



PRELIMINARY ECOLOGICAL APPRAISAL

Kingscote, East Grinstead

On behalf of: Paw Paddock Ltd

Client:	Paw Paddock Ltd			
Project:	Kingscote, East Grinstead			
Reference:	LLD3492-ECO-REP-001-00-PEA			
Revision:	Date:	Author	Proof	Approved
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Validity:

This report is valid for 18 months from the date of the site visit. If works have not commenced by this date, an updated site visit should be carried out by a suitably qualified ecologist to assess any changes in the habitats present on site, and to inform a review of the conclusions and recommendations made.



LIZARD

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SUMMARY

Lizard Landscape Design and Ecology (LLDE) has been commissioned by Paw Paddock Ltd to undertake a Preliminary Ecological Appraisal (PEA) of land at Kingscote, East Grinstead (located around central grid reference: TQ 36747 35304 – hereafter referred to as ‘the site’). This report presents the results of an initial scoping survey which was undertaken on the 13th of March 2025 to evaluate the existing ecological resources within and adjacent to the site, to highlight any potential ecological constraints and opportunities to inform scheme design, and to identify the need for further assessment prior to application, where required.

The site covers an area of 1.1ha and is located within the southern end of a field near Kingscote Station, East Sussex. The site consists entirely of poor condition modified grassland, whereas adjacent habitats to the west and south include native hedgerows, bramble scrub, a small stream and ancient woodland. The grassland within the site is suitable for development and enhancement, and greatest ecological interest at the site is associated with the adjacent ancient woodland habitat, which should be fully retained and protected throughout proposals via the implementation of the Reasonable Avoidance Measures (RAMs) provided within this report.

The habitats within and adjacent to the site were found suitable to support reptiles, amphibians, commuting, foraging and roosting bats, breeding birds, dormice and other small mammals, and invertebrates. Due to the nature of the development, the following Phase 2 surveys are recommended: eDNA of surrounding ponds P1, P2 and P3. RAMs for all other species have been outlined herein. As the presence, or potential presence, of protected species is a material consideration in the planning process these surveys shall need to be undertaken before determination of the planning application.

Proposals have negligible potential to impact upon any statutory designations identified within a potential zone of influence of development if all recommended RAMs and best practice guidelines are followed. Therefore, no further assessment in regard to the *Habitat Regulations (2017)* would be required.

Opportunities for ecological enhancement have been provided to allow the ecological value of the site to be maximised. A Biodiversity Net Gain Feasibility assessment has been completed to provide recommendations on how best to achieve BNG, which are detailed herein. In summary, the retained grassland on site should be re-seeded with

a wildflower lawn mix to increase floral diversity, to try to ensure the layout of the scheme would comply with the +10% mandate in the *Environment Act (2021)*.

Subject to a sensitively designed scheme, which gives due consideration to the survey and mitigation requirements outlined herein, no major ecological constraints have been identified which would preclude the provision of a well-designed development.

Table No. 01 - Summary of Recommendations

Ecological Receptor	Recommendations	Time Constraint
eDNA	Ponds P1, P2 and P3 should be subject to eDNA sampling and analysis to determine GCN presence or absence.	Mid-April to June inclusive.

1.0 INTRODUCTION

- 1.1 Lizard Landscape Design and Ecology (LLDE) has been commissioned by Paw Paddock Ltd to undertake a Preliminary Ecological Appraisal (PEA) of land at Kingscote, East Grinstead (located around central grid reference: TQ 36747 35304 – hereafter referred to as ‘the site’).
- 1.2 The purpose of this report is to establish the site’s suitability for development, inform the design process for future proposals, record the ecological baseline and identify key potential ecological constraints and opportunities associated with future development proposals. This report has been prepared with due consideration for existing best practice guidance (CIEEM, 2017) (BSI, 2013) and aims to provide general advice on ecological constraints associated with development of the site. The report includes recommendations for further assessment where necessary. It is not intended that this report should be submitted with a planning application for development of the site, unless supported by the results of further surveys and a detailed assessment of the effects of the proposed development.

Site Information

- 1.3 The site covers an area of c. 1.1 hectares (ha) and consists of a roughly rectangular shaped plot within the southern end of a field, comprised entirely of modified grassland. Immediately adjacent to the western and southern boundaries of the site is a native hedgerow, with an unregistered accessway road running parallel to the western hedgerow, separating the site from ancient woodland, and a dry drainage ditch running alongside the southern hedgerow. Immediately south of the southern hedgerow is another area of ancient woodland called Kingscote Shaw, which includes a section of bramble scrub and a small stream running close to the site boundary. A recreational railway track called The Bluebell Railway runs parallel to the eastern side of the site, and the field continues north of the red line boundary.

Surrounding Landscape

- 1.4 The site is located within a rural setting near Kingscote Station, West Sussex, with the settlements of Crawley Down and East Grinstead located c. 3km north-west and north-east respectively. The surrounding landscape is dominated by woodland and arable land connected by a network of hedgerows and streams, with a small number of residential and farm dwellings interspersed throughout. The River Medway is located c. 300m east of the site and is connected to a series of ponds and lakes in the area. The underlying substrate is described as “slightly acid loamy and clayey soils with impeded drainage” (Cranfield University).

Development Proposals

- 1.5 It is understood that the proposals are for the creation of an exclusive, enclosed and secure dog walking area. The area will comprise grassland with a footpath running around the perimeter, a small car park suitable for two cars and a small field shelter, with the site encompassed by deer-proof fencing. The only existing habitat to be removed is a small area of poor condition modified grassland to enable the creation of a small car parking area and footpath.

2.0 SCOPE OF THE ASSESSMENT

- 2.1 In accordance with current guidance (CIEEM, 2017), the aim of the Preliminary Ecological Appraisal has been to:
- Identify the likely ecological constraints associated with a project;
 - Identify any mitigation measures likely to be required, following the ‘Mitigation Hierarchy’ (BSI, 2013);
 - Identify any additional surveys that may be required to inform an Ecological Impact Assessment (EclA); and
 - Identify the opportunities offered by a project to deliver ecological enhancement.

3.0 METHODOLOGY

3.1 Desk Study

- 3.1.1 The Multi-Agency Geographical Information Centre (MAGIC) website was consulted for information regarding the location of waterbodies, priority habitats, statutory designated sites and existing wildlife mitigation licences, within a potential zone of influence of the site. Additionally, the Local Planning Authority (LPA) website was consulted for information regarding the location of non-statutory designated areas, and satellite imagery and historic mapping was used to inform an assessment of the recent land use changes and habitat types within the area. The following potential zones of Influence's have been used for the following potential ecological receptors during the desk study assessment:

Table No. 02 – Zones of Influences for Ecological Receptors

Potential Zone of Influence	Type of Record / Designation/s / Ecological Receptor
0.5km	Ponds, ditches and other water bodies.
2.0km	- Priority Habitats (UKBAP) (NERC, 2006); - European Protected Species Mitigation Licences (EPSMLs); - Local Nature Reserves (LNRs); - National Nature Reserves; - Sites of Special Scientific Interest (SSSIs); and - Local Wildlife Sites (LWS) / Site of Nature Conservation Interest (SNCI).
10.0km	- Special Protection Areas (SPAs); - potential Special Protection Areas (pSPAs); - Ramsars (Wetlands of International Importance); - proposed Ramsars (pRamsar); - Special Areas of Conservation (SACs); and - possible Special Areas of Conservation (pSACs).
12.0km	Special Areas of Conservation (SACs) and possible Special Areas of Conservation (pSACs) designated for supporting Annex II bat species.

- 3.1.2 All protected / notable species records within a 2.0km radius of the site were provided by Sussex Biodiversity Records Centre (SxBRC) on the 1st of April 2025.
- 3.1.3 The Local Planning Authority website was consulted to inform of additional relevant information to this assessment, including local development plan policies in relation to ecology and biodiversity (see *Appendix A – Planning Policy and Legislation*) as well as any Local Nature Recovery Strategies, Nature Improvement Areas (NIAs) and Biodiversity Opportunity Areas (BOAs) etc.

3.2 Field Survey

- 3.2.1 The field survey was undertaken on the 13th of March 2025 by Suitably Qualified Ecologists (Owen Beesley BSc (Hons), 1 year's professional experience and Joseph Peterson MSc, 1 year's professional experience). Weather conditions were cold (c.6°C), with a moderate northerly wind (Beaufort Scale 3), 80% cloud cover and occasional hail.
- 3.2.2 The field survey comprised a walkover inspection of the site, immediately adjacent land and boundaries features, in which ecological features were noted and mapped in accordance with principles of the UKHabs-Professional Classification System (UKHabs Ltd., 2023). A minimum mapping unit of 25m² / 5m length was used and habitats were identified to at least level 4 wherever practicable. Habitat categories were slightly amended to be consistent with those used as part of Biodiversity Net Gain calculations.
- 3.2.3 A list of plant species noted was compiled, together with an estimate of relative abundance made according to the DAFOR scale. In addition, Target Notes were used to provide supplementary information where necessary on any features encountered which were notable, relevant to the assessment or too small to map.

3.3 Evaluation of Ecological Features

- 3.3.1 An assessment was made to determine the likely importance of any flora / habitats present, as well as determining whether any qualified as being of conservation merit, such as those listed as habitats and species of principal importance for the conservation of biodiversity (NERC, 2006). Likely importance was determined in reference to a predefined geographical frame of reference, as laid out in *Guidelines for Ecological Impact Assessment* (CIEEM, 2022), this was assessed in accordance with the criteria outlined below:

Table No. 03 – Likely Importance Assessment Criteria

Likely Importance Categories	Likely Importance Criteria
Negligible	Of no notable ecological value.
Site	Ecologically valuable within the context of the site
Local	Ecologically valuable within the context of the immediate surrounds, i.e., c. 1km ²
District	Ecologically valuable within the context of the wider surrounds / LPA district, i.e., c. 10km ²
County	Ecologically valuable within the context of the wider county, i.e., c. 100km ²
Regional	Of ecological value within the region, i.e., south east, south west, midlands etc.
National	Of ecological value within the context of the United Kingdom, such as a SSSIs, NNR's etc.
International	Ecological value of global significance, such as SACs, SPAs etc.

- 3.3.2 Habitats within and adjacent to the site were assessed to determine their potential to support protected and notable fauna. This assessment was based on professional judgment and experience, with due consideration to industry standard best practice guidance for the relevant taxa, as laid out in the table below. The possible presence of each taxon was summarised as either negligible, low, moderate, high or confirmed.

Table No. 04 – Habitat Suitability Assessment References

Fauna	Relevant Best Practice Guidance
Great Crested Newts	<i>Great Crested Newt Conservation Handbook</i> (Langton <i>et al</i> , 2001) & <i>Evaluating the Suitability of Habitat for the Great Crested Newt</i> (Oldham <i>et al</i> , 2000)
Reptiles	<i>Herpetofauna Workers' Manual</i> (Gent and Gibson, 2003)
Bats	<i>Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition)</i> (Collins, 2023)
Dormice	<i>The Dormice Conservation Handbook</i> (English Nature, 2006)
Badger	<i>Survey Badgers</i> (Harris <i>et al</i> , 1989)
Water Vole	<i>The Water Vole Mitigation Handbook</i> (Dean <i>et al</i> , 2016)
Birds	<i>Guidance for Bird Surveys in Relation to Development</i> (NE, 2022)
Invertebrates	<i>Considering Terrestrial Invertebrates in Preliminary Ecological Appraisals</i> (Jukes, 2021) and <i>Organising Surveys to Determine Site Quality for Invertebrates</i> (English Nature, 2005)

- 3.3.3 Photographs were taken as evidence and to illustrate any notable ecological features on site. These have been provided within the body of the relevant parts of the Results section, where appropriate.

3.4 Daytime Bat Walkover Survey

- 3.4.1 A Daytime Bat Walkover (DBW) survey was undertaken as part of the field survey assessment by the suitably experienced surveyors Owen Beesley BSc (Hons) and Joseph Peterson MSc, accredited agents under 2016-20460-CLS-CLS.
- 3.4.2 The Daytime Bat Walkover (DBW) survey entailed a slow walkover of the site, during which time the surveyor identified any structures, trees and other features that could be suitable for bats to roost in, and any habitats which could be suitable for bats to commute, forage or swarm in.

3.4.3 During this survey any direct evidence of bats was searched for and recorded, such as grease marks, urine stains, bat droppings, feeding remains and dead / live bats. Furthermore, any structures or trees which offered features with the potential to support bats were noted. For trees this included the identification of features typically associated with decay, such as, but not limited to, cracks, crevices and holes naturally formed by trees. For structures this included the identification of features such as, but not limited to, slipped, missing or uneven tiles, gaps around the soffit / barge board and raised flashing etc.

3.4.4 All suitable bat habitat was assessed in accordance best practice criteria (Collins, 2023), which is outlined herein. During the survey all trees within and immediately adjacent to the site were assessed using the following criteria:

Table No. 05 – Criteria for Assessing the Bat Roosting Suitability of Trees

Suitability	Description
None	Either no potential roosting features in the tree, or highly unlikely to be any.
FAR	Further assessment required to establish if potential roosting features are present in the tree.
PRF	A tree with at least one potential roosting feature present.

3.4.5 If it was possible to adequately assess a Potential Roosting Feature (PRF) from ground level then this was completed, and the feature classified as either:

- **PRF-I:** Feature only suitable for individual or very small numbers of bats, either due to size or lack of suitable surrounding habitat; or
- **PRF-M:** PRF is suitable for multiple bats and therefore has the potential to be used by a maternity colony.

3.4.6 Furthermore, all structures were assessed externally, and internally wherever possible for their potential to support bats, using the following criteria:

Table No. 06 – Criteria for Assessing the Bat Roosting Suitability of Structures

Potential Suitability	Description
None	No habitat features on site likely to be used by any roosting bats at any time of year.
Negligible	No obvious habitat features on site likely to be used by roosting bats. However, some small uncertainty remains, as bats can use small and apparently unsuitable features occasionally.

Potential Suitability	Description
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically at any time of year. However, these do not provide enough shelter, space, protection, appropriate conditions or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats.
Moderate	A structure with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat, but unlikely to support a roost of high conservation status, irrespective of species conservation status.
High	A structure with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat, with the potential to support high conservation status roosts irrespective of species conservation status.
Confirmed	Direct evidence of bats identified.

- 3.4.7 Finally, an assessment of the winter hibernation potential of the structures was made in consideration of the criteria used for assessing structures and trees, in combination with the potential presence of classic hibernation features, known roosts and suitability of habitat in the surrounds.

3.5 Great Crested Newts – Habitat Suitability Assessment

- 3.5.1 Any ponds identified within or adjacent to the site were subject to a Habitat Suitability Index (HSI) assessment to determine their suitability to support GCN, in line with current guidance (Oldham *et al*, 2000). The HSI is a numerical index, between 0 and 1 (0 representing completely unsuitable habitat and 1 representing optimal habitat), calculated based on the suitability of 10 calculable indices.
- 3.5.2 HSI assessment is useful to aid in determining how suitable a given waterbody is for GCN, but it does not directly correlate with GCN presence or population numbers and serves as information only.

- 3.5.3 The 10 indices considered as part of the HSI assessment include geographic area, pond area, permanence of waterbody, water quality, shading, waterfowl presence, fish presence, number of ponds within 1.0km, suitability of terrestrial habitat and macrophyte cover, which were investigated during the field survey assessment.

3.6 Badgers

- 3.6.1 A walk over assessment of the site, and all land within 30m of the site where access was available and practicable, was conducted in order to search for evidence of badgers. This survey was conducted in line with best practice guidance (Harris *et al*, 1989) and included a systematic search for signs such as:

- 'Push-throughs';
- 'Snuffle-holes';
- Latrines;
- Badger guard hairs;
- Setts;
- Badger footprints; and
- Mammal runs.

3.7 Constraints and Limitations

- 3.7.1 Due to the field survey consisting of only one site visit, certain species, particularly some of the flowering plants, may not have been visible or may have been otherwise inconspicuous at the time of the survey and hence overlooked. These are accepted constraints associated with the UKHabs Survey Methodology.
- 3.7.2 The HSI assessment was conducted in suboptimal season. Where a criterion could not be assessed accurately due to seasonal constraints it was scored more highly under a precautionary approach.

4.0 RESULTS

4.1 Desk Study

Pond Study

- 4.1.1 4no. ponds were identified within 500m of the site, based on OS mapping and satellite imagery.

Table No. 07 – Ponds within 500m of the site

Pond No.	Description	Distance and Direction from Site
P1	Medium private pond network located at the end of a private field, surrounded by trees.	c. 60m E
P2	Small shallow pond located in woodland near Vowels Lane.	c. 200m NW
P3	Medium pond located in South Wood near a public footpath.	c. 230m W
P4	Small pond located within a field	c. 420m NW

Priority Habitats

- 4.1.2 In accordance with the MAGIC dataset, within a 2.0km search radii of the site there were UKBAP Priority Habitats (NERC, 2006) of Traditional Orchard, Lowland Meadow, Lowland Mixed Deciduous Woodland (some of which was Ancient and Semi-Natural Woodland), Wet Woodland, and Wood-pasture and Parkland.

European Protected Species Mitigation Licence (EPSML) Search

- 4.1.3 In accordance with the MAGIC dataset, within a 2.0km search radii of the site, the following records for existing European Protected Species Mitigation Licences (EPSMLs) were returned:

Table No. 08 – EPSMLs within Potential Zone of Influence

Date	Species	Licence Permission	Distance and Direction from Site
11/04/17	Great crested newt <i>Triturus cristatus</i>	Destruction of a resting site	c. 1.3km NW

Date	Species	Licence Permission	Distance and Direction from Site
01/09/10	Brown long-eared <i>Plecotus auritus</i> , common pipistrelle <i>Pipistrellus pipistrellus</i> , soprano pipistrelle <i>pipistrellus pygmaus</i>	Destruction of a resting site	c. 1.5km NE
17/10/18, 03/12/18	Brown long-eared, common pipistrelle, soprano pipistrelle	Destruction of a breeding site, destruction of a resting site	c. 1.6km SW

Local Non-Statutory Designated Areas

- 4.1.4 The following non-statutory designated areas were identified within 2.0km of the site.

Table No. 09 – Non-Statutory Designated Areas

Site	Location
B-line Network	c. 0.0km
Lower & Upper Lakes & Meadow, Gravetye Estate (Local Wildlife Site)	c. 1.0 km S
Mill Place Meadow (Local Wildlife Site)	c. 1.0km SE

Statutory Designated Sites

- 4.1.5 Statutory designated sites identified within a potential zone of influence of the site include:

Table No. 10 – Statutory Designated Sites

Site	Description	Location
Statutory Designated Sites within 2.0km		
High Weald AONB	Supports a wide range of habitats and species, as well as various geological and historical landmarks. Habitats include ancient woodland, lowland meadow and salt marshes, and species include dormouse <i>Muscardinus avellanarius</i> , black-headed cardinal beetle <i>Pyrochroa coccinea</i> and coralroot bittercress <i>Cardamine bulbifera</i> .	c. 0.0km

Site	Description	Location
Weir Wood Reservoir SSSI & LNR	One of the largest areas of open water in Sussex and supports a rich community of breeding birds, such as great-crested grebe <i>Podiceps cristatus</i> .	c. 1.1km SE
Stone Hill Rocks SSSI	Geological feature which exhibits natural sandstone crags, important for study of sedimentary structures.	c. 1.2km SE
International Statutory Designated Sites within 10/12km		
Ashdown Forest SAC	The site is primarily designated for supporting the following Annex I habitats: - Northern Atlantic wet heaths with <i>Erica tetralix</i> - European dry heaths The following Annex II species are present at the site as qualifying features, but are not the primary reason for the designation: - Great crested newt <i>Triturus cristatus</i>	c. 3.5km SE
Ashdown Forest SPA	The SPA is designated under article 4.1 of the EU Birds Directive for regularly supporting nationally important breeding populations of the following Annex 1 species: - European nightjar <i>Caprimulgus europaeus</i> - Dartford warbler <i>Sylvia undata</i> Other regularly occurring Annex 1 species include: - Woodlark <i>Lullula arborea</i> - Hen harrier <i>Circus cyaneus</i> - Great grey shrike <i>Lanius excubitor</i>	c. 3.5km SE

- 4.1.6 The site is located within the Impact Risk Zones of Ashdown Forest SSSI, Weir Wood Reservoir SSSI and Wakehurst & Chiddingly Woods SSSI; however, development proposals do not meet the criteria which would require the LPA to consult with Natural England regarding potential impacts.

4.2 Existing Habitat Assessment

Site Assessment

4.2.1 Habitats within and adjacent to the site include:

- Modified Grassland
- Species-rich Native Hedgerow
- Bramble Scrub
- Ancient Lowland Mixed Deciduous Woodland (long continuity habitat)
- Other rivers and streams

Modified Grassland

- 4.2.2 The entirety of the site consisted of modified grassland with a low species diversity. The sward was c. 5-10cm long at the time of the survey and was dominated by couch grass *Elytrigia repens*, with a moss species locally abundant. Forbs noted frequently include white clover *Trifolium repens* and creeping buttercup *Ranunculus repens*. The habitat appears to be subject to a mowing regime, and included evidence of deer grazing such as tracks and droppings, and deer were observed on site during the survey. Overall, the grassland was of **site** value.



Photograph No: 1 – View across the site towards the south-east from the north-west.



Photograph No: 2 – View of a section of modified grassland, with deer droppings visible.

Species-rich Native Hedgerow

- 4.2.3 Running alongside the western and southern boundaries of the site, but outside of the red line boundary, were native hedgerows. They were dominated by hazel *Corylus avellana*, with blackthorn *Prunus spinosa* abundant throughout, and hawthorn *Crataegus mononyga*, beech *Fagus sylvatica*, bramble *Rubus fruticosus* and oak sp. *Quercus* sp. also present. The canopy of the western hedgerow was dense, whereas the southern hedgerow contained frequent gaps throughout, and both hedgerows had been heavily pruned prior to the survey. Overall, these hedgerows were considered to be of **local** value.



Photograph No: 3 – View of a section of the western hedgerow



Photograph No: 4 – View of a section of the southern hedgerow

Bramble Scrub

- 4.2.4 Adjacent to the south of the southern hedgerow was an area of dense scrub c. 5m wide, spanning approximately half of the length of the southern boundary and dominated by a thick canopy of bramble. Overall, the habitat was considered to be of **site** value.



Photograph No: 5 – View towards the south, showing a section of the bramble scrub.



Photograph No: 6 – View towards the east, with the bramble scrub to the right of the image running parallel with the southern hedgerow.

Ancient Lowland Mixed Deciduous Woodland (long continuity habitat)

- 4.2.5 South of the bramble scrub was an area of ancient lowland mixed deciduous woodland, containing hazel, alder *Alnus glutinosa*, poplar spp. *Populus* spp, sycamore *Acer pseudoplatanus* and silver birch *Betula pendula* trees comprising a variety of age classes, many of which exhibited cavities and moss growth on their trunks and roots. The ground flora was sparse, and the woodland contained an abundance of deadwood. The woodland was located within the Forestry Commission Legal Boundary and borders an area of coniferous woodland to the south. The habitat is considered to be a long continuity habitat, according to maps consulted from the late 19th century (National Library of Scotland). Overall, the habitat was considered to be of **district** value.



Photograph No: 7 – View towards the south-west of the woodland



Photograph No: 8 – View towards the west of the woodland

Other Rivers and Streams

- 4.2.6 A small natural stream ran through the woodland from west to east, parallel to the southern hedgerow and through a culvert underneath the railway track. At the time of survey, the water level was extremely low and dry in places, and the flow rate was almost stagnant, with areas of both steep and shallow banks. Significant numbers of deer tracks were found along the stream, indicating its use as a potential water source and/or commuting route. Overall, the habitat was considered to be of **local** value.



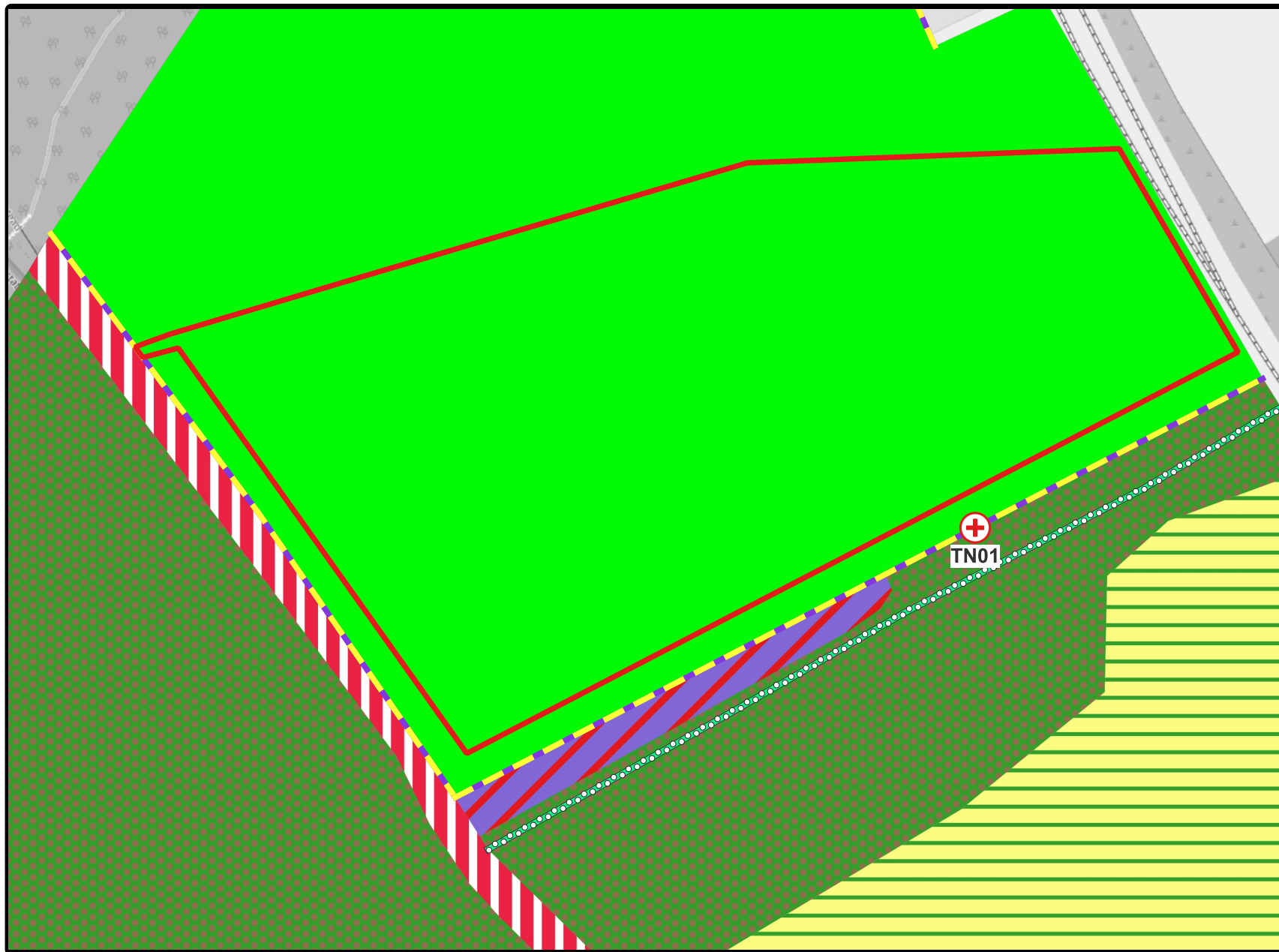
Photograph No: 9 – View towards the east of the deciduous woodland, with the banks of the stream visible in the centre.



Photograph No: 10 – View towards the east of the deciduous woodland, with the stream visible in the centre

4.3 Invasive Species

- 4.3.1 No invasive species were identified on or adjacent to site during the survey.



Legend

HEDGEROWS

 Native hedgerow

WATERCOURSES

 Other rivers and streams

HABITATS

 Developed land; sealed surface

 Mixed scrub

 Modified grassland

 Other coniferous woodland

 Other woodland; broadleaved

 Target Notes



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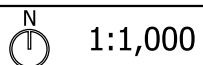
Paw Paddock Ltd

Project Title & Location

Paw Paddock, Kingscote,
East Grinstead

Drawn by	Approved by	Rev	Date
JP	MD	00	28/04/25

Figure No. 01 - Site Habitat Plan



4.4 Protected and Notable Fauna - Likely Presence Assessment

Amphibians

Desk Study

- 4.4.1 SxBRC returned 1no. record for great crested newt *Triturus cristatus* from within the search area, which pertained to a pond survey conducted in 2014, for a pond centred c. 1.6km north-east of site, whereby GCN eggs were observed within a pond in an area of woodland near East Grinstead Sports Club.

Site Assessment - Ponds

- 4.4.2 4no. ponds were located within 500m of the site, of which 3no. ponds are within 250m and were able to be assessed. P1 was located on the eastern side of the railway track to the site and is thought to be connected to the stream that runs to the south of the site, via a culvert underneath the railway track. Despite the presence of two Canada geese *Branta canadensis* and a mallard *Anas platyrhynchos* on site, the HSI assessment considered the pond to have 'excellent' suitability for great crested newts, with some suitable habitat present, in the form of rough grassland, shrubs and macrophytes.

Table No. 11 – Summary of HSI Results (P1)

HSI Criteria	P1	
Location	1	Zone A
Pond Area	0.955	c. 1000m ²
Permanence	1.0	Rarely dries
Water Quality	0.67	Moderate
Shade	1.0	60% cover
Waterfowl	0.67	Minor
Fish	0.67	Possible
Pond Count	1	>4 per km ²
Terrestrial Habitat	0.67	Moderate
Macrophytes	0.7	40% cover
HSI Score	0.82	Excellent

- 4.4.3 P2 was located c. 200m north-west of the site and consisted of a small and very shallow pond within an area of woodland, with a small stream flowing in and out. The pond appears to dry out every year, and the size of it potentially reduces the suitability for GCN, which is reflected in the HSI assessment of 'poor'. The pond is located close to a hedgerow which is connected to the

hedgerows adjacent to site.

Table No. 12 – Summary of HSI Results (P2)

HSI Criteria	P2	
Location	1	Zone A
Pond Area	0.955	<50m ²
Permanence	0.1	Dries annually
Water Quality	0.33	Poor
Shade	0.4	90% cover
Waterfowl	1.0	Absent
Fish	1.0	Absent
Pond Count	1.0	>4 per km ²
Terrestrial Habitat	1.0	Good
Macrophytes	0.4	10% cover
HSI Score	0.47	Poor

- 4.4.4 P3 was located c. 230m west of the site, within an area of woodland, and consisted of a pond roughly 15x30m, surrounded by trees and with deadwood spanning across. The pond appears highly suitable for GCN due to the lack of fish and abundance of surrounding woodland habitat, however the lack of macrophyte cover and high possibility of drying slightly reduces the likelihood of GCN presence. The HSI assessment concluded that the pond offered 'excellent' suitability and is connected to the site via woodland and hedgerows.

Table No. 13 – Summary of HSI Results (P3)

HSI Criteria	P2	
Location	1.0	Zone A
Pond Area	1.0	c. 450m ²
Permanence	0.5	Sometimes dries
Water Quality	0.67	Moderate
Shade	0.8	70% cover
Waterfowl	1.0	Absent
Fish	1.0	Absent
Pond Count	1.0	>4 per km ²
Terrestrial Habitat	1.0	Good
Macrophytes	0.45	15% cover
HSI Score	0.80	Excellent

- 4.4.5 P4 was located c. 420m north-west of the site and was located within the middle of a field. It was scoped out at this stage due to the intervening distance and lack of habitat connecting the pond to the site.

Site Assessment – Terrestrial habitat

- 4.4.6 Despite the proximity of suitable ponds within the local area, the site itself is largely unsuitable for GCN and other amphibians due to the dominance of regularly mown short-sward modified grassland, which offers poor-quality foraging habitat. However, habitats adjacent to the site include hedgerows, scrub, woodland and a stream which provide a number of foraging, hibernation and commuting opportunities. Overall, the site itself is considered to be of no more than **low** value to GCN and other widespread amphibian species.

Reptiles

Desk Study

- 4.4.7 SxBRC returned numerous records for 3no. species of reptiles, including 30no. records for slow worm *Anguis fragilis*, 249no. records for grass snake *Natrix helvetica* and 43no. records for common lizard *Zootoca vivipara*. The closest records for a reptile was centred c. 1.1km south-east of the site within Weir Wood Reservoir LNR, where a series of surveys were undertaken between 2016 and 2023, which comprise the vast majority of the total reptile records. Weir Wood Reservoir is connected to the site by a series of agricultural and pastoral fields, hedgerows, lines of trees and woodland, along which reptiles could feasibly commute to the site.

Site Assessment

- 4.4.8 Reptiles require a mosaic of habitats to persist in a landscape, including vegetative cover for refuge opportunities, open areas for basking and a diverse flora to support viable invertebrate prey throughout the year. Due to the dominance of short-sward modified grassland on site, which offers no more than a limited foraging and basking opportunity, the site is largely unsuitable for reptiles. The field margins, scrub and woodland adjacent to the site offer several areas of refuge and foraging, such as areas of deadwood within the woodland; however, these habitats are outside of the red line boundary. Overall, the habitat within the site itself is considered to be of **low** value to reptiles.

Bats

Desk Study

- 4.4.9 SxBRC returned 71no. records for 5no. species of bat, including records for Daubenton's *Myotis daubentii*, whiskered *Myotis mystacinus* OR Brandt's myotis *Myotis brandtii*, common pipistrelle *Pipistrellus pipistrellus*, soprano pipistrelle *Pipistrellus pygmaeus* and brown long-eared bat *Plecotus auritus* from within the search area. This included records for roost sites, observations of bats in the field and acoustic analysis. The closest non-historical record was centred c. 1.1km south-east of the site within Weir Wood Reservoir LNR, and pertained to a field observation in 2017 where a pair of Daubenton's bats were seen foraging over the water at dusk.

Daytime Bat Walkover

- 4.4.10 The site does not contain any trees or existing buildings and therefore no suitable roosting habitat was present on site.

Foraging and Commuting Suitability

- 4.4.11 The site is located in a rural area and is surrounded by a number of foraging and commuting habitats suitable for a variety of bat species. Adjacent to the site is an area of ancient lowland mixed deciduous woodland containing ample roosting features within the trees, such as knot holes and ivy growth. In addition, the scrub and hedgerows adjacent to the site – including within the woodland edge - provide a high commuting potential, as well as a wide range of invertebrate habitat and thus foraging potential for bats. The hedgerows, although heavily pruned and having not yet reached maturity, are connected to a wider area of treelines and deciduous woodland to the north, west and south of the site, which provide features that are highly suitable for the majority of UK bat species. The site itself offers limited foraging potential as the open short-sward grassland only has the potential to support small variety of invertebrate prey. Overall, this site is considered to offer **low** foraging and commuting suitability, with the surrounding off-site/adjacent habitats considered to be of **high** suitability.

Dormice

Desk Study

- 4.4.12 SxBRC returned 2no. records of dormouse *Muscardinus avellanarius* from within the search area, the closest non-historical record of which was centred c. 1.4km east-by-southeast within an area of ancient lowland mixed

deciduous woodland, where a nest was found during a tube survey. Both records are connected to the site by a series of agricultural and pastoral fields, hedgerows, lines of trees and woodland, along which dormice could feasibly commute to the site.

Site Assessment

- 4.4.13 The grassland on site offers little suitable foraging or hibernation habitat for dormice; however, the site could feasibly be used as a commuting route and the grass does provide some limited potential nesting material. The hedgerows and scrub adjacent to the site contain hazel, hawthorn, blackthorn and bramble which support dormice foraging, although the hedgerows are not mature and are heavily pruned. The ancient woodland located south of the site contains a significant amount of coppiced hazel, and the diversity of possible food sources within the area represents highly suitable dormouse habitat, although no signs of dormouse present (such as nut remains) were found during the assessment. The woodland and hedgerow habitats are connected to the wider area of woodland and fields. Overall, the on-site habitat was considered to be of **low** value to dormice, with **high** value in the adjacent lowland mixed deciduous woodland.

Badgers

Desk Study

- 4.4.14 SxBRC class badger *Meles meles* records as confidential and were therefore not included within the data search.

Site Assessment

- 4.4.15 A single footprint was observed along a mammal run connecting the site to the ancient woodland (TN01) – although it was not possible to conclusively identify the species, it is thought to potentially belong to a badger cub. No other evidence of badgers (such as push-throughs, latrines or setts) were found on or adjacent to site. The site itself offers badger foraging opportunities in the form of earthworms, and the adjacent scrub, hedgerow, woodland and fields offer a plethora of potential food sources. The hedgerow and woodland habitats are connected to areas of woodland and fields within the wider area, providing optimal sett habitat for badgers, however the site itself offers little suitable sett potential. Therefore, the site is considered to be of **low** value to commuting and foraging badgers only.

Birds

Desk Study

- 4.4.16 SxBRC returned 8981no. records for 99no. species of birds from within the search area. This included records for 30no. species listed on Schedule 1 (Wildlife and Countryside Act, 1981) (as amended), as well as records for 37no. species of birds listed on the Birds of Conservation Concern (BoCC) Red List (Stanbury *et al*, 2021). This included records for birds associated with woodland habitat such as hawfinch *Coccothraustes coccothraustes*, lesser spotted woodpecker *Dendrocopos minor* and tree pipit *Anthus trivialis*, as well as ground nesting birds such as skylark *Alauda arvensis* and curlew *Numenius arquata*. Records for birds of prey, wintering wildfowl, seasonal migrants and farmland species were also returned.

Site Assessment

- 4.4.17 The hedgerows adjacent to the site represent traditional nesting habitat for many passerine birds, and an unused nest consisting of moss and sticks was observed within the southern hedgerow during the survey, indicating its use as nesting habitat (see Photograph No. 11 below). The adjacent scrub, hedgerows and field margins may also be suitable to support certain ground nesting birds such as dunnock *Prunella modularis*, and the woodland offers suitable nesting habitat for a variety of woodland species. The adjacent habitats also offer several foraging resources. The site itself offers a potential foraging resource for local species in the form of earthworms and invertebrates, however the regular mowing regime reduces the likelihood of any species using the field to nest. Overall, the site itself offers **low** value for wild bird species with **low** potential to support a notable species assemblage.



Photograph No: 11 – View of a bird's nest found within the southern hedgerow

Invertebrates

Desk Study

- 4.4.18 SxBRC returned 350no. records for 62no. species of protected / notable invertebrates from within the search area, including 12no. records for 8no. species of beetle, 39no. records for 8no. species of butterfly (of which 6no. species are listed within Section 41 (NERC Act, 2006) such as dingy skipper *Erynnis tages* and grizzled skipper *Pyrgus malvae*), 168no. records for 37no. species of moth, (of which 25no. species are listed within Section 41, such as oak hook-tip *Watsonalla binaria* and knot grass *Acronicta rumicis*).

Site Assessment

- 4.4.19 The vegetation within the site had been recently mown and was not suitable to provide optimal invertebrate habitat. Although the species diversity of the grassland was poor and the sward height was short, the presence of couch grass offers larval food for several moth and butterfly species such as ringlet *Aphantopus hyperantus* and lunar yellow underwing *Noctua orbona*, and the presence of flowering species such as white clover and creeping buttercup could provide a source of nectar for a variety of common and widespread pollinating invertebrate species. Due to the short sward height and low species diversity of the grassland, the site is of **low** value to invertebrates.

Hedgehogs

4.4.20 *Desk Study*

SxBRC returned no records for European hedgehog *Erinaceus europaeus* from within the search area.

Site Assessment

- 4.4.21 The habitats adjacent to the site offer suitable foraging and nesting potential, in the form of woodland and scrub, and are connected to wider areas of hedgerows, fields and woodlands to the north, west and south. However, the site itself offers no more than an occasional foraging resource and was therefore only considered to be of **low** value to hedgehogs.

5.0 ECOLOGICAL CONSTRAINTS AND RECOMMENDATIONS

5.1 Internationally Designated Sites

- 5.1.1 1no. internationally designated statutory site was identified within a potential zone of influence of the proposed development site – Ashdown Forest SAC and SPA – the impact pathway of which is considered to be **increased recreational pressure** by an increase in dwellings (Mid Sussex District Council, 2018). Due to the proposed development which is not due to increase residential dwellings, no impacts upon Ashdown Forest SAC and SPA are likely to occur.

5.2 Nationally and Locally Designated Sites

- 5.2.1 Several nationally and locally designated areas were identified with a potential of the zone of influence of the site, and the site lies within High Weald AONB. The potential impacts by the development on the sites were considered, i.e., dust emission, increased recreational pressure and loss of functionally linked land.
- 5.2.2 Works during the construction phase should be undertaken in accordance with best practice guidelines to control any dust creation that may impact the sites. The proposals have a small risk of increasing recreational pressure on the sites due to an increase in the number of dog walkers in the area. However, due to the proposed scale of development, the potential increase is negligible. Without appropriate avoidance there is a risk that connectivity between habitats in the area is reduced by the addition of a fence in the field. The fence line has been adjusted to provide an appropriate field margin buffer of at least 6m to ensure that commuting routes remain undisturbed.
- 5.2.3 The site is located within a Buglife B-line and as such development should incorporate valuable invertebrate habitat into the design, such as wildflower lawns.

- 5.2.4 The site is located within a Nitrate Vulnerable Zone, however the proposed development is not expected to use nitrogen fertiliser or store organic manure. The site is also located c. 1.6km north-west of Weir Wood Reservoir Drinking Water Protected Areas (Surface Water), however the development is not expected to impact it.

5.3 On Site Habitats

- 5.3.1 The following section provides an evaluation of the potential impacts of proposals on the habitats on site and outlines any recommendations required in order to ensure proposals accord with planning policy and legislation (see *Appendix A*), and to maximise opportunities to deliver net gains for biodiversity. Where identified, any potential impacts should be addressed in line with the mitigation hierarchy (BSI, 2013) (CIEEM, 2022) and where possible, mitigation should be embedded in the scheme design as this gives assurance of delivery.

Biodiversity Net Gain Statement

- 5.3.2 As of 12th of February 2024, Biodiversity Net Gain is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). The scheme would be classified as a major development and as such shall be subject to the standard biodiversity gain planning condition.

Evaluation and Recommendations

- 5.3.3 Overall, the habitat on site was assessed as being of broad low ecological value. The existing area of modified grassland is suitable for development, and the loss of small areas of the habitat could be compensated for within the scheme.
- 5.3.4 The greatest ecological interest at the site is associated with the adjacent ancient woodland habitats adjacent to the west and south of the site. Proposals should aim to retain and protect these areas through the inclusion of suitable semi-natural buffers within the scheme. Natural England standing advice recommends a minimum 15m protection buffer between ancient woodland and any development, however given that the scale of the development is limited to the installation of fencing and minor resurfacing of grassland within the buffer, a minimum 6m buffer has been proposed which

is deemed to be acceptable given the scale of proposals. This is provided that all construction works align with BS 5837:2012 and that High-density polyethylene (HDPE) ground cover is used to prevent soil compaction in the southern and western borders of the site.

- 5.3.5 The native hedgerows and field margins located to the west and south of the site are likely used as a commuting route by various taxa. A minimum 6m buffer between the site and any hedgerow should therefore be implemented to ensure that the field can continue to be utilised as a commuting route and avoid potential habitat fragmentation.
- 5.3.6 Small areas of poor condition modified grassland will require removal to facilitate the addition of a small car parking area and footpath. This habitat is of low distinctiveness and can be compensated for by enhancement of the existing modified grassland on site to ensure that the required levels of Biodiversity Net Gain can be achieved on site. Furthermore, it is strongly advised that all habitat adjacent to the site should be fully retained and protected during construction and operation.

5.4 Protected and Notable Species

- 5.4.1 Varying levels of legal protection are afforded to certain protected animals, certain species of conservation importance and broader biodiversity (see *Appendix A – Planning Policy and Legislation*). Therefore, in order to ensure proposals accord with statutory legislation further surveys for these taxa may be required to determine their presence and, if present, to devise an appropriate mitigation strategy. Any protected / notable species assessed as having negligible potential to exist on site during the possible presence assessment were scoped out of further assessment at this stage.

Amphibians

- 5.4.2 The protected species assessment identified that the site offered low potential to support GCN, however adjacent habitats offered a higher potential, and the HSI assessment of two of the three ponds within 250m of the site (including P1 which is thought to be connected to a stream adjacent to the site) suggested the water bodies offered 'excellent' suitability. Overall, it is possible that GCN are absent from the site itself, but it is not possible to scope GCN out at this stage and therefore, a single GCN eDNA survey for

each pond should be completed mid-April to June inclusive, which could result in GCN being scoped out of further assessment. However, should GCN eDNA be identified further GCN population surveys would need to be completed, which would need to be completed between mid-March and June inclusive and in line with current guidance (Langton *et al*, 2001). Therefore, as a precaution, an eDNA survey should be completed ASAP in mid-April, to ensure time is available to complete follow up surveys, should GCN presence be confirmed.

Reptiles

- 5.4.3 The protected species assessment identified that the site itself offered low potential to support reptiles, while the adjacent woodland, scrub and hedgerow habitats offered a higher potential. Any removal of grassland habitat on site could risk reptile injury and/or death, and as reptiles are protected from reckless killing and injury (Wildlife and Countryside Act, 1981), a precautionary approach should be taken. Ideally all vegetation removal required should be undertaken outside of the active reptile season (mid-March to October inclusive). Should this not be practicable, a phased clearance shall be undertaken as detailed below:
- All areas of grassland considered unsuitable for reptiles shall be kept short prior to the commencement of works to prevent possible colonisation of this area by reptiles.
 - Vegetation of value to reptiles which is proposed to be removed shall first be reduced to a height of 150mm in good weather conditions (dry, >9°C) under the supervision of a suitably qualified ecologist, with all arisings removed and left for 24 hours;
 - Vegetation shall then be reduced under supervision to ground level, with any reptiles found during the phased vegetation removal to be translocated to the scrub adjacent to the southern boundary of the site.
 - These shall be directional vegetation cuts moving towards retained areas of suitable habitat.
 - Should any reptiles be found then all works shall cease whilst the reptile is moved into an area of suitable reptile habitat.
- 5.4.4 4no. log piles are to be installed on the southern side of the southern fence line, to provide hibernation opportunities for reptiles.

Bats

- 5.4.5 The protected species assessment identified that the site itself offered negligible potential to support roosting bats, with the adjacent woodland, habitat offering a higher potential. All trees adjacent to site must be retained and protected during construction, and any which are scheduled for major tree surgery works or disturbance through excessive noise and vibration would require further survey work through a climbing inspection.
- 5.4.6 The protected species assessment also identified that the site and adjacent habitats would likely be of high value to commuting and foraging bats in the area. Due to the nature of the development which won't affect potential roosting features or foraging resources, bat activity surveys are unlikely to be required. However, proposals should be mindful of the potential for bats to occur in the area by ensuring that the woodland, scrub and all hedgerows are protected from inappropriate nocturnal lighting, and by limiting the need for nocturnal lighting in the first instance. Any external lighting designs should comply with best practice standards in regard to external lighting and bats (BCT & ILP, 2023).

Dormice

- 5.4.7 The protected species assessment identified that the site itself offered low potential to support dormice, with the adjacent woodland, scrub and hedgerow habitats offering a high potential. As the development won't affect any valuable dormouse habitat then further surveys are unlikely to be required. Therefore, proposals must ensure that all adjacent woodland and hedgerow habitats are retained and protected throughout construction through the erection of tree protection barriers.

Badgers and Hedgehogs

5.4.8 The protected species assessment identified that the site itself offered low potential to support badgers and hedgehogs, with the adjacent woodland, scrub and hedgerow habitats offering a high potential, and no evidence of badger habitat was identified on or immediately surrounding the site. Therefore, further targeted badger surveys will not be required. However, as a potential badger track was found within the woodland adjacent to the site, and due to the suitability of the site and surrounding areas as foraging habitat, it is possible that badgers and hedgehogs could be using the site as a commuting route or foraging resource. Therefore, as a precaution standard badger and hedgehog Reasonable Avoidance Measures (RAMs) should be incorporated into the construction phase to safeguard commuting badgers and hedgehogs:

- Pre-commencement of works check of suitable on-site and immediately adjacent areas for badgers and hedgehogs. This must include a check within 30m of the site to ensure that no new badger setts have been created in a zone of influence from the site;
- All trenches or excavations should be covered overnight or have a broad and shallow ramp installed to prevent mammals becoming trapped;
- Any exposed pipework should be blocked to prevent badgers, hedgehogs or other mammals gaining entry;
- Any loose material stockpiled on site for an extended period should be fenced to prevent badger access, as they readily build setts in loose, easy-to-excavate material; and short-term stockpiles should be checked daily for any signs of digging and fenced as appropriate;
- Existing field margins and hedgerows are to be retained and remain unobstructed to allow their use as commuting corridors.

These measures could be secured at the reserved matters stage, or through the council enforcing a CEMP / appropriate planning condition.

Birds

- 5.4.9 The protected species assessment identified that the site offered habitats of low value to wild birds, with adjacent habitats offering a range of valuable habitat. Any vegetation clearance should occur outside of the main bird nesting season (March-September inclusive), or first be subject to a bird nesting check prior to removal, to be conducted by a suitably qualified ecologist. All adjacent habitats should be fully retained and protected throughout construction.

Invertebrates

- 5.4.10 The protected species assessment identified that the site offered low potential to support a notable invertebrate assemblage, with adjacent habitats offering a range of valuable habitat. Areas of grassland retained within the scheme should be sown with a native flowering lawn mix to increase floral diversity for invertebrates (to be read in conjunction with the Ecological Design Strategy, LLD 2025) for further details), and log piles should be installed throughout the site to offer suitable ecological niches.

6.0 OPPORTUNITES FOR ECOLOGICAL ENHANCMENT

6.1 In addition to any requirement to deliver +10% Biodiversity Net Gain outlined by the Environment Act (2021), net gains for biodiversity are a requirement outlined in National Planning Policy Framework (Department for Levelling Up, Housing & Communities, 2024) and local planning policy guidance. Opportunities for ecological enhancements which could be incorporated into the scheme design are provided below:

- Creation of 4no. log piles on the southern margins of the site, to include areas of deadwood;
- Incorporation of 2no. Vivara pro Seville general purpose bird boxes with 32mm entrance hole (or equal and agreed), installed in southerly directions on the southern fenceline;
- Areas of grassland seeded with flowering lawn mixture to increase floral diversity to provide a greater foraging resource for pollinators.

7.0 CONCLUSIONS

- 7.1 The site covers an area of 1.1ha and is located within the southern end of a field. The site consists entirely of poor condition modified grassland, whereas adjacent habitats to the west and south include native hedgerows, bramble scrub, a small stream and ancient woodland. The grassland within the site is suitable for development and enhancement, and greatest ecological interest at the site is associated with the adjacent ancient woodland habitat, which should be fully retained and protected throughout proposals via the implementation of a minimum 6m buffer zone, erection of tree protection barriers and use of HDPE ground cover.
- 7.2 The habitats within and adjacent to the site were found suitable to support reptiles, amphibians, commuting, foraging and roosting bats, breeding birds, mammals, dormice and invertebrates. Due to the nature of the scheme, the following Phase 2 surveys are recommended: eDNA of surrounding ponds P1, P2 and P3. Reasonable avoidance measures for all other species have been outlined herein. As the presence, or potential presence, of protected species is a material consideration in the planning process these surveys shall need to be undertaken before determination of the planning application.
- 7.3 Proposals have negligible potential to impact upon any statutory designations identified within a potential zone of influence of development when all RAMs are followed. Therefore, no further assessment in regard to the *Habitat Regulations (2017)* would be required.
- 7.4 Opportunities for ecological enhancement have been provided to allow the ecological value of the site to be maximised. A Biodiversity Net Gain Feasibility assessment has been completed to provide recommendations on how best to achieve BNG, which are detailed herein. In summary, the retained grassland on site should be re-seeded with a wildflower lawn mix to increase floral diversity, to try to ensure the layout of the scheme would comply with the +10% mandate in the *Environment Act (2021)*.
- 7.5 Subject to a sensitively designed scheme, which gives due consideration to the survey and mitigation requirements outlined herein, no major ecological constraints have been identified which would preclude the provision of a well-designed development.

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Table No. 14 – Species List for Habitat Parcels**Modified Grassland**

Common Name	Scientific Name	DAFOR
White Clover	<i>Trifolium repens</i>	F
Common Chickweed	<i>Stellaria media</i>	F
Creeping Buttercup	<i>Ranunculus repens</i>	F
Couch grass	<i>Elymus repens</i>	D
Dock sp.	<i>Rumex sp.</i>	O
Barren strawberry	<i>Potentilla sterilis</i>	R
Thyme-leaved Speedwell	<i>Veronica serpyllifolia</i>	R
Common Ragwort	<i>Jacobaea vulgaris</i>	R
Hairy buttercup	<i>Ranunculus sadouz</i>	O
Meadow buttercup	<i>Ranunculus acris</i>	O

D – Dominant; A – Abundant; F – Frequent; O – Occasional; R – Rare; L – Locally

Table No. 15 – Target Notes

Ref	Feature	Description
TN01	Badger print	Potential badger print observed in a track between the southern hedgerow and the ancient woodland

Appendix A – Planning Policy and Legislation

Legislation

Legislation relating to wildlife and biodiversity of particular relevance to this report includes:

- *The Conservation of Habitats and Species Regulations 2017;*
- *The Wildlife and Countryside Act 1981 (as amended);*
- *The Natural Environment and Rural Communities (NERC) Act 2006;*
and
- *The Environment Act 2021.*

This above legislation has been addressed, as appropriate, in the production of this report. Further details of legislation relating to the protection of particular ecological receptors are provided in the table below:

Ecological Constraint	Rationale
SACs (Special Area of Conservation), SPAs (Special Protection Areas) and Ramsars (Wetlands of International Importance)	Under the Conservation of Habitats and Species Regulations 2017 places a duty on the competent authority to maintain the favourable conservation status of designated SAC, SPA and Ramsar sites. Therefore, where it appears to the appropriate nature conservation body that a notice of a proposal relates to an operation which is, or forms, part of a plan or project which is likely to have a significant effect on a European site (either alone or in-combination with other plans or projects), and (b) is not directly connected with or necessary to the management of that site, it must make an appropriate assessment of the implications for that site in view of that site's conservation objectives. In the light of the conclusions of the assessment, it may give consent for the operation only after having ascertained that the plan or project will not adversely affect the integrity of the site.
European protected species (bats, otters, dormice, water voles, great crested newts)	It is an offence under the Conservation of Habitats and Species Regulations 2017 to deliberately kill or injure a European protected species, to destroy breeding/resting sites, or to deliberately disturb these species and affect their ability to survive, rear young, breed, or hibernate.
Nationally protected species (bats, water vole, otter)	It is an offence under the Wildlife and Countryside Act 1981 (as amended) to intentionally or recklessly disturb a species listed on Schedule 5 whilst it is in a place of shelter, or to obstruct access to a place for shelter.
Nationally protected species (reptiles)	It is an offence under the Wildlife and Countryside Act 1981 (as amended) to kill or injure common species of reptiles.
National conservation priority species (white-clawed crayfish, fish, common toad, reptiles, noctule, water vole, otter, hedgehog), i.e., UKBAPs	Section 41 of the NERC Act 2006 requires the Secretary of State to publish a list of species and habitats that are of principal importance for the conservation of biodiversity, and to take, and promote others to take, such steps to further the conservation of these habitats and species. These species and habitats will be considered by Planning Authorities in regard to the National Planning Policy Framework (Ministry of Housing, Communities & Local Government, 2021) to conserve and enhance the natural environment.
Badgers	It is an offence under the Protection of Badgers Act 1992 to damage or destroy a badger sett; obstruct any entrance of a badger sett; and disturb a badger whilst it is occupying a badger sett.

Ecological Constraint	Rationale
Wild mammals (rabbits, foxes, water vole, otter, hedgehog, badger)	It is an offence under the Wild Mammals (Protection) Act 1996 to inflict unnecessary suffering to any wild mammal with intent.
Nesting birds	It is an offence under the Wildlife and Countryside Act 1981 (as amended) to damage or destroy a bird's nest whilst it is in use, and to kill or injure a bird or destroy an egg.
Non-statutory designated sites (SNCI's, LWS, LNR's, etc.)	LNRs are designated under Section 21 of the National Parks and Access to the Countryside Act 1949, which was amended by the Natural Environment and Rural Communities Act 2006. The value for biodiversity of LNRs and LWSs are recognised, and the sites and surrounding buffers are protected by the Local Plan.
Biodiversity	Section 40 of the NERC Act 2006 states that each public authority "must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity." This legislation makes it clear that planning authorities should consider impacts to biodiversity when determining planning applications. Chapter 15 of the National Planning Policy Framework (Ministry of Housing, Communities & Local Government, 2021) states that the planning system and policies should minimise impacts on and provide net gains for biodiversity, and that, if significant harm to biodiversity would result from a development, then development should be avoided (through locating on alternative sites with less harmful impacts).
Irreplaceable habitats (ancient woodland, veteran trees, lowland meadows)	Chapter 15 of the National Planning Policy Framework (Ministry of Housing, Communities & Local Government, 2021) states that 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.
Biodiversity Net Gain	+10% Biodiversity Net Gain (BNG) for new developments will be mandatory under the Environment Act (2021), although this deadline will be extended to April 2024 for small sites and there are exemptions for development below a 25m ² threshold, and for householder applications and self-builds. BNG means that proposals must result in more and/or better-quality natural habitats than there were before development. This also requires that any proposed habitats within the scheme would be necessary to manage for at least 30 years, which would be sought through the provision of S106 legal agreements or conservation covenants.

Local Planning Policy

The Mid Sussex District Council Adopted District Plan (MSDC, 2018) sets out the planning policies for development in the district in relation to biodiversity. Those of potential relevance to this assessment are highlighted in the table below:

Policy Reference	Policy Text
DP37: Trees, Woodland and Hedgerows	Strategic Objectives: 3) To protect valued landscapes for their visual, historical and biodiversity qualities; 4) To protect valued characteristics of the built environment for their historical and visual qualities; and 5) To create and maintain easily accessible green infrastructure, green corridors and spaces around and within the towns and villages to act as wildlife corridors, sustainable transport links and leisure and recreational routes. Evidence Base: Green Infrastructure mapping; Mid Sussex Ancient Woodland Survey, Tree and Woodland Management Guidelines, Tree Preservation Order records. The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected. Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted. Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose. Trees, woodland and hedgerows will be protected and enhanced by ensuring development: - incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and - prevents damage to root systems and takes account of expected future growth; and - where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and - has appropriate protection measures throughout the development process; and - takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and - does not sever ecological corridors created by these assets. Proposals for works to trees will be considered taking into account: - the condition and health of the trees; and - the contribution of the trees to the character and visual amenity of the local area; and

Policy Reference	Policy Text
	- the amenity and nature conservation value of the trees; and - the extent and impact of the works; and - any replanting proposals.
DP38: Biodiversity	Strategic Objectives: 3) To protect valued landscapes for their visual, historical and biodiversity qualities; and 5) To create and maintain easily accessible green infrastructure, green corridors and spaces around and within the towns and villages to act as wildlife corridors, sustainable transport links and leisure and recreational routes. Evidence Base: Biodiversity 2020; Biodiversity Action Plan; Biodiversity Opportunity Areas; Green Infrastructure mapping; Habitats and Species Records; Mid Sussex Ancient Woodland Survey; Mid Sussex Infrastructure Delivery Plan; The Natural Choice: Securing the Value of Nature; West Sussex SNCI Register. Biodiversity will be protected and enhanced by ensuring development: - Contributes and takes opportunities to improve, enhance, manage and restore biodiversity and green infrastructure, so that there is a net gain in biodiversity, including through creating new designated sites and locally relevant habitats, and incorporating biodiversity features within developments; and - Protects existing biodiversity, so that there is no net loss of biodiversity. Appropriate measures should be taken to avoid and reduce disturbance to sensitive habitats and species. Unavoidable damage to biodiversity must be offset through ecological enhancements and mitigation measures (or compensation measures in exceptional circumstances); and - Minimises habitat and species fragmentation and maximises opportunities to enhance and restore ecological corridors to connect natural habitats and increase coherence and resilience; and - Promotes the restoration, management and expansion of priority habitats in the District; and - Avoids damage to, protects and enhances the special characteristics of internationally designated Special Protection Areas, Special Areas of Conservation; nationally designated Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty; and locally designated Sites of Nature Conservation Importance, Local Nature Reserves and Ancient Woodland or to other areas identified as being of nature conservation or geological interest, including wildlife corridors, aged or veteran trees, Biodiversity Opportunity Areas, and Nature Improvement Areas. Designated sites will be given protection and appropriate weight according to their importance and the contribution they make to wider ecological networks. Valued soils will be protected and enhanced, including the best and most versatile agricultural land, and development should not contribute to unacceptable levels of soil pollution. Geodiversity will be protected by ensuring development prevents harm to geological conservation interests, and where possible, enhances such interests. Geological conservation interests include Regionally Important Geological and Geomorphological Sites.

Appendix B – Sussex Biodiversity Records Centre (SxBRC) Summary Report

Ecological Data Search SxBRC/24/939 - Summary Report

An ecological data search was carried out for land at Kingscote, East Grinstead on behalf of Owen Beesley (Lizard Landscape Design & Ecology Ltd) on 01/04/2025.

The following datasets were consulted for this report:

	Requested	Radius/buffer size
Designated sites, habitats & ownership maps	Yes	2km
Protected, designated and invasive species	Yes	2km

Summary of results

Sites and habitats

Statutory sites	2 SSSIs / 1 AONB / 1 LNR
Non-statutory sites	2 LWS / 1 LGS / 3 Designated Road Verges
Section 41 habitats	3 habitats
Ancient and/or ghyll woodland	Present

Protected and designated species

International designations	55 species	5,385 records
National designations	138 species	20,331 records
Other designations	282 species	47,746 records
Total	313 species	51,547 records
Invasive non-native	44 species	5,920 records

The report is compiled using data held by Sussex Biodiversity Record Centre (SxBRC) at the time of the request. SxBRC does not hold comprehensive species data for all areas. Even where data are held, a lack of records for a species in a defined geographical area does not necessarily mean that the species does not occur there – the area may simply not have been surveyed.

**This summary page may be published.
The full report and maps may not be published or otherwise shared.**

The data search report is valid until 01/04/2026 for the site named above.