, reproduce, or rear/nurture its young.
- Impair the ability of a bat to migrate or hibernate.
- Significantly affect the local distribution or abundance of the species.

*Eurasian beaver (Castor fiber)*

From October 2022 Eurasian beavers are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). Under this legislation it is an offence to:

- Deliberately disturb a beaver – this includes any action likely to impair their ability to survive, breed or rear their young.
- Deliberately injure, capture or kill a beaver.
- Damage or destroy the breeding site or resting place of a beaver.

It is also an offence to:

- Possess, control or transport a beaver.
- Sell or exchange a beaver.
- Offer a beaver for sale or exchange.

This applies whether the beaver is alive or dead and includes beaver parts and derivatives.

The Wildlife and Countryside Act 1981 (as amended) prohibits the release of beavers into the wild except with a licence. It also makes it an offence to use any trap or snare for the purpose of killing, taking or restraining beavers. It is also an offence to set a trap or snare in place to cause injury to a beaver.

Some management activities near or in a site of special scientific interest may need permission from Natural England under this legislation.

Beavers are protected from unnecessary suffering and cruel treatment under the Animal Welfare Act 2006 and the Wild Mammals (Protection) Act 1996.

*Hazel dormouse (Muscardinus avellanarius)*

Dormouse is fully protected by the WCA and the Habitats Regulations. The legislation makes it an offence, *inter alia*:

- Intentionally kill, injure or take a dormouse.
- Possess or control a live or dead dormouse, any part of, or anything derived from a dormouse.
- Intentionally or recklessly damage, destroy or obstruct access to any structure or place that a dormouse uses for shelter or protection.
- Intentionally or recklessly disturb a dormouse while it is occupying a structure or place that it uses for shelter or protection.

*Otter (Lutra lutra)*

Otter is fully protected by the WCA and the Habitats Regulations. The legislation makes it an offence, *inter alia*, to:

- Intentionally kill, injure or take an otter.
- Possess or control a live or dead otter, any part of, or anything derived from an otter.
- Intentionally or recklessly damage, destroy or obstruct access to any structure or place that an otter uses for shelter or protection.
- Intentionally or recklessly disturb an otter while it is occupying a structure or place that it uses for shelter or protection.

*Water vole (Arvicola amphibious)*

Water vole is fully protected by the WCA. The legislation makes it an offence, *inter alia*, to:

- Intentionally kill, injure or take a water vole.
- Possess or control a live or dead water vole, any part of, or anything derived from a water vole.
- Intentionally or recklessly damage, destroy or obstruct access to any structure or place that a water vole uses for shelter or protection.
- Intentionally or recklessly disturb a water vole while it is occupying a structure or place that it uses for shelter or protection.

*Reptiles*

The four common species (slow-worm *Anguis fragilis*, common lizard *Zootoca vivipara*, adder *Vipera berus* and grass snake *Natrix helvetica*) are partially protected under the WCA. They are protected, *inter alia*, against intentional killing and injuring. The handling and translocation of these reptiles does not require a licence.

Smooth snake *Coronella austriaca* and sand lizard *Lacerta agilis* are fully protected by the WCA and the Habitats Regulations. The legislation makes it an offence, *inter alia*, to:

- Intentionally kill, injure or take a smooth snake or sand lizard.
- Possess or control a live or dead smooth snake or sand lizard, any part of, or anything derived from a smooth snake or sand lizard.
- Intentionally or recklessly damage, destroy or obstruct access to any structure or place that a smooth snake or sand lizard uses for shelter or protection.
- Intentionally or recklessly disturb a smooth snake or sand lizard while it is occupying a structure or place that it uses for shelter or protection.

*Weeds Act 1959 / Ragwort Control Act 2003*

This legislation provides for orders to be made for control where notifiable weed species such as ragwort are said to be a problem. The act does not make it illegal to have ragwort (or other weed species) on your land, make it illegal to allow ragwort to spread, or force landowners automatically to control it. However, if DEFRA is satisfied that there are injurious weeds to which this Act applies growing upon any land it may serve upon the occupier of the land a notice in writing requiring them, within the time specified in the notice, to take such action as may be necessary to prevent the weeds from spreading.

**Planning context**

*National Planning Policy Framework (Section 15: Conserving and enhancing the natural environment)*

The National Planning Policy Framework (NPPF), published in December 2024, outlines the Government's commitment to the conservation of wildlife and natural features. It is concerned with:

- Protecting and enhancing valued landscapes, sites of biodiversity or geological conservation 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 & 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.

The NPPF requires that local plans should "distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value…; take a strategic approach to

maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scape across local authority boundaries".

To protect and enhance biodiversity and geodiversity, the NPPF states that planning policies should:

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

When determining planning applications, local planning authorities should aim to protect and enhance biodiversity by applying the following principles:

- if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees ) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to 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.

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

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

The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site. The policies within the NPPF (and additional guidance contained within Circular 06/2005) are a material planning consideration.

*UK/Local Biodiversity Action Plan Designations and Birds of Conservation Concern and Red Data Book Listings*

Note that BAP designations and status as RSPB Birds of Conservation Concern or Red Data Book species does not offer any further legal protection, but planning authorities are required to prevent these species from being adversely affected by development in accordance with National Planning Policy and the CROW and NERC Acts. The United Kingdom Biodiversity Action Plan (UKBAP), first published in 1994 and updated in 2007, was a government initiative designed to implement the requirements of the Convention of Biological Diversity to conserve and enhance species and habitats. The UKBAP contained a list of Priority Habitats and species of conservation concern in the UK, and outlined biodiversity initiatives designed to enhance their conservation status.

However, as a result of devolution, and new country-level and international drivers and requirements, much of the work previously carried out by the UK BAP is now focussed at a country-level rather than a UK-level, and the UK BAP was succeeded by the 'UK Post-2010 Biodiversity Framework' in July 2012. The UK lists of Priority Habitats and species nonetheless remain an important reference source and were used to draw up statutory lists of Priority Habitats and species in England, Northern Ireland, Scotland and Wales. The Priority Habitats and species correlate with those listed on Section 41 and 42 of the NERC Act.

The UKBAP required that conservation of biodiversity be addressed at a County level through the production of Local BAPs. These are targeted towards species of conservation concern characteristic of each area. In addition, a number of local authorities and large organisations have produced their own BAPs. Where they exist, Local BAP targets with regard to species and habitats are a material consideration in the planning process.

### *Local Planning Policy*

*The following policies relating to wildlife and biodiversity are contained within the adopted Mid Sussex District Plan 2014-2031 (Mid Sussex District Council, 2018):*

*DP37: Trees, Woodland and Hedgerows*

*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 those 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 or adjacent properties.*

*DP38: Biodiversity*

*Biodiversity will be protected and enhanced by ensuring development:*

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

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

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

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

# Appendix VI: Legal and Technical Limitations

- This report has been prepared by Urban Edge Environmental Consulting Ltd (UEEC Ltd) with all reasonable skill, care and diligence within the terms of the contract made with the Client to undertake this work, and taking into account the information made available by the Client. No other warranty, expressed or implied, is made as to the professional advice included in this report or any other services provided by us.
- UEEC Ltd disclaims any responsibility to the Client and others in respect of any matters outside the scope of this contract. This report is confidential to the Client and is not to be disclosed to third parties. If disclosed to third parties, UEEC Ltd accepts no responsibility of whatsoever nature to third parties to whom this report, or any part thereof, is made known. Any third party relies upon the contents of this report at their own risk and the report is not to be relied upon by any party, other than the Client without the prior and express written agreement of UEEC Ltd.
- The advice provided in this report does not constitute legal advice. As such, the services of lawyers may also be considered to be warranted.
- Unless otherwise stated in this report, the assessments made assume that the sites and facilities that have been considered in this report will continue to be used for their current planned purpose without significant change.
- All work carried out in preparing this report has utilised and is based upon UEEC Ltd's current professional knowledge and understanding of current relevant UK standards and codes, technology and legislation. Changes in this legislation and guidance may occur at any time in the future and may cause any conclusions to become inappropriate or incorrect. UEEC Ltd does not accept responsibility for advising the Client or other interested parties of the facts or implications of any such changes;
- Where this report presents or relies upon the findings of ecological field surveys (including habitat, botanical or protected/notable species surveys), its conclusions should not be relied upon for longer than a maximum period of two years from the date of the original field surveys. Ecological change (e.g. colonisation of a site by a protected species) can occur rapidly and this limitation is not intended to imply that a likely absence of, for instance, a protected species will persist for any period of time;
- This report has been prepared using factual information contained in maps and documents prepared by others. No responsibility can be accepted by UEEC Ltd for the accuracy of such information;
- Every effort has been made to accurately represent the location of mapped features, however, the precise locations of features should not be relied upon;
- Populations of animals and plants are often transient in nature and a single survey visit can only provide a general indication of species present on site. Time of year when the survey was carried out, weather conditions and other variables will influence the results of an ecological survey (e.g. it is possible that some flowering plant species which flower at other times of the year were not observed). Every effort has been made to accurately note indicators of presence of protected, rare and notable species within and adjacent to the site but the possibility nonetheless exists for other species to be present which were not recorded or otherwise indicated by the survey;
- Any works undertaken as a consequence of the recommendations provided within this report should be subjected to the necessary health & safety checks and full risk assessments.

**Urban Edge Environmental Consulting Ltd**

Donkey Row Barn | Brighton Road | Hassocks | BN6 9BS

T: 01273 68 67 66 | E: enquiries@ueec.co.uk

www.ueec.co.uk | LinkedIn | IEMA



CIEEM REGISTERED PRACTICE 2025-2026

**Urban Edge Environmental Consulting Ltd**

Donkey Row Barn | Brighton Road | Hassocks | BN6 9BS

T: 01273 68 67 66 | E: enquiries@ueec.co.uk

www.ueec.co.uk |



URBAN EDGE ENVIRONMENTAL CONSULTING

NATURAL PROGRESSION

CIEEM REGISTERED PRACTICE 2025-2026

IEMA CORPORATE PARTNER