



PRELIMINARY ECOLOGICAL APPRAISAL

**Sandrock
Old London Road
Coldwaltham
West Sussex
RH20 1LF**

Document date: 6th March 2024

Document ref: 5526E/24/02

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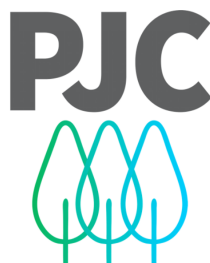
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1 EXECUTIVE SUMMARY

PJC Consultancy Ltd was commissioned by Michael Modlock to provide a Preliminary Ecological Appraisal in support of the proposed development at Sandrock, Old London Road, Coldwaltham, West Sussex, RH20 1LF. The purpose was to classify the habitats present, highlight the potential of the site to support protected species, and recommend suitable avoidance, mitigation, compensation and ecological enhancement measures where appropriate. When implemented successfully, these recommendations will ensure that the development proceeds in line with all relevant laws pertaining protected species and their habitats, as well as contributing to an increase in site biodiversity. This report has been produced in accordance with the National Planning Policy Framework (NPPF) (2023) – more specifically Chapter 15 ‘Conserving and Enhancing the Natural Environment’ as well as the Horsham District Planning Framework (Horsham District Council, 2015), more specifically policies relating to ‘Conserving and Enhancing the Natural and Built Environment’ within chapter 9.

Based on current proposals, the results of the Preliminary Ecological Appraisal can be summarised in the following table:

Protected Species/Habitats	Suitable Habitat Present	Recommended Further Surveys	Ecological Mitigation
Coastal and Floodplain Grazing Marsh Habitat of Principal Importance (HPI)	Coastal and floodplain grazing marsh listed as a HPI under the NERC Act 2006, was recorded 35m south-east of the Site.	None required providing the mitigation measures are adhered to.	A strict pollution prevention protocol must be adopted during construction works to ensure that dust and particulate pollution does not indirectly adversely impact the coastal and floodplain grazing marsh HPI parcel.
Bats (Roosting)	<p>A single building (B2) within the Site was identified as having low potential to support roosting bats.</p> <p>Two buildings (B1 and B3) within the Site were identified as having moderate potential to support roosting bats.</p> <p>Building B3 within the Site was identified as having moderate potential to support hibernating bats.</p>	<p>Two bat emergence surveys should be undertaken on buildings B1 and B3 between May and September inclusive with three weeks between each bat survey.</p> <p>Building B2 is being retained in its entirety and therefore no further surveys are required on this building.</p> <p>Two hibernation checks should be undertaken during the coldest months of the year (generally one undertaken in mid-January, and one undertaken in mid-February) to search for hibernating bats or</p>	Further requirements for mitigation, compensation and/or licences may be required for bats depending on the results of the recommended further surveys.



		evidence of hibernating bats.	
		One automated static-detector should be installed in building B3 for a minimum of two weeks each month during November-March inclusive, to determine the presence or likely absence of bats hibernating within building B3.	
Bats (Foraging and Commuting)	The Site was identified as having low habitat suitability to support commuting and foraging bats in the form of a hedgerow along the eastern boundary of the Site.	None required providing the mitigation measures are adhered to.	A sensitive lighting strategy and general best construction environmental practice should be adopted during the construction and operational phases of the proposed development to direct new artificial lighting away from suitable bat foraging and commuting routes, creating dark buffer zones.
Great Crested Newts (GCN)	The Site was identified as having potential to support GCN during their terrestrial lifecycle phase. Suitable hibernation habitat was also recorded within the Site in the form of a timber retaining wall on the southern aspect of the Site.	None required providing the mitigation measures are adhered to.	All works should be carried out under a Precautionary Non-Licensed Method Statement. Loss of suitable hibernation habitat should be compensated for on a like-for-like basis.
Reptiles	The Site was identified as having low potential to support reptiles providing foraging, commuting, basking and hibernating opportunities.	None required providing the mitigation measures are adhered to.	All works should be carried out under a Precautionary Non-Licensed Method Statement.
Badgers	The Site was considered to provide some limited foraging and commuting opportunities for badgers.	A pre-works survey should be undertaken immediately prior to any construction works commencing to ensure no new setts have become established.	Further requirements for mitigation, compensation and/or licences may be required for badgers depending on the results of the recommended further surveys.



Any required excavations should be excavated individually and backfilled immediately after to avoid animals becoming trapped.

All chemicals onsite should be stored correctly and be made inaccessible to badgers.

Nesting Birds	The Site was identified as having potential to support nesting birds.	None required providing the mitigation measures are adhered to.	Habitat clearance works should be undertaken outside the main nesting bird season (March - September). Should this not be possible, all trees and buildings must be inspected by an ecologist to determine the presence/absence of any nesting birds immediately prior to clearance.
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2 INTRODUCTION

2.1 Instruction

2.1.1 PJC Consultancy Ltd was commissioned by Michael Modlock to provide a preliminary ecological appraisal (PEA) which includes an extended phase 1 habitat survey and a daytime bat walkover (DBW) survey in support of the proposed development at Sandrock, Old London Road, Coldwaltham, West Sussex, RH20 1LF (hereafter referred to as the 'Site').

2.2 Survey Objectives

2.2.1 The aim of this PEA is to identify potential ecological constraints and opportunities associated with the Site by undertaking an extended phase 1 habitat survey, ecological desk study, and DBW. The objectives were to:

- Identify the broad habitat types present on the Site;
- Identify the potential of the Site to support protected and notable habitats and/or species;
- Identify the potential of any trees and buildings within the Site to support roosting bats;
- Highlight known or potential legal or planning policy constraints in relation to ecology and recommend avoidance, mitigation and enhancement measures to satisfy legal and planning policy requirements where appropriate; and
- Identify, where necessary, the requirement for further survey.

2.3 Documents and Information Provided

2.3.1 The current proposal includes the excavation of a portion of the southern aspect of the Site to facilitate the extension of the existing residential dwelling, with the inclusion of a carport and landscaping.

2.3.2 The following documents were used to aid the preparation of this report:

- Pre application response (Michael Modlock, 2023); and
- Site location plan ref: 001 – location plan (Mark Smith Architecture, 2023).

2.4 Scope of Report

2.4.1 This PEA is only concerned with the habitats and features within the property boundaries of the Site, or in areas that have the potential to be affected by the proposed new development.

2.5 Site Description

2.5.1 The Site, approximately 0.02ha in size, lies north of Old London Road, within the rural landscape of Coldwaltham (centred on OS Grid Reference TQ 02639 16676). The Site is bordered by grazing marsh to the south and east, residential dwellings to the west, and agricultural fields to the north. The wider landscape consists of mostly agricultural fields on all aspects as well as being within the South Downs National Park. The location of the Site within its environs is presented in Appendix I.

2.6 Legislation and Planning Policy

2.6.1 This PEA has been compiled with reference to relevant wildlife and countryside legislation, planning policy and the UK Biodiversity Framework. Their context and applicability is explained as appropriate in the relevant sections of the report and additional details are presented in Appendix II.

2.6.2 The key articles of relevance are:

- The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019;
- The Environment Act 2021;



- The Wildlife and Countryside Act 1981, as amended (WCA);
- The Countryside and Rights of Way (CROW) Act 2000;
- The Natural Environment and Rural Communities (NERC) Act 2006;
- National Planning Policy Framework (NPPF) 2023 (Ministry of Housing, Communities and Local Government, 2023);
- The Protection of Badgers Act 1992;
- The UK Post-2010 Biodiversity Framework (2011-2020); and
- Horsham District Planning Framework (Horsham District Council, 2015).



3 METHODOLOGY

3.1 Desk Study

- 3.1.1 A desk study was undertaken in January 2024 with the objective of collating and reviewing existing ecological information, and obtaining data and information held by relevant third parties.
- 3.1.2 In addition, datasets from Natural England (MAGIC, 2024) were reviewed to identify the presence of UK statutory designated sites and notable habitats within the zone of influence, including woodlands listed on the ancient woodland inventory, habitats of principal importance (HPI) listed on the priority habitat inventory and statutory designated for their nature conservation value at the national scale such as sites of scientific interest (SSSI) and at the European and/or international scale namely: special areas of conservation (SACs), special protection areas (SPAs), and internationally designated wetland (Ramsar) sites. These sites collectively are hereafter referred to as ‘European Sites’. Where measurements are included with the record, these provide the distance of the designated site from the closest point of the Site.
- 3.1.3 Data for sites within the zone of influence where European Protected Species Mitigation (EPSM) licences have been granted, were also reviewed. This information allows a greater understanding of the potential for European protected species to be present in the local area.
- 3.1.4 The zone of influence is the area over which ecological features, such as designated sites of nature conservation importance and protected and notable habitats and species, may be affected by the biophysical changes caused by the proposed development and associated activities. Due to the size of the Site and nature of the proposed development, it is considered that a zone of 1km from the centre of the Site is appropriate for the gathering of information for the desk study (CIEEM, 2018).

3.2 Extended Phase 1 Habitat Survey

- 3.2.1 An extended phase 1 habitat survey was undertaken on the 24th January 2024 by Liam Mattingly BSc(Hons) (Natural England class one great crested newt (GCN) *Triturus cristatus* licence holder) following the standard ‘Phase 1 Habitat survey’ auditing method developed by the Joint Nature Conservancy Council (JNCC, 2010) and extended to include consideration of protected species in accordance with good practice guidance for preliminary ecological appraisal (CIEEM, 2017). The Site was surveyed on foot and the existing habitats and land uses were recorded on an appropriately scaled map (Appendix III). In addition, the dominant plant species in each habitat were recorded, as were any evidence of protected and notable species. The potential for the Site to support protected and notable species was also assessed. Those ecological features not classified as a habitat are denoted using a target note.

3.3 Daytime Bat Walkover Survey

- 3.3.1 All buildings and trees within the Site were also subject to a DBW on 24th January 2024. The external and internal inspection of the buildings and ground inspection of trees was to assess potential roosting features (PRFs) such as those presented in Tables 1 and 2. The DBW was undertaken in accordance with best practice survey standards (BCT, 2023 and BTHK, 2018).

Table 1: Features of trees commonly used by bats.

Features of trees used as bat roosts	Signs indicating possible use by bats
Natural holes.	Tiny scratches around entry point.
Woodpecker holes.	Staining around entry point.
Cracks/splits in major limbs.	Bat droppings in, around or below entrance.
Loose bark.	Audible squeaking at dusk or in warm weather.
Hollows/cavities.	Flies around entry point.
Dense epicormic growth (bats may roost within it).	Distinctive smell of bats.
	Smoothing of surfaces around cavity.



Bird and bat boxes.

Table 2: Features of buildings commonly used by bats.

Features of building or built structure	Signs indicating possible use by bats
Type of building.	Tiny scratches around entry point.
Age of building.	Staining around entry point.
Aspect of PRF.	Bat droppings in, around or below entry point.
Wall construction – cavity walls or rubble-filled walls.	Feeding remains below entry point.
Form of the roof – presence of gable ends, hipped roofs, nature and condition of the roof covering.	Cobweb free potential entry points.
Presence of hanging tiles, weather boarding or other forms of cladding.	Audible squeaking at dusk or in warm weather.
Nature of the eaves – sealed by a soffit or boxed eave and tightness of fit to exterior walls.	Flies around entry point.
Presence and condition of lead flashing.	Distinctive smell of bats.
Gaps under eaves, around windows, under tiles, lead flashing.	Smoothing of surfaces around entry point.
Presence and type of roof lining.	
Presence on roof insulation.	

3.3.2 The buildings and trees were assessed in accordance with the criteria listed above and assigned to one of five categories as listed in Table 3 and Table 4 below.

Table 3: Categorisation system for visual inspection of trees.

Category	Description
None	A tree with no features capable of supporting roosting bats or highly unlikely to be any present.
FAR	Further assessment required to establish if any PRFs are present in the tree.
PRF	A tree with at least one PRF present.
PRF-I	Features considered suitable to support individual bats or very small numbers of bats either due to size or lack of suitable surrounding habitats.
PRF-M	Features considered suitable to support multiple bats and may therefore be used by a maternity colony.

Table 4: Categorisation system for visual inspection of structures.

Category	Description
Confirmed roost	Bats discovered roosting within structure or recorded emerging from/entering structure at dusk and/or dawn. Structure found to contain conclusive evidence of occupation by bats, such as bat droppings. A confirmed record (as supplied by an established source such as the local bat group) would also apply to this category.
High suitability	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.



Moderate suitability	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.
Low suitability	A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats.
Negligible suitability	A structure with no features capable of supporting roosting bats.

3.4 Limitations of Survey

- 3.4.1 The protected species assessment provides a preliminary view of the likelihood of protected species occurring on Site, based on the suitability of the habitat and any direct evidence on Site. It should not be taken as providing a full and definitive survey of any protected species group. Additional surveys may be recommended if, on the basis of this assessment it is considered reasonably likely that protected species may be present.
- 3.4.2 A full biological record centre desktop study was not undertaken as part of this assessment. This was not considered necessary given the limited scale of the proposed development, the nature of the on-site and surrounding habitats and limited potential for impacts to arise within or outside of the Site.
- 3.4.3 The habitats present, and their management are likely to change over time, thus the findings of the extended phase 1 habitat survey are only considered valid for a period of up to two years.
- 3.4.4 The extended phase 1 habitat survey was conducted at a sub-optimal time of year i.e. out of the peak growing/flowering season for most British plants. However, plant identification was undertaken using vegetative survey techniques and was sufficient to determine the broad habitat types as required in an extended phase 1 habitat survey.
- 3.4.5 This report includes a preliminary assessment of likely impacts of a development project only. The primary audience for a PEA is the client or developer and relevant members of the project team, such as the architect, planning consultant, and landscape architect. It is normally produced to inform a developer (or other client), and their design team, about the key ecological constraints and opportunities associated with a project, possible mitigation requirements and any detailed further surveys required. Under normal circumstances, it is not considered appropriate to submit a PEA in support of a planning application because the scope of a PEA is unlikely to fully meet planning authority requirements in respect of biodiversity policy and implications for protected species. In most cases, particularly when further surveys have been recommended within the PEA, a more detailed and comprehensive Ecological Impact Assessment (EIA) should be submitted in support of a planning application instead.
- 3.4.6 This document has been prepared for the stated proposal (2.3.1) and should not be relied upon or used for any other project without an additional check being carried out by the author as to its suitability in relation to any updated proposals. PJC Consultancy accepts no responsibility or liability for the consequence of this document being used for a purpose other than the purposes for which it was commissioned. PJC Consultancy accepts no responsibility or liability for this document to any party other than the person by whom it was commissioned.



4 RESULTS

4.1 Desk Study

Statutory Designated Sites

- 4.1.1 Overall, three statutory designated sites of nature conservation importance were identified within the zone of influence as part of the desk study. These include Waltham Brooks SSSI, Arun Valley Ramsar and Arun Valley SPA, all situated approximately 480m south of the Site.
- 4.1.2 Waltham Brooks SSSI is primarily designated for its alluvial grazing marsh, adjacent to the River Arun, that is of national importance for wintering birds. The site represents one of a few surviving areas of grazing marsh in West Sussex; the marsh and the ditches which dissect it support a species-rich community of aquatic plants, including one nationally rare species.
- 4.1.3 Arun Valley Ramsar is primarily designated for its important assemblage of Bewick's Swan *Cygnus columbianus bewickii* as well as other waterbird assemblages.
- 4.1.4 Arun Valley SPA is primarily designated for its wintering bird species as well as its wetland invertebrate and plant assemblage.

Protected and Notable Habitats

- 4.1.5 Overall, two parcels of ancient woodland listed on the ancient woodland inventory were identified within the zone of influence as part of the desk study, the nearest being approximately 600m north-west the Site.
- 4.1.6 Overall, 33 parcels of HPI listed on the priority habitat inventory were identified within the zone of influence as part of the desk study. These habitats include;
- Broadly classified deciduous woodland (15 parcels);
 - Coastal floodplain grazing marsh (15 parcels); and
 - Lowland meadows (3 parcels).
- 4.1.7 The closest parcel of HPI was an area of coastal floodplain grazing marsh, located approximately 35m south-east of the Site.

Protected and Notable Species

- 4.1.8 No EPSM licences, previously granted by Natural England, pertaining to protected species were identified within the zone of influence as part of the desk study.

4.2 Extended Phase 1 Habitat Survey

- 4.2.1 Habitat descriptions are provided below in accordance with the relevant JNCC phase 1 habitat survey handbook code. The distribution of these are shown in Appendix III, together with Site photographs, which are presented in Appendix IV.

Dense scrub (A2.1)

- 4.2.2 A parcel of dense scrub was recorded on the north-eastern boundary of the Site. The parcel consisted predominantly of bramble *Rubus fruticosus* agg., scotch brome *Cytisus scoparius* and buddleja *Buddleja* sp.. A field layer was also recorded on the periphery of the parcel and included green alkanet *Pentaglottis sempervirens*, spurge *Euphorbia* sp., greater periwinkle *vinca major* and bracken *Pteridium* sp..

Poor semi-improved grassland (B6)

- 4.2.3 A parcel of poor semi-improved grassland was recorded covering the majority of the northern aspect of the Site. The parcel was comprised of a variety of species, including yarrow *Achillea millefolium*, dandelion *Taraxacum officinale*, doves-foot cranesbill *Geranium molle*, spear thistle *Cirsium vulgare*,



common ragwort *Jacobaea vulgaris*, purple deadnettle *Lamium purpureum*, ribwort plantain *Plantago lanceolata*, green alkanet, herb Robert *Geranium robertianum*, greater periwinkle, primrose *Primula vulgaris*, Yorkshire fog *Holcus lanatus*, snowdrop *Galanthus nivalis*, common mallow *Malva sylvestris*, and cleavers *Galium aparine*. The sward presented a consistent sward height across the parcel (approximately 5-10cm), indicative of a regular management regime.

Other tall herb and fern – Ruderal (C3.1)

- 4.2.4 Adjacent to the western boundary of the Site, a small parcel of ruderal growth at least 30m in height, was recorded within an old flower bed. Species recorded within the parcel included bracken, greater periwinkle and common ragwort.

Cave (I.1.5)

- 4.2.5 Adjacent the northern elevation of building B1, an artificial storage room had been excavated from the side of the bare rock, creating an artificial cave area. A full description of the artificial cave can be found in Table 5.

Introduced shrub (J1.4)

- 4.2.6 A small parcel of introduced shrub was recorded within a flowerbed on the southern aspect of the Site. The parcel was comprised entirely of rose of Sharon *Hibiscus syriacus*.

Intact hedge – species-poor (J2.1.2)

- 4.2.7 The north-eastern boundary of the Site comprised a species-poor hedgerow, approximately 2.5m in height., 1.5m in width and 15m in length. The hedgerow presented signs of regular management with a largely boxy shape and supported woody species of beech *Fagus* sp., holly *Ilex Aquifolium* and yew *Taxus baccata*. The field layer comprised of the same species as the poor semi-improved grassland.

Building (J2.3.6)

- 4.2.8 A single residential building was recorded within the southern aspect of the Site. The building had been built into the hill which the site is situated on. A shed was also recorded in the northern aspect of the Site. A full description of the building can be found in Table 5 below.

Wall (J2.5)

- 4.2.9 A retaining wall, comprised of large wooden beams, soil and vegetation, was recorded on the southern elevation of the Site. Species recorded within the retaining wall included green alkanet, ivy leaved cyclamen *Cyclamen hederifolium*, cow parsley *Anthriscus sylvestris*, scotch brome, white stonecrop *Sedum album*, stinking hellebore *Helleborus foetidus* and prick-madam *Petrosedum rupestre*.

- 4.2.10 A bare rock face, remaining from the excavated area to facilitate building B1, was recorded immediately adjacent the northern elevation of building B1. The rock was comprised solely of limestone and facilitated access into the artificial storage room/cave B3.

Hardstanding (J5)

- 4.2.11 A parcel of concrete hardstanding was recorded adjacent to building B1, including steps that led north to the garden on a higher elevation to building B1.

- 4.2.12 A parcel of gravel was recorded on the northern aspect of the Site. The gravel was in good condition with minimal stands of ribwort plantain growing through the gravel.

4.3 Daytime Bat Walkover Survey

- 4.3.1 A description of the buildings and trees and any potential roosting features (PRF) are detailed in Tables 5 and 6 below:

Table 5: DBW results of buildings within the Site.



B1

External Description

A two-story residential building, approximately 50m², comprised of stone-and-mortar and brick-and-mortar in good condition. The building supported a pitched roof comprised of slate tiles in moderate condition. Lifted and missing tiles were recorded on both the northern and southern elevations. Painted timber cladding was present on the top half of all elevations, in moderate condition, with lifted sections on the northern and southern elevations. Painted, timber soffit boxes were recorded on the western and eastern elevation and were considered to be in good condition. The gable ends on both the eastern and western elevations presented small gaps at the apex where the cladding was not flush with the soffit box. Lead flashing was recorded at the bottom of the cladding, considered to be in moderate condition, and lifted on the southern elevation.

A small extension was recorded on the northern elevation of building B1, comprised of stone-and-mortar in good condition. The extension supported a flat roof comprised of fibreglass in good condition. The eaves of the extension were also comprised fibreglass and was considered to be well sealed.

A second extension was recorded on the eastern elevation of building B1, comprised of breezeblock-and-mortar in good condition. The extension supported a flat roof comprised of fibreglass in good condition. Wooden fascias considered to be in moderate condition with a single gap present on the eastern elevation were also recorded, allowing potential ingress and egress opportunities.

A wooden porch was recorded on the southern elevation of building B1, comprised of a timber frame in good condition. The porch supported a pitched roof comprised of red clay tiles in moderate condition. Multiple tiles were lifted on the eastern and western elevation of the porch roof. The tiles were supported by a timber frame with no visible lining and no roof void was recorded.

Internal Description

The roof void was accessed via a single loft hatch at the centre of the building. The void ran east to west and measured approximately 50m² and 1.8m from floor to apex. The roof was supported by an 'A' frame comprised of timber beams and trusses in good condition. The roof void was partially boarded below the apex of the roof. The rest of the roof floor was lined with insulation (installed in 2020) and was in good condition. Minimal light ingress was present at the western and eastern gable ends of the roof void, indicating potential access into the roof void. Breathable roofing membrane was present in moderate condition, with multiple gaps present on the eastern elevation where the membrane was not flush to the wall. The mortar between two breezeblocks was missing on the western elevation.

Evidence of Bats

None recorded at the time of the assessment.

Potential Roost Features

The building supported multiple lifted and damaged tiles and cladding on all elevations, as well as lifted lead flashing and a single gap in a fascia that could be used as a suitable roosting feature, as well as provide potential access to suitable roosting habitat, for crevice dwelling bat species. The timber frame within the roof void and gaps within the breezeblocks could provide suitable roosting opportunities for free-hanging and crevice dwelling bat species.

Suitability to Support Roosting Bats

Moderate.

B2



External Description

Small wooden shed, approximately 5m² and 2.5m in height, comprised of a timber frame and weatherboarding, in moderate condition. The shed supported a pitched roof, comprised of red clay tiles in good condition. The tiles were slightly lifted on the northern elevation. Glass windows were present on the northern and southern elevation allowing significant volumes of light ingress into the building.

Internal Description

An internal assessment was not deemed necessary as no works are proposed to this building.

Evidence of Bats

None recorded at the time of the assessment.

Potential Roost Features

The lifted roof tiles may provide a suitable roosting feature for opportunistic crevice dwelling bats.

Suitability to Support Roosting Bats

Low.

B3

External Description

An artificial cave, used as a storage area, excavated into the side of the exposed rock remaining from the construction of building B1. Access into the building was via a single doorway at the opening of the excavated area. Multiple cracks and holes were present around the doorway and the exterior wall that would provide potential access into the storage room.

Internal Description

The cave/storage room, measured approximately 3m² in size and 2m floor to apex. The cave consisted predominantly of limestone and multiple cracks and crevices within the side of the internal walls were recorded. A limited volume of light ingress was recorded through the cracks and holes around the doorway that were considered to provide access into the cave. The cave was considered to be relatively damp and cool at the time of the assessment.

Evidence of Bats

None recorded at the time of the assessment.

Potential Roost Features

Multiple gaps within the external walls of the cave and around the door frame could provide access into the building. The cracks and holes found within the walls of the cave could provide suitable roosting features for free-hanging and crevice-dwelling bat species.

Suitability to Support Roosting Bats

Moderate.

Table 6: DBW results of trees within or immediately adjacent the Site.

T1

Description

A mature beech, recorded immediately adjacent the northern Site boundary, approximately 25m tall with no visible defects.

Evidence of Bats

None recorded at the time of the assessment.

Potential Roost Features

None recorded at the time of the assessment.

Suitability to Support Roosting Bats



None.



5 DISCUSSION AND RECOMMENDATIONS

5.1 Statutory Designated Sites

- 5.1.1 Overall, three statutory designated sites of nature conservation importance were identified within the zone of influence as part of the desk study. These were Waltham Brooks SSSI, Arun Valley Ramsar, and Arun Valley SPA, all situated approximately 480m south of the Site.
- 5.1.2 However, given the distance between the Site and the identified statutory designated sites, and the size of the Site and nature of the proposed development, adverse effects upon the statutory designated sites and their qualifying criteria for designation are not considered likely. Statutory designated sites are therefore not considered an ecological constraint and are not considered further in this report.
- 5.1.3 The Site is located within an impact risk zone for Waltham Brooks SSSI. However, the proposed development does not fall into the listed development categories.

5.2 Protected and Notable Habitats

- 5.2.1 Overall, two parcels of ancient woodland and 33 parcels of HPI were identified within the zone of influence as part of the desk study. The nearest parcel of ancient woodland was located approximately 640m north-west, whilst the nearest parcel of HPI, a parcel of coastal floodplain grazing marsh, was located approximately 35m south-east of the Site.
- 5.2.2 Given the distance between the Site and the nearest parcel of ancient woodland and given the size of the Site and nature of the proposed development, adverse effects upon ancient woodland are not considered likely. Ancient woodland is therefore not considered an ecological constraint and is not considered further in this report.
- 5.2.3 Given the size of the Site and nature of the proposed development, direct adverse effects upon HPI, such as habitat loss, are not considered likely. However, due to the proximity of the Site to the nearest parcel of HPI, it is considered that indirect adverse impacts, such as dust pollution, are anticipated through the construction process.
- 5.2.4 Therefore, strict pollution prevention and control mitigation measures should be adhered to as a baseline for all demolition and construction works, to ensure indirect adverse impacts on HPI are avoided.
- 5.2.5 All demolition and construction works must ensure the use of water to damp down material and prevent dust clouds, and use on-tool extraction where possible. However, works must take place during periods of low rain fall and predicted dry weather to ensure pollution run off from the Site to the surrounding areas is avoided.
- 5.2.6 Other best practice construction measures which must be adhered to during the demolition and construction phases of the proposed development include:
- Installing dust sheeting onto Heras panels surrounding the development area;
 - Appropriate covering of skips and vehicles; and
 - Avoidance of burning materials onsite.
- 5.2.7 In practice, all construction works should be undertaken in strict accordance with a Construction Environmental Management Plan (CEMP). The purpose of a CEMP is to state how a construction project will avoid, minimise and mitigate effects on the environment and surrounding area. This section of the CEMP would detail the pollution prevention control measures and how the risk of surface run-off and pollution incidents will be reduced or avoided (as previously detailed in paragraph 5.2.5 – 5.2.6 above).



5.3 Protected and Notable Species

5.3.1 The Site was considered to provide opportunities for protected and notable species. The suitability of habitat on Site to support species is considered below.

Bats

5.3.2 All bats are European protected species (EPS) and both individual animals and their roosts are afforded protection under the Conservation of Habitats and Species Regulations 2019 (as amended) and the Wildlife and Countryside Act, 1981 (as amended). Certain bat species are also listed as Species of Principal Importance (SPI) under the NERC Act 2006.

Roosting Suitability

5.3.3 As part of the DBW, buildings B1, B2 and B3 were identified as exhibiting features i.e. lifted and damaged tiles and cladding, as well as features within the roof void with potential to support roosting bats.

5.3.4 On this basis, building B1 and B3 were identified as having moderate suitability to support roosting bats during the summer. Building B2 was identified as having low suitability to support roosting bats during the summer.

5.3.5 In addition to summer roosting suitability, building B3 was also identified as having moderate suitability to support hibernating bats, notably within the cracks and crevices within the internal walls of building B3.

5.3.6 During hibernation, bats require roosts that are quiet, cool and damp with high humidity that remain at a stable temperature throughout the winter period. During the DBW, building B3 was observed as damp, cool and dark. The building supported ingress and egress opportunities such as a cracks and gaps in the external and internal walls. On this basis, building B3 was identified as having moderate suitability to support hibernating roosting bats.

5.3.7 Given that the buildings B1 and B3 are proposed to be altered/demolished, the proposed development could result in the damage or destruction of a potential bat roost site.

5.3.8 It is therefore recommended that two hibernation checks be undertaken on building B3 during the coldest months of the year, (generally one undertaken in mid-January, and one undertaken in mid-February) to search for hibernating bats or evidence of hibernating bats. A minimum of a four-week interim period must be allowed between each survey visit. The hibernation surveys should be undertaken by a class two bat licensed ecologist.

5.3.9 It is also recommended that one automated static detector be installed in building B3 for a minimum of two weeks each month during November-March inclusive, to determine the presence or likely absence of bats hibernating within building B3.

5.3.10 In addition, further emergence surveys are required to determine presence or likely absence of bat summer roosts within buildings B1 and B3 to determine any subsequent requirements for mitigation, compensation and/or licences to facilitate the proposed development. All bat emergence surveys should be undertaken between May and September inclusive. A minimum of a three-week interim period must be allowed between each survey visit.

5.3.11 Building B1 and B3 were identified as having moderate suitability to support roosting bats. It is therefore recommended that two dusk emergence surveys be undertaken on each building.

5.3.12 Building B2 was identified as having low suitability to support roosting bats. However, as building B2 is set to be retained in its entirety as part of the development proposals, no further surveys on building B2 are required.



- 5.3.13 It should be noted that should a bat roost or roosts be found, additional surveys, totalling three emergence surveys, will be required to be undertaken, to determine any subsequent requirements for mitigation, compensation and/or licences to facilitate the proposed development.
- 5.3.14 As part of the DBW, all trees found immediately adjacent the Site were identified as having 'none' suitability to support roosting bats and therefore roosting bats are highly likely absent from the trees. Roosting bats within trees are therefore not considered an ecological constraint and are not considered further in this report.
- 5.3.15 The findings of the bat emergence/hibernation surveys and any subsequent requirements for mitigation and compensation and/or licenses to facilitate the proposed development should be presented within a stand-alone (phase 2) report or EclA.
- 5.3.16 It should be noted that should a bat roost or roosts be found, an EPSM licence may be required to permit works that would potentially cause destruction or modification. An EPSM licence for development is issued by Natural England under Regulation 53(2)(e) of The Conservation of Habitats and Species Regulations (2019). This application process can a minimum of six weeks.

Foraging and Commuting Suitability

- 5.3.17 The Site was considered to provide suitable commuting and foraging habitat for bats primarily the hedgerow on the eastern Site boundary and as such, was classified as having low suitability to support foraging and commuting bats.
- 5.3.18 However, this feature is not considered to function as an important corridor for bats given the large network of woodland south of the Site and within the wider landscape that also provides plentiful foraging and commuting opportunities for bats. The hedgerow is also anticipated to be retained in its entirety as part of the development proposals. On this basis, the proposed development is considered unlikely to result in the loss or degradation of bat foraging and commuting habitat or sever important commuting routes and obstruct access between potential bat roosts and important foraging habitats, providing the mitigation measures in relation to lighting described below are implemented during the construction and operational phase of the proposed development. It is recommended that any new artificial lighting associated with the proposed development aims to:
- Maintain a dark corridor along the eastern aspect of the Site to ensure the hedgerow is not artificially lit;
 - Use minimum light levels necessary. For example, there should be times throughout the evening (when bats are most active) when all outdoor security lights are unlit to avoid affecting bat activity. Lighting can also be installed using a timer or movement sensor to avoid long periods of an area being lit at night;
 - Lighting should be a warm white spectrum and feature peak wavelengths higher than 550nm to lower the range of species affected by lighting. Using LED luminaires where possible and avoid luminaires with UV elements, specifically avoiding metal halide and fluorescent sources (Institute of Lighting Professionals, 2023); and
 - Internal luminaries can be recessed where installed in proximity to windows to reduce glare (Institute of Lighting Professionals, 2023) and light spill and use hoods, louvres or other similar design features to avoid light spill and direct light away from areas of mature vegetation.

Hazel Dormice

- 5.3.19 Hazel dormice *Muscardinus avellanarius* are EPS and are afforded protection under the Conservation of Habitats and Species Regulations 2019 (as amended) and the Wildlife and Countryside Act, 1981 (as amended). Dormice are also listed as SPI under the NERC Act 2006.
- 5.3.20 The Site was considered to provide some suitable semi-natural habitat for dormice comprising of a species-poor hedgerow on the eastern boundary of the Site. However, this section of hedgerow was



considered to be largely isolated from more suitable woodland and hedgerow habitat, that would be more suitable for dormice. The Site was also considered to be isolated from these more suitable habitats due to the presence of London Road and Old London Road, situated north and south of the Site respectively, that act as a barrier to dispersal for dormice. The hedgerow was considered to be heavily managed which reduces the fruit and nut bearing abilities of the hedgerow which further reduces its suitability for dormice. The hedgerow also lacked preferred floral species (such as hazel *Corylus avellana* and honeysuckle *Lonicera periclymenum*).

- 5.3.21 On this basis, the Site was identified as having negligible potential to support dormice and are therefore not considered an ecological constraint and are not considered further in this report.

Great Crested Newts and other Amphibians

- 5.3.22 Great crested newts (GCN) are EPS and are afforded protection under the Conservation of Habitats and Species Regulations 2019 (as amended) and the Wildlife and Countryside Act, 1981 (as amended). GCN and common toad *Bufo bufo* are also listed as SPI under the NERC Act 2006.

- 5.3.23 Overall, six waterbodies were identified within a 250m radius of the Site as part of the desk study. These comprised one pond (WB1) and five waterways (WB2 – WB6).

- 5.3.24 Waterbody WB1 was identified as a pond located 100m east of the Site. Waterways WB2 – WB6 were identified as a network of watercourses hydrologically linked to waterbody WB1 and are located approximately 110m south-east of the Site. There is suitable connecting terrestrial habitat between the Site and the waterbodies in the form of coastal and floodplain grazing marsh, grassland and scrub. Partial barriers to dispersal between the waterbodies and the Site are present in the form of residential buildings and Old London Road, located immediately south of the Site. Although these may reduce the potential for GCN to be present on Site, the presence of GCN on Site cannot be completely ruled out.

- 5.3.25 The Site supported hedgerows, tall ruderal and dense scrub, and to a lesser extent, poor semi-improved grassland, which were considered to provide some foraging and commuting opportunities for GCN during their terrestrial lifecycle phase. Suitable hibernation habitat for GCN was also recorded within the timber retaining wall on the southern border of the Site. However, the on-site habitat for GCN was considered to be fairly limited due to the majority of the Site, and the entirety of the development footprint, comprising poor semi-improved grassland maintained at a short sward length, and hardstanding. Direct impacts on suitable waterbodies for breeding GCN are not anticipated. Given the size of the Site and scale of the proposed development, only approximately 0.01ha of suitable GCN habitat is anticipated to be lost to facilitate the proposed development. On this basis, the proposed development is considered unlikely to result in adverse direct and indirect impacts on GCN, resulting in the death or injury, or disturbance to GCN during their terrestrial phase or result in the damage or destruction of a GCN resting place such as a hibernation site.

- 5.3.26 This is supported by the rapid risk assessment tool within the GCN license application form (WML-A14-2), which was used to assess the risk of the proposed development on GCN. Based on the current proposal that comprises approximately 0.01ha of suitable terrestrial habitat loss within 100m of the potential GCN breeding waterbody to the east of the Site, the tool indicates a 'green' risk meaning the risk of an offence being committed is considered to be highly unlikely and that a European Protected Species (EPS) licence is not required.

- 5.3.27 Nevertheless, as a precaution, it is recommended that construction works (including habitat clearance works) be undertaken in accordance with a Precautionary Non-Licensed Method Statement (see Appendix V).

- 5.3.28 The purpose of the Precautionary Non-Licensed Method Statement is to detail all reasonable avoidance and mitigation measures to be implemented to ensure that there are no detrimental impacts on the favourable conservation status of GCN and no risk to individual GCN potentially present within the Site as a result of construction activities.



5.3.29 Avoidance and mitigation measures detailed within the Precautionary Non-Licensed Method Statement include but are not limited to the following:

- Ensuring that habitat clearance and building demolition works are undertaken during the spring/summer season (April to mid-June) when GCN enter into/are around aquatic habitat to breed, and outside the hibernation period (avoiding November to February, inclusive).
- Ensuring that habitat clearance and building demolition works are undertaken under the direction and supervision of a suitably qualified and licensed ecologist.

5.3.30 Providing the avoidance and mitigation measures detailed within the Precautionary Non-Licensed Method Statement are implemented in full, the proposed works are considered highly unlikely to adversely affect the favourable conservation status of GCN, or breach relevant nature conservation legislation pertaining to GCN. On this basis, further GCN presence/likely absence surveys and/or a EPSM licence is not required prior to proposed works commencing.

5.3.31 However, to compensate for the loss of potential hibernation habitat (the wooden retaining wall), it is recommended that a hibernation feature is created in the form of a log pile/hibernacula within the Site footprint, ideally adjacent to the retained hedgerow.

Reptiles

5.3.32 Native, widespread reptile species (common or viviparous lizard *Zootoca vivipara*, adder *Vipera berus*, grass snake *Natrix helvetica* and slow worm *Anguis fragilis*) are protected under Schedule 5 of The Wildlife and Countryside Act 1981 (as amended), making it an offence to kill or injure individual animals. All widespread reptile species are also listed as SPI under the NERC Act 2006.

5.3.33 Habitats recorded within the Site particularly the dense scrub, tall ruderal vegetation, and hedgerow and to a lesser extent the poor semi-improved grassland, were considered to provide some foraging, commuting, basking and sheltering opportunities for reptiles. Suitable hibernation habitat for reptiles was also recorded within the timber retaining wall on the southern border of the Site.

5.3.34 However, due to the height of the grassland, that is maintained at a short sward length and the size of the Site, only approximately 0.01ha of suitable reptile habitat is anticipated to be lost to facilitate the proposed development.

5.3.35 On this basis, it is considered that the Site would only be considered suitable for a small number of common and widespread reptile species such as slow worms. On this basis, a full reptile presence/likely absence survey is not considered necessary.

5.3.36 Therefore, works associated with any proposed development of the Site, for example habitat clearance, could therefore result in the death or injury of any reptiles present within the Site.

5.3.37 In order to comply with legislation protecting reptiles the mitigation measures detailed below should be adhered to.

5.3.38 As a precaution, it is therefore recommended that construction works (including habitat clearance works) be undertaken in accordance with a Precautionary Non-Licensed Method Statement (see Appendix V).

5.3.39 Providing the avoidance and mitigation measures detailed within the Precautionary Method of Works are implemented in full, the proposed works are considered highly unlikely to result in the death or injury of any reptiles potentially present within the Site. On this basis, further reptile presence/likely absence surveys are not required prior to proposed works commencing.

As a further precaution, any excavation works or actions that would impact upon potential reptile hibernation features, such as the retaining wall, should be carried out outside the reptile hibernation season (i.e. between April – September inclusive) when reptiles are considered active (generally greater than 9°C air temperature).

Birds



- 5.3.40 All birds, their nests and eggs are protected from killing and injury of individuals, damage and destruction of nests and destruction of eggs under the Wildlife and Countryside Act 1981 (as amended). Species listed in Schedule 1 (Part 1) of the Act are also protected from disturbance whilst nesting or whilst with dependent young, by special penalties. Many bird species are also listed as SPI under the NERC Act 2006.
- 5.3.41 The Site supported hedgerows, buildings (including the artificial cave) and dense scrub, which were considered to provide good nesting and foraging opportunities to a wide range of common bird species.
- 5.3.42 Works associated with any proposed development of the Site, for example building demolition, could therefore result in direct adverse impacts on nesting birds. On this basis, nesting birds are therefore considered a potential ecological constraint. In order to comply with legislation protecting nesting birds the mitigation measures detailed below should be adhered to.
- 5.3.43 It is recommended that habitat clearance works be undertaken outside the main nesting bird season. The nesting bird season for most British bird species is between March and August (inclusive).
- 5.3.44 Should this not be possible, all suitable nesting habitat (and buildings) must be inspected by an ecologist to determine the presence/absence of any nesting birds prior to clearance. In the event of an active nest being identified, a temporary exclusion zone would need to be placed around the nest and development paused until the dependent young have fledged which may be several weeks. The ecologist will determine safe working distances and the distances will be dependent upon the bird species present.
- 5.3.45 Artificial bird nest boxes should also be installed onto any retained trees within the Site. Given their designation as SPI, particular consideration should be given to the installation of starling *Sturnus vulgaris* (i.e. Schwegler 3S or similar) nest boxes and/or general bird nest boxes used by house sparrow *Passer domesticus* and spotted flycatcher *Muscicapa striata* (i.e. Schwegler 1B, 2HW, 2GR or similar).

Badgers

- 5.3.46 Badgers *Meles meles* and their setts are protected under The Badger Act (1992).
- 5.3.47 No evidence of badger field signs (for example hairs, latrines, dung pits, snuffle holes, mammal paths or scratching posts) or setts were recorded within the Site during the survey.
- 5.3.48 Habitats throughout the Site were considered to provide limited sett building and foraging and commuting opportunities for badgers given the isolation of the Site within a residential garden. The hardstanding present on-site, hardstanding between the Site and suitable badger foraging habitat, as well as the grassland of a short sward found throughout the Site, further reduces the Sites suitability for sett building.
- 5.3.49 On this basis, the proposed development is considered highly unlikely to result in the damage or destruction of a sett, or obstructing access to a sett, and disturbance to a badger whilst it is occupying a sett.
- 5.3.50 However, given the suitable foraging and commuting habitat within the grazing marsh habitat immediately adjacent the Site, and due to the mobile nature of the species, it is still possible that badgers may move through the Site to get to new foraging habitat and are still considered a potential ecological constraint to the proposed development.
- 5.3.51 As a precautionary approach it is recommended that a pre-works survey be undertaken immediately prior to the proposed development becoming operational to ensure no new setts have become established.
- 5.3.52 During construction works, all excavations should be excavated individually and back filled immediately after where possible. Where this is not possible excavations must be covered to prevent badgers (or other animals) becoming trapped within the excavation. If this is not possible, one or both sides of the excavation must be sloped in order to allow egress from the excavation.



- 5.3.53 In addition, all chemicals onsite should be stored correctly and be made inaccessible to badgers, and other animals, (i.e. kept in a secure lock up or on pallets off of the ground).
- 5.3.54 Furthermore, the mitigation measures in relation to light pollution, as outlined in paragraph 5.3.18 above should be adhered to throughout all phases of the proposed development, in order to avoid indirect impacts to badgers potentially within these habitats.

Other Mammal Species

Riparian mammals

- 5.3.55 Water voles *Arvicola amphibious* and their places of shelter are protected under the Wildlife and Countryside Act, 1981 (as amended) which makes it an offence to kill, injure or take any water vole, damage, destroy or obstruct access to any place of shelter or protection that the animals are using, or disturb voles while they are using such a place. Water voles are also listed as SPI under the NERC Act 2006.
- 5.3.56 Otters *Lutra lutra* are protected under the Conservation of Habitats and Species Regulations (2019) as amended and under the Wildlife and Countryside Act, 1981 (as amended) which makes it an offence to kill, injure or capture an otter, intentionally or recklessly disturb otters; or to damage, destroy or intentionally or recklessly obstruct access to a holt or other resting places. Otters are also listed as SPI under the NERC Act 2006.
- 5.3.57 Eurasian beavers *Castor fiber* are protected under the Conservation of Habitats and Species Regulations (2019) as amended and under the Wildlife and Countryside Act, 1981 (as amended) which makes it an offence to kill, injure or capture a beaver, deliberately disturb beavers; or to damage or destroy the breeding site or resting place of a beaver.
- 5.3.58 No aquatic and very limited suitable terrestrial habitat was recorded within the Site. However, six waterbodies were recording within 250m of the Site.
- 5.3.59 Waterbodies WB1 – WB6 were considered to provide potential foraging and burrowing opportunities for water voles. However, considering that the waterbodies are all approximately 100m from the Site, and that water vole burrows are generally considered to only extend no more than 5m from the bank of the waterbody, impacts on water voles and their burrows are considered highly unlikely.
- 5.3.60 On this basis, the Site was identified as having negligible potential to support water vole and are therefore not considered an ecological constraint and are not considered further in this report.
- 5.3.61 Due to the size and isolation from a connected network of waterbodies, waterbodies WB1 – WB6 are considered highly unlikely to support a viable population of otters and beavers. Therefore, waterbodies WB1 – WB6 are considered unlikely to support otters and beavers.
- 5.3.62 On this basis, the Site was identified as having negligible potential to support water vole, otter and beaver and are therefore not considered an ecological constraint and are not considered further in this report.

European Hedgehog

- 5.3.63 The European hedgehog *Erinaceus europaeus* is classified as an SPI under the NERC Act 2006. Therefore, the presence of this species on site would be a material consideration in the planning process.
- 5.3.64 The Site supported some suitable semi-natural habitat for hedgehogs in the form of hedgerow and dense scrub. However, the proposed development is considered unlikely to result in impacts on European hedgehogs given the size and nature of the Site and presence of other suitable habitat within the wider surroundings, and providing mitigation measures detailed below are adhered to.
- 5.3.65 Furthermore, any new boundaries required as part of the proposed development should be permeable to hedgehogs in order to maintain habitat connectivity across the Site and wider surroundings.



This can be achieved by creating ground-level boundary holes (approximately 13cm x 13cm) which should link as many neighbouring land parcels as possible.

- 5.3.66 In addition, parcels of dense scrub, shrubs and tussocky grassland and features such as deadwood and brash piles should be maintained and/or created across the Site in order to provide important foraging and nesting opportunities for hedgehogs.

Invertebrates

- 5.3.67 A number of invertebrate species such as stag beetles *Lucanus cervus* are afforded protection under the Conservation of Habitats and Species Regulations 2019 (as amended) and under Schedule 5 of the Wildlife and Countryside Act, 1981 (as amended). Many invertebrate species including the stag beetle are also listed as SPI under the NERC Act 2006.
- 5.3.68 All protected invertebrate species listed on Schedule 5 of the Wildlife and Countryside Act, 1981 (as amended) are considered likely absent from the Site as their preferred food plants were either absent or not recorded in sufficient quantity to otherwise support a viable population.
- 5.3.69 In addition, the Site was considered to provide very limited opportunities for protected and notable invertebrate species given the absence of invertebrate microhabitats such as woodland edge, herb-rich grassland habitats and deadwood. Protected and notable invertebrate species are therefore not considered an ecological constraint and are not considered further in this report.

Plants

- 5.3.70 Wild plants are protected under the Wildlife and Countryside Act 1981 (as amended) which prohibits the unauthorised intentional uprooting of any wild plant species and forbids any picking, uprooting or destruction of plants listed on Schedule 8 of which there are over 150 species. In addition, nine plant species are afforded protection under the Conservation of Habitats and Species Regulations 2019 (as amended). Many plant species are also listed as SPI under the NERC Act 2006.
- 5.3.71 The habitats on Site were common and widespread and therefore provided limited potential to support protected and notable and rare plant species.
- 5.3.72 Section 14(1) of the Wildlife and Countryside Act 1981 (as amended) makes it illegal to plant or otherwise cause to grow in the wild any plant listed in Schedule 9 of the Act including Japanese knotweed *Fallopia japonica*.
- 5.3.73 No Schedule 9 non-native invasive plant species were recorded within the Site.
- 5.3.74 On this basis, protected and notable plants including non-native invasive plant species are not considered an ecological constraint and are not considered further in this report.

5.4 Ecological Enhancements

- 5.4.1 Under Section 40 of the NERC Act 2006 there is a duty to have regard to biodiversity conservation. In addition, the National Planning Policy Framework (2023) and the Horsham District Planning Framework (Horsham District Council, 2015) encourages ecological enhancement to be integrated into development projects in order to achieve an overall net-gain in biodiversity. Given the above, the following enhancement recommendations should be considered and incorporated into the final design proposals:
- Installation and maintenance of artificial bat bricks or bat tubes (i.e. Schwegler 1FR and 2FR bat tubes and Schwegler 1GS bat brick or similar) into any new buildings and installation of bat boxes (i.e. Schwegler 2FN or similar) on to suitable retained trees to increase the roosting opportunities for bats within the Site. Any artificial roosting features should be placed between 3m and 6m above ground in a variety of locations at slightly different heights and preferably positioned facing a variety of directions.



- Installation and maintenance of artificial bird nest boxes onto any retained trees and new buildings on Site to increase nesting opportunities for many bird species. Given their designation as SPI, particular consideration should be given to installing house sparrow (i.e. Schwegler 1SP or similar) and starling (i.e. Schwegler 3S or similar) nest boxes onto any retained trees and any new buildings within the Site.
- Supplementary planting of existing native species hedgerows. Approximately five woody plants should be planted per metre of hedgerow, in double staggered rows. The hedgerow should be managed on an annual rotation, whereby half of each hedgerow is cut in any one year. This will encourage a diverse structure to produce both a wide and dense hedgerow. Woody species planted could include the following species:
 - Oak *Quercus* sp;
 - Hazel *Corylus avellana*;
 - Hawthorn *Crataegus monogyna*;
 - Blackthorn *Prunus spinosa*;
 - Field maple *Acer campestre*;
 - Holly;
 - Elder; and
 - Crab apple *Malus sylvestris*.
- Incorporation of a 'Beebrick' into the new building(s). The 'Beebrick' should be positioned facing a southerly direction, in an area that receives a lot of light and warmth throughout the day and without vegetational obstruction to the entrances. It is recommended that for every Beebrick installed, a minimum of 1m² of 'bee friendly' plant species be planted to support any solitary bees that would likely utilise the feature. The plant species could include:
 - Common yarrow *Achillea millefolium*;
 - Greater knapweed *Centaurea scabiosa*;
 - Common foxglove *Digitalis purpurea*;
 - Hemp agrimony *Eupatorium cannabinum*;
 - Common honeysuckle *Lonicera periclymenum*;
 - Wild marjoram *Origanum vulgare*; and
 - Guelder rose *Viburnum opulus*.

5.5 Biodiversity Net Gain

- 5.5.1 Biodiversity Net Gain is an approach to development that leaves biodiversity in a better state than before. The UK government's 25-year environment plan is focused on achieving Biodiversity Net Gain through development and the new Environment Bill will mandate a measurable 10% Biodiversity Net Gain for most new developments in England.
- 5.5.2 The enhancement recommendations detailed above provide a qualitative opinion-based assessment of how the development can achieve an overall net gain in biodiversity.
- 5.5.3 Biodiversity Net Gain is a move away from an opinion-based assessment to a more quantitative, measurable and transparent based assessment using the DEFRA biodiversity metric tool to quantify biodiversity losses and gains in terms of 'biodiversity units'. The DEFRA biodiversity metric tool can be used to calculate the ecological baseline value of a site pre-development and the predicted ecological value of a site post-development using detailed design proposals.



- 5.5.4 It should be noted that the Site currently supports habitats of low distinctiveness in the form of native hedgerow and poor semi-improved grassland. Therefore, following the mitigation hierarchy, these habitats should be retained and enhanced where possible. Any loss of these habitats will require compensation on a like-for-like or like-for-better basis and will likely require the creation of habitat parcels on a larger scale than the ones to be lost.
- 5.5.5 The NPPF (2023) sets out the Government's planning policies for England and places a responsibility on local planning authorities to identify and pursue opportunities for securing measurable gains for biodiversity when determining planning applications, likely through planning policies and decisions.
- 5.5.6 Please note that a detailed Biodiversity Net Gain assessment is not included as part of this PEA report, and that some local planning authorities have already adopted internal policies requiring new developments to deliver Biodiversity Net Gain as part of the planning process. It is likely that Biodiversity Net Gain will soon be adopted by all local planning authorities in England over the coming months.



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7 APPENDICES

Appendix I: Site Location Plan



LEGEND:

— Red Line Boundary

Google Satellite

STATUS: FOR INFORMATION ONLY



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CLIENT: Michael Modlock

PROJECT:
Sandrock, Coldwaltham, West
Sussex, RH20 1LF

TITLE:
Appendix I - Site location plan

SCALE AT A4: 1:2,237	DRAWN: LM	APPROVED: TK
PROJECTION: EPSG:3857	DATE: 22/02/2024	DATE: 22/02/24

DRAWING No: PJC/5526E/24/A1/V1



Appendix II: Legislation and Planning Policy

Legislation

The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019

The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 is the UK transposition of the European Council Directive on the Conservation of Natural Habitats and of Wild Flora and Fauna, 1992, or the 'Habitats Directive'. The directive provides protection of key habitats and species of European importance. Those key habitats and species are listed in Annexes II and IV of the directive.

Those species protected under the regulations and most likely encountered during development include:

- All bat species
- Hazel dormouse
- Great crested newt
- Common otter

The Environment Act (2021)

The Environment Act (2021) is the UK's framework of environmental protection, post Brexit, and provides binding targets for improving air quality, water, biodiversity, and waste reduction. The Environment Act requires all development schemes in England (that are subject to Town and Country Planning Act 1990) to deliver a mandatory 10% biodiversity net gain (BNG) to be maintained for a period of at least 30 years. The concept seeks measurable improvements for biodiversity by creating or enhancing habitats in association with development. Key parts of the Environment Act 2021 which relate to BNG and its delivery are Part 6: Nature and Biodiversity and the supporting Schedule 14, particularly sections 9(3), 13(1), 14(2) and 15.

The Wildlife and Countryside Act 1981 (as amended)

The Wildlife and Countryside Act 1981 (as amended) is the primary legislation for the protection of wildlife in Great Britain. This legislation is the means by which the Convention on the Conservation of European Wildlife and Natural Habitats (the 'Bern Convention') and the European Union Directives on the Conservation of Wild Birds (79/409/EEC) and Natural Habitats and Wild Fauna and Flora (92/43/FFC) are implemented in Great Britain. All breeding birds, their nests, eggs and young are protected under the Act, which makes it illegal to knowingly destroy or disturb the nest site during nesting season. Schedules 1, 5 and 8 afford protection to individual birds, other animals and plants respectively. The Countryside and Rights of Way (CROW) Act 2000 makes it an offence to 'recklessly' disturb a protected animal whilst it is using a place of rest or shelter or breeding/nest site

Those species protected under the act and most likely encountered during development include:

- All bat species
- All nesting birds
- Hazel dormouse
- Great crested newt
- Common otter
- Water vole



- All native reptile species
- White-clawed crayfish

The Protection of Badgers Act 1992

The Protection of Badgers Act 1992 consolidates and strengthens previous legislation (including the Badgers (Further Protection) Act 1991). Under the act, it is an offence to:

- Wilfully kill, injure or take a badger (or attempt to do so).
- Cruelly ill-treat a badger.
- Dig for a badger.
- Intentionally or recklessly damage or destroy a badger sett, or obstruct access to it.
- Cause a dog to enter a badger sett.
- Disturb a badger when it is occupying a sett.

The Environment Act (2021)

The Environment Act (2021) is the UK's framework of environmental protection, post Brexit, and provides binding targets for improving air quality, water, biodiversity, and waste reduction. The Environment Act requires all development schemes in England (that are subject to Town and Country Planning Act 1990) to deliver a mandatory 10% biodiversity net gain (BNG) to be maintained for a period of at least 30 years. The concept seeks measurable improvements for biodiversity by creating or enhancing habitats in association with development. Key parts of the Environment Act 2021 which relate to BNG and its delivery are Part 6: Nature and Biodiversity and the supporting Schedule 14, particularly sections 9(3), 13(1), 14(2) and 15.

The Natural Environment and Rural Communities Act (NERC) 2006

Section 40 of the Act requires all public bodies to have regard to biodiversity conservation when carrying out their functions. This is commonly referred to as the 'biodiversity duty'. Section 41 of the Act provides a list of habitats and species, which are of 'principal importance for the conservation of biodiversity.' This list aids decision makers such as public bodies in implementing their duty under Section 40 of the Act. Under the Act these habitats and species are regarded as a material consideration in determining planning applications.

Hedgerows Regulations 1997

These regulations were produced to protect important countryside hedges from removal. The regulations only cover hedgerows that are at least 20m long or, if shorter, connected to other hedgerows at both ends or part of a longer hedgerow. They must be in or adjacent to common land, village greens, site of special scientific interest, local nature reserves, or land used for agriculture, forestry or breeding or keeping of horses, ponies or donkeys.

Wild Mammals (Protection) Act 1996

All wild mammals are protected against intentional acts of cruelty under the above legislation. This makes it an offence to mutilate, kick, beat, nail or otherwise impale, stab, burn, stone, crush, drown, drag or asphyxiate any wild mammal with intent to inflict unnecessary suffering.

This legislation is of relevance when undertaking works with potential to affect wild mammals e.g. works near burrows, warrens or dens, regardless of other legislative protection.



Species and Habitat Specific Legislation

Plants

Wild plants are protected under Section 13 of the Wildlife and Countryside Act 1981 (as amended). It prohibits the unauthorised intentional uprooting of any wild plant species and forbids any picking, uprooting or destruction of plants listed on Schedule 8 of which there are over 150.

The Conservation of Habitats and Species Regulations 2019 (as amended) have nine plants listed within Annex IV these are; creeping marshwort *Apium repens*, early gentian *Gentianella anglica*, fen orchid *Liparis loeselii*, floating-leaved water plantain *Luronium natans*, killamey fern *Trichomanes speciosum*, lady's slipper *Cypripedium calceolus*, shore dock *Rumex rupestris*, slender naiad *Najas flexilis*, and yellow marsh saxifrage *Saxifraga hirculus*. It is an offence to deliberately pick, collect cut, uproot or destroy any protected plant, or keep, transport, sell, or exchange, any live or dead such plant species, this applies to all stages of its life cycle.

Invasive Species

Schedule 9, Section 14 of the Wildlife and Countryside Act (1981, as amended) prohibits the introduction into the wild of any species that is not ordinarily resident in and is not a regular visitor to Great Britain in a wild state, or any species of the 69 plants listed on Schedule 9.

The frequently encountered invasive species within proposed development sites include floating pennywort *Hydrocotyle ranunculoides*, giant hogweed *Heracleum mantegazzianum*, Himalayan balsam *Impatiens glandulifera*, Japanese knotweed *Fallopia japonica*, New Zealand pygmyweed *Crassula helmsii*, rhododendron *Rhododendron ponticum* and certain hybrids of the above, some species may be native yet are listed for conservation purposes.

Plant or soil material contaminated by Japanese knotweed that is to be discarded is considered to be a 'controlled waste' under the Environmental Protection Act 1990 (EPA 1990). It is an offence to deposit, treat, keep, or dispose of controlled waste without a licence. Furthermore, knotweed that has been cut down and removed must be received by an authorised person to be disposed of correctly. A licence can be obtained from the Environment Agency (EA). The release or planting of a listed species in the wild can be permitted under a licence granted by the relevant statutory body.

Invertebrates

A number of invertebrates such as silver studded blue butterfly *Plebejus argus*, stag beetles *Lucanus cervus* and white letter hairstreak *Stymondia w-album* are fully protected under Schedule 5 of the Wildlife and Countryside Act (1981, as amended). This legislation makes it illegal to intentionally kill, injure, or take a protected invertebrate, or to damage, destroy, or obstruct access to any structure or place used for shelter or protection by such a species; and disturb any protected species occupying such a structure or place.

Three invertebrates are listed under Schedule 2 of the Conservation of Habitats and Species Regulations 2019, fisher's estuarine moth *Gortyna borelij lunata*, the large blue butterfly *Maculinea arion* and lesser whirlpool ram's-horn snail *Anisus vorticulus*. It is an offence deliberately to kill, capture, or disturb a listed species, or to damage or destroy the breeding site or resting place of such an animal.

Amphibians

There are four widespread amphibian species, common frog *Rana temporaria*, common toad *Bufo bufo*, palmate newt *Lissotriton helveticus* and smooth newt *Lissotriton vulgaris*. All of the four widespread species receive partial protection under Schedule 5 of the Wildlife and Countryside Act (1981, as amended) making it an offence to offer them for sale or trade.



Great crested newts *Triturus cristatus* and natterjack toads *Epidalea calamita* are fully protected under Schedule 5 (in respect of section 9(4)(b) and (c) and (5) only) of the Wildlife and Countryside Act (1981, as amended) and the Conservation of Habitats and Species Regulations 2019. Reintroduced populations of 'native' pool frogs *Pelophylax lessonae* also receive the same protection. It is illegal to possess a protected species (alive or dead), deliberately capture, injure or kill, to intentionally or recklessly disturb, or to deliberately take or destroy the eggs of these protected species. It is also illegal to damage, destroy or intentionally or recklessly obstruct access to breeding or resting place used by these protected species'. All life stages of each species' are afforded the same level of protection.

In order to undertake any activity, which would, otherwise result in any of the above offences being committed, it may be necessary to obtain a European Protected Species (EPS) licence from the relevant statutory body (Natural England (NE), Countryside Council for Wales (CCW) or Scottish natural Heritage (SNH)). It is possible to undertake surveys which would otherwise involve unlawful acts, such as disturbance, by obtaining a survey license which provides authorisation for scientific and educational purposes

Reptiles

The four common reptile species, adder *Vipera berus*, grass snake *Natrix helvetica*, common lizard *Zootoca vivipara* and slow worm *Anguis fragilis* are protected under Schedule 5 of the Wildlife and Countryside Act (1981, as amended) against deliberate and/or intentional killing, injuring and trade.

If common reptile species are found to be present or considered potentially present within a proposed development site. To ensure that no subsequent offence will be committed a precautionary method of working (written by a suitably qualified ecologist) and submitted to the relevant authority may be required to enable works to proceed with limited risks of offences being caused.

Birds

All birds, their nests and eggs are protected by the Wildlife and Countryside Act (1981, as amended). It is an offence to intentionally kill, injure, or take any wild bird, or take or destroy an egg of any wild bird. It is also an offence to damage or destroy the nest of any wild bird (whilst being built, or in use). Therefore, clearance of vegetation within the site boundary, or immediately adjacent to the site during the nesting season could result in an offence occurring under the Act. The bird breeding season can be taken to run between the 1 February and 31 August and is subject to geographical and seasonal factors. There are 79 species of birds listed under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended). It is an offence to intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird.

Barn owls *Tyto alba* are given the highest level of legal protection possible under Schedule 1 of the Wildlife and Countryside Act 1981. It is therefore illegal to kill, injure or take a barn owl, or to take or destroy its eggs. It is also illegal to intentionally or recklessly take, damage, or destroy the nest of any wild bird while it is in use or being built, release or allow the escape of a barn owl into the wild or possess any bird (dead or alive) or part of bird without a licence which is obtainable through the country agencies (EN, SNH, and CCW).

Badgers

Badgers *Meles meles* are protected under the Protection of Badgers Act (1992) and the Wildlife and Countryside Act (1981, as amended). As such it is an offence to wilfully take, kill, injure or ill-treat a badger, or possess a dead badger or any part of a badger. Under the Act their setts are also protected against obstruction, destruction, or damage in any part.



Sett interference includes damaging or destroying a sett, obstructing access to a sett, and disturbing a badger whilst it is occupying a sett. The Act defines a badger sett as ‘any structure or place, which displays signs indicating the current use by a badger’ and Natural England takes this definition to include seasonally used setts.

Work that may disturb badgers or their setts is illegal without a development licence from the relevant statutory body (NE, CCW, SNH). As a precautionary principle, a buffer distance between a badger sett and the works will be determined, based upon guidance from an appropriately experienced ecologist. This buffer distance should be based upon the size and activity levels at the sett, the topography between the sett and the works and the nature of the works.

Bats

All native UK bat species are fully protected by UK law under Schedule 5 (in respect of section 9(4)(b) and (c) and (5) only) and Schedule 6 of the Wildlife and Countryside Act (1981, as amended), and under Schedule 2 of the Conservation of Habitats and Species Regulations 2019. It is illegal to deliberately capture, injure or kill a bat or to intentionally or recklessly disturb bats. It is also illegal to damage, destroy or intentionally or recklessly obstruct access to a breeding or resting place used by a bat.

Any activity that would result in a contravention of the above legislation would likely require an EPS licence from the relevant statutory body (NE, CCW or SNH). Works or mitigation activities involving interference with bats or bat shelters must be carried out by a licensed bat worker.

Dormice

Dormice *Muscardinus avellanarius* are protected under Schedule 5 (in respect of section 9(4)(b) and (c) and (5) only) of the Wildlife and Countryside Act (1981, as amended) and are listed in Schedule 2 of the Conservation of Habitats and Species Regulations 2019. Under the current legislation it is illegal to intentionally or deliberately kill, injure or capture dormice, deliberately disturb dormice (whether in a nest or not); or to damage, or destroy dormouse breeding sites or resting places.

Any activity that would result in a contravention of the above legislation would likely require an EPS licence from the relevant statutory body (NE, CCW or SNH).

Otters

The otter *Lutra lutra* is fully protected under Schedule 5 (in respect of section 9(4)(b) and (c) and (5) only) of the Wildlife and Countryside Act (1981, as amended) and are listed under Schedule 2 of the Conservation of Habitats and Species Regulations 2019. It is therefore illegal to deliberately capture, injure or kill an otter, possess an otter (dead or alive), or any other part of an otter, or intentionally or recklessly disturb otters. It is also illegal to damage, destroy or intentionally or recklessly obstruct access to a holt or other resting place used by an otter.

Any activity that would result in a contravention of the above legislation would likely require an EPS licence from the relevant statutory body (NE, CCW or SNH).

Water voles

Water voles *Arvicola amphibious* are protected under Schedule 5 of the Wildlife and Countryside Act (1981, as amended). It is an offence to possess, control or sell water voles or to intentionally kill, injure or take water voles. It is also an offence to intentionally or recklessly damage, destroy or obstruct access to a place that water voles use for shelter or protection or disturb water voles whilst using such a place.

A licence is required for catching/handling water voles, or for field surveys that are intrusive or disturbing where the surveyor suspects’ water voles are present. A licence can be obtained by



applying to the relevant statutory body (NE, SNH, and CCW,). Please note that the legislation does not permit licences to be issued in relation to development of land.

Biodiversity Policies

National Planning Policy Framework (NPPF) 2023

Published in 2023 the NPPF sets out the Government's planning policies for England and how these are expected to be applied by local authorities. It replaces all the Planning Policy Statements and Guidance (PPSs and PPGs). The NPPF emphasises the need for sustainable development, whilst specifying the need for protection of designated sites and priority habitats and priority species (as listed in section 41 of the Natural Environment and Rural Communities (NERC) Act 2006). Paragraph 174 of The National Planning Policy Framework (NPPF) states:

“Planning policies and decisions should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- 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.”

Paragraph 179 states that “to protect and enhance biodiversity and geodiversity, plans 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.”

Furthermore, paragraph 185 states that when determining planning applications, local planning authorities should aim to conserve 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 incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

Paragraph 181 states:

“The following 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.”

Paragraph 182 states:

“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 UK Biodiversity Framework (2011-2020).

The UK Biodiversity Framework is an important framework that is owned, governed and implemented by the four UK countries, assisted by Defra and JNCC in their UK co-ordination capacities. Although differing in details and approach, the four UK countries have published strategies which promote the same principles and address the same global targets: joining-up our approach to biodiversity across sectors; and identifying, valuing and protecting our ‘Natural Capital’ to protect national well-being now and in the future. This new framework has been developed to enhance the recovery of priority habitats and species in England (published under section 41 of the NERC Act 2006), thereby contributing to the delivery of the England Biodiversity Strategy. The framework has been developed and endorsed by the England Biodiversity Group and wider partnership. It is the starting point for a more integrated approach to biodiversity conservation in England, building on the strengths of the former UK Biodiversity Action Plan (BAP) process and improving those areas where insufficient progress was being made.

Horsham District Planning Framework

The Horsham District Planning Framework (Horsham District Council, 2015) sets out the relevant policies for the control of development with regards to the natural environment and biodiversity.



Policy 25 Strategic Policy: The Natural Environment and Landscape Character

The Natural Environment and landscape character of the District, including the landscape, landform and development pattern, together with protected landscapes and habitats will be protected against inappropriate development. The Council will support development proposals which:

1. Protects, conserves and enhances the landscape and townscape character, taking into account areas identified as being of landscape importance, the individual settlement characteristics, and maintains settlement separation.
2. Maintain and enhances the Green Infrastructure Network and addresses any identified deficiencies in the District.
3. Maintains and enhances the existing network of geological sites and biodiversity, including safeguarding existing designated sites and species, and ensures no net loss of wider biodiversity and provides net gains in biodiversity where possible.
4. Conserve and where possible enhance the setting of the South Downs National Park.

Policy 26 Strategic Policy: Countryside Protection

Outside built-up area boundaries, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Any proposal must be essential to its countryside location, and in addition meet one of the following criteria:

1. Support the needs of agriculture or forestry;
2. Enable the extraction of minerals or the disposal of waste;
3. Provide for quiet informal recreational use; or
4. Enable the sustainable development of rural areas.

In addition, proposals must be of a scale appropriate to its countryside character and location. Development will be considered acceptable where it does not lead, either individually or cumulatively, to a significant increase in the overall level of activity in the countryside, and protects, and/or conserves, and/or enhances, the key features and characteristics of the landscape character area in which it is located, including;

1. The development pattern of the area, its historical and ecological qualities, tranquillity and sensitivity to change;
2. The pattern of woodlands, fields, hedgerows, trees, waterbodies and other features; and
3. The landform of the area.

Policy 30 Protected Landscapes

1. The natural beauty and public enjoyment of the High Weald AONB and the adjoining South Downs National Park will be conserved and enhanced and opportunities for the understanding and enjoyment of their special qualities will be promoted. Development proposals will be supported in or close to protected landscapes where it can be demonstrated that there will be no adverse impacts to the natural beauty and public enjoyment of these landscapes as well as any relevant cross boundary linkages.
2. Proposals should have regard to any management plans for these areas and must demonstrate:
 - a) How the key landscape features or components of natural beauty will be conserved and enhanced. This includes maintaining local distinctiveness, sense of place and setting of



the protected landscapes, and if necessary providing mitigation or compensation measures.

- b) How the public enjoyment of these landscapes will be retained.
 - c) How the proposal supports the economy of the protected landscape and will contribute to the social wellbeing of the population who live and work in these areas.
3. In the case of major development proposals in or adjoining protected areas, applicants will also be required to demonstrate why the proposal is in the public interest and what alternatives to the scheme have been considered.

Policy 31 Green Infrastructure and Biodiversity

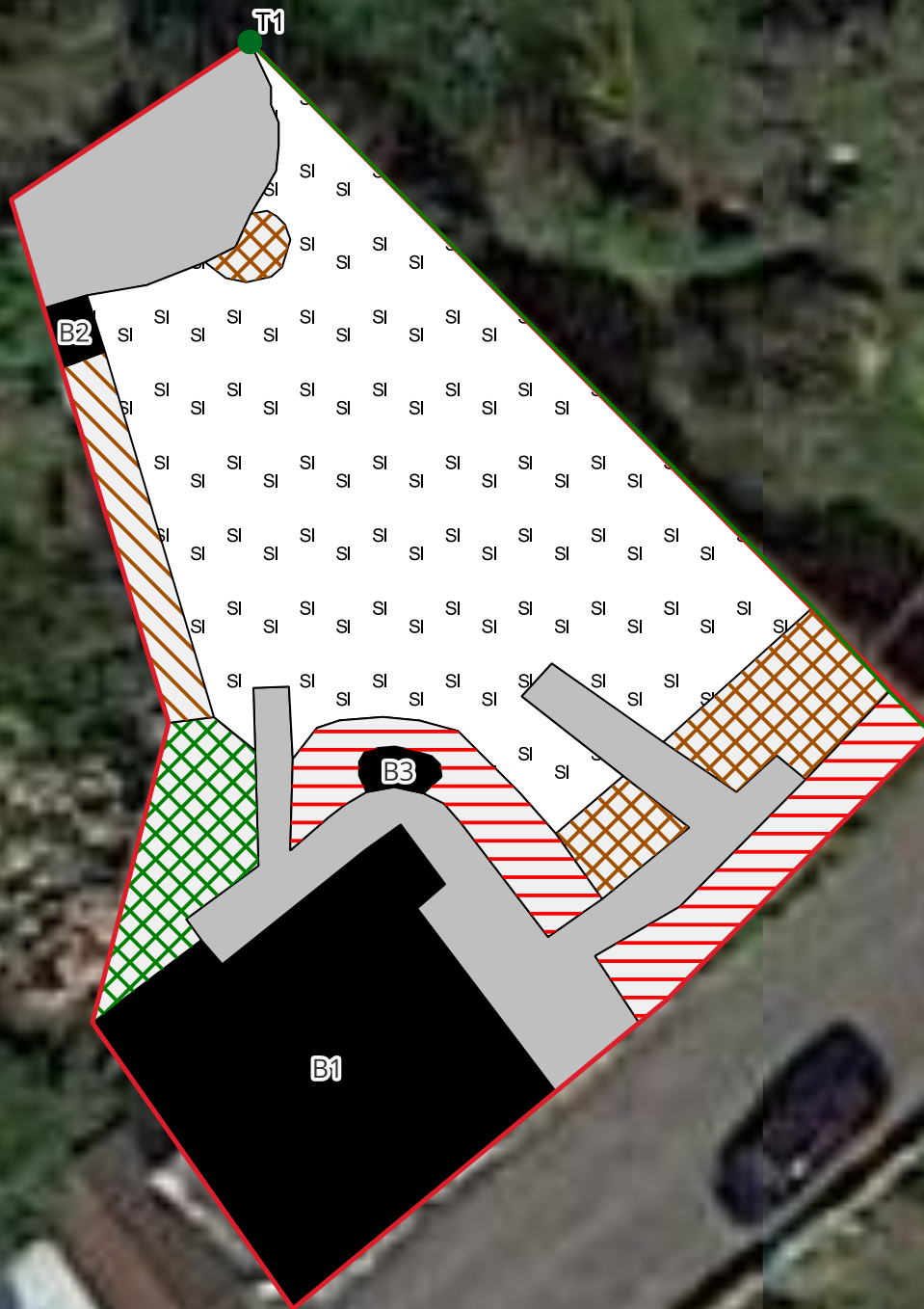
1. Development will be supported where it can demonstrate that it maintains or enhances the existing network of green infrastructure. Proposals that would result in the loss of existing green infrastructure will be resisted unless it can be demonstrated that new opportunities will be provided that mitigates or compensates for this loss, and ensures that the ecosystem services of the area are retained.
2. Development proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate. The Council will support new development which retains and /or enhances significant features of nature conservation on development sites. The Council will also support development which makes a positive contribution to biodiversity through the creation of green spaces, and linkages between habitats to create local and regional ecological networks.
3. Where felling of protected trees is necessary, replacement planting with a suitable species will be required.
4. Particular consideration will be given to the hierarchy of sites and habitats in the district as follows:
 - a) Special Protection Area (SPA) and Special Areas of Conservation (SAC)
 - b) Sites of Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs)
 - c) Sites of Nature Conservation Importance (SNCIs), Local Nature Reserves (LNRs) and any areas of Ancient woodland, local geodiversity or other irreplaceable habitats not already identified in a & b above.

Where development is anticipated to have a direct or indirect adverse impact on sites or features for biodiversity, development will be refused unless it can be demonstrated that:

- a) The reason for the development clearly outweighs the need to protect the value of the site; and,
 - b) That appropriate mitigation and compensation measures are provided.
5. Any development with the potential to impact Arun Valley SPA or the Mens SAC will be subject to a HRA to determine the need for an Appropriate Assessment. In addition, development will be required to be in accordance with the necessary mitigation measures for development set out in the HRA of this plan.



Appendix III: Phase 1 Habitat Map

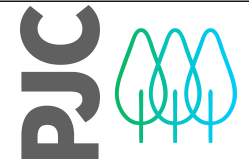


LEGEND:

- Scattered Broadleaved Trees
- A2.1 - Scrub - dense/continuous
- B6 - Poor semi-improved grassland
- C3.1 - Other tall herb and fern - ruderal
- J1.4 - Introduced shrub
- J2.5 - Wall
- J3.6 - Buildings
- J5 - Other habitat
- J2.1.2 - Intact hedge - species-poor
- Red Line Boundary

Google Satellite

STATUS: FOR INFORMATION ONLY



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CLIENT: Michael Modlock

PROJECT:
Sandrock, Coldwaltham, West Sussex, RH20 1LF

TITLE:
Appendix III - Phase 1 habitat map

SCALE AT A4: 1:267.8	DRAWN: LM	APPROVED: TK
PROJECTION: EPSG:3857	DATE: 22/02/2024	DATE: 22/02/24

DRAWING No: PJC/5526E/24/A3/N1



Appendix IV: Site Photographs

All photographs were provided by Michael Modlock (26th January 2024), taken on the same day as the extended phase 1 survey conducted by Liam Mattingly BSc(Hons).



Photo 1: Eastern elevation of the building B1, facing west, showing the retaining wall in the foreground.



Photo 2: Western elevation of the building B1, facing east.



Photo 3: South-western elevation of the building B1, facing east.



Photo 4: Southern elevation of building B1, facing north.



Photo 5: Southern aspect of the Site, showing the timber retaining wall.



Photo 6: Eastern elevation of building B1, facing west, showing the poor semi-improved grassland in the foreground.



Photo 7: Northern aspect of the Site, facing south, showing the poor semi-improved grassland and building B1 in the background.



Photo 8: Northern aspect of the Site, facing south, showing the poor semi-improved grassland and building B1 in the background.



Photo 9: Northern elevation of building B1, facing west, showing the dense scrub in the background.



Photo 10: Northern elevation of building B1, facing west.



Appendix VII: Precautionary Non-Licensed Method Statement

MITIGATION MEASURES

The mitigation measures detailed below are provided to ensure that in the unlikely event of GCN or reptiles being present within the Site, they are protected from death, injury or disturbance, and that their resting places are also protected from damage, destruction, or obstruction of access.

PRIOR TO CONSTRUCTION WORKS

All site workers undertaking any habitat clearance works will receive an ecological Tool Box Talk (TBT), with a focus on GCN and reptiles, from a suitably qualified ecologist prior to undertaking habitat clearance works on Site.

DURING CONSTRUCTION WORKS

Access and egress routes for people and plant must be kept to existing areas of hardstanding, bare earth and grassland (providing the grassland sward has been maintained below 100mm in height).

An ecologist must hand search the cleared areas either before the first cut, or immediately after, depending on the height of the vegetation and visibility.

All suitable GCN and reptile habitat clearance must take place between April to June when GCN are in their aquatic lifecycle phase and less likely to be within the terrestrial habitats on Site, and avoiding the hibernation season (when GCN and reptiles are more vulnerable to disturbance, injury and death).

Habitat clearance must be conducted using a two-stage directional approach, first reducing the vegetation to approximately 100mm above ground, then the second cut reducing it to ground level. Cutting will be undertaken in a south to north direction to allow any protected species potentially present within the Site to naturally disperse to other areas of suitable semi-natural habitat within the surroundings. Once the second cut has been undertaken, tree stump removal can take place.

Potential refuge features, such as the wooden retaining wall, potentially used by hibernating GCN and reptiles must not be moved or affected during the hibernation season (November to March) or in temperatures below 9°C (when reptiles are more vulnerable to disturbance, injury and death). All features must be deconstructed sensitively, whereby removing half of the feature (top-down) and removing the second half after 24 hours.

All suitable GCN and reptile habitat must be cleared with the use of hand tools only (e.g. strimmer, brush cutter or chainsaw) to minimise the risk to reptiles and GCN potentially present within the vegetation.

All suitable GCN and reptiles habitat removal must be supervised at all times by a suitably qualified ecologist.

All arisings generated from habitat clearance works must be removed from Site and should not be stored on Site for any longer than a 24-hour period. In the event that this is not possible, all arisings must be stored within a skip or a minimum of 10m away from retained suitable GCN and reptiles habitat, and only on existing hardstanding or bare earth.



All excavations should be excavated individually and back filled immediately where possible. Where this is not possible, excavations must be covered to prevent GCN and reptiles (and other animals) becoming trapped within the excavation. If this is also not possible, one or both sides of the excavation must be sloped in order to allow egress from the excavation.

All machinery, equipment and materials must be stored on areas identified by an ecologist as being unsuitable for GCN and reptiles, for example, grassland of a short sward.

All site workers, particularly those involved in habitat clearance works, must remain vigilant at all times during construction works if at any point during construction works any protected species or signs of protected species, including GCN and reptiles are identified, the following instructions must be adhered to:

- Stop works immediately and leave the area;
- Inform an ecologist immediately who will then provide further guidance/instructions;
- Do not try to handle a GCN or reptile; and
- Do not resume construction works until advised it is safe to do so by a suitably qualified ecologist.

PJC



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Date: 06/03/2024

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