



Horsham
District
Council

HORSHAM DISTRICT COUNCIL CONSULTATION

TO:	Horsham District Council – Planning Dept
LOCATION:	West of Ifield Development
DESCRIPTION:	Environmental Impact Assessment Scoping Opinion Request in relation to the proposed West of Ifield Development
REFERENCE:	EIA/23/0007
RECOMMENDATION:	Advice
SUMMARY OF COMMENTS & RECOMMENDATION: Further consideration for impacts on priority species is required, including amphibians and plants which are not currently present within the scope. The IRZs should be included as part of the SSSI assessments, and in the absence of survey data, further assessment will be required regarding impacts on the habitats within the CSZ of the Bechstein's bats maternity roost. Other areas of potential mitigation measures and enhancements should also be regarded, as outlined below.	

MAIN COMMENTS:

The below comments are based on the review of West of Ifield (WOI) EIA Scoping Opinion Request Report, submitted 17th October 2023.

1. Designated Sites Methodology

The zone of influence has been identified as 2km around the site, as per para 7.3.4, and a standard study area of 2km from the boundary of the site was used for identification of designated site and important habitats and species (5km for bats; para 7.3.5). Whilst the EIA scoping report biodiversity chapter (7) refers to two SSSI's being identified within 2km of the site and scoped into the assessment, it would be helpful to highlight whether the site is located within the SSSI's Impact Risk Zones (IRZ), as shown on DEFRA's MAGIC mapping website. This informs the need for consultation with Natural England, depending on the zone in which the site is located, the development type and its associated impacts. Any mitigation necessary to avoid any potential adverse impacts on the SSSI's will need to be agreed with Natural England.

2. European Protected Species Scope - Bats

Bechstein's bats are protected by the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended) and listed under Annexes II and IV of the European Habitat Directive making it a European Protected Species. According to the Applicant, radio-tracking studies undertaken in 2020 and 2022 on the Bechstein's maternity roost in Hyde Hill LWS suggest that most of the core areas for foraging Bechstein's bats are outside of the site, focussing on woodland parcels nearby. However, further information is required with regards to whether these bats are using habitats on site for foraging and/or commuting. In the absence of this information, and alongside *Myotis* bats having been included within the assemblage of bats utilising the site, the impacts on all suitable commuting and foraging habitats within the CSZ should also be included within the assessment. The CSZ will need to extend to 3km from the identified maternity roost as per BCT guidelines for Bechstein's bats. The associated mitigation measures should ensure that there is no net reduction in the quality and availability of foraging and commuting habitat for the colony, in addition to mitigation measures required as a result of ecological survey work.

Please note, that this site has potential to meet published selection criteria for SAC designation if there is sufficient evidence to support that the Bechstein's bat maternity roosts in this area and the surrounding area are of, or could be restored to, favourable conservation status. This is something that the Applicant will need to consider. As per CIEEM ECIA guidelines, this may require future discussions relating to the assessment of importance and how the site should be treated.

3. Priority Species

In line with Para. 179 of the NPPF, the development should "b) 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". The ES should thoroughly assess the impact of proposed development on habitats and species listed as Habitats and Species of Principal Importance under Section 41 of the NERC Act 2006.

Amphibians (excluding great crested newt) are not currently present within the current scope. Priority and notable species, for example common toad (priority species), are likely on site given the habitats present, and therefore potential impacts assessed as part of the ES. Desk study records should be stated if available.

Similarly, plants (including fungi and lichens) are not specified within the scoping report. Whilst the habitats identified on site have been noted to have potential or are known to support a variety of protected and notable species (para 7.4.2; particularly within the priority habitats lowland mixed deciduous woodland, ponds, other rivers and streams, arable field margins and hedgerows), it is not clear whether records of protected/priority/notable plant species have been returned from the desk study, or if any have been noted on site. If so, the potential impacts on these species should be assessed.

The proposed development contains areas of the Ifield Brook Biodiversity Opportunity Area (BOA), and as a result the ES will consider the potential impacts of the development upon achieving the targets as identified for the BOA. This is positive to see. It would also be welcomed for any information on records of harvest mouse (priority species) under 'other mammals' to be shared if available, given previous records within the BOA. If present, impacts on harvest mouse should be assessed.

4. Further considerations

It is acknowledged that a desk study for species records was requested from the local record centre Sussex BRC (SxBRC), and these records alongside preliminary site assessments have subsequently informed survey requirements and potential mitigation measures. Providing the SxBRC with all new and updated findings as a result of these surveys is strongly encouraged.

In addition to the EIA report, the Applicant will also be required to provide sufficient information on non-significant impacts on protected/priority/notable habitats and species, so all likely impacts and effects are known.

It is good practice to refer to the relevant legislation for each protected species assessed (e.g., bats, breeding birds, badgers etc). This may be presented within an Appendix within the EIA.

Potential mitigation

The proposed potential mitigation measures outlined are considered appropriate, although it needs to include priority species, not just protected and notable ones. It is also advised that an Ecological Clerk of Work be present on site during the construction phase, particularly when working near sensitive habitats and during vegetation clearance. The following comments relate to areas that will need further consideration.

5. River Mole

It is welcomed that the maintenance of the integrity of the site's existing wetland habitats, including Ifield Brook and River Mole and pond habitats where possible, have been regarded within the potential mitigation measures. However, further in-depth consideration and mitigation measures will be needed with respect to the construction of the bridge over the River Mole (para 3.1.3), as this has potential to alter the ecological function and have knock-on effects.

6. Biodiversity Net Gain

With reference to para 7.6.1 (potential mitigation measures and BNG during construction), Biodiversity Net Gain (BNG) will not be considered a measure of mitigation for any potential adverse effects on biodiversity. As recognised earlier in the document (para 7.5.1), BNG should be additional to mitigation measures, as per BNG principles. If BNG is implemented on top of habitat created for the purpose of mitigating

impacts on protected/priority/notable species (for example), then the distinction between mitigation and BNG should be made clear in the Biodiversity Net Gain Statement upon submission. It is encouraged that two separate biodiversity metrics are submitted to help illustrate habitats created for mitigation purposes, and those that contribute towards BNG. Furthermore, feasibility of habitat creation will also need to be presented in the Biodiversity Net Gain Statement, particularly for the proposed lowland meadow grassland.

7. Buffer Areas

It is supported that buffer zones of 25 – 30m (and 35m for Hyde Hill Wood LWS) will be implemented around areas of sensitive habitat (para 7.6.1). However, it is not explicitly clear whether these will be vegetated, which is essential. Furthermore, where vegetated buffer zones are implemented for irreplaceable habitat, such as for impacts on ancient woodland, these buffer zones act as mitigation and therefore cannot contribute towards BNG. It is also important to note that SuDS (see para 7.5.1) should not be installed within any buffer areas for ancient woodland.

8. Protected Species

To mitigate the potential adverse impacts on protected species, the timings of works should be considered e.g., vegetation clearance outside of breeding bird season. Pre-assessments may also be necessary, for example, walk-over surveys by an Ecological Clerk of Works and preliminary tree assessments prior to works commencing. For any European Protected Species Licences granted, the targeted mitigation measures for that species must be adhered to. In the scenario where a protected species is found on site, where an EPSL is not already in place, the works must stop, and advice sought by an ecologist immediately.

9. Badger

Where appropriate and when mitigation cannot be undertaken *in situ*, protected species found on site will be translocated to alternative areas of suitable habitat. However, as physical translocations are not possible for badgers (protected under the Protection of Badgers Act 1992), further targeted mitigation measures will need to be considered (para 7.4.5). It is highly recommended that any survey and assessment of badgers is provided in a separate confidential appendix to avoid publication of sensitive information.

10. Habitat Creation and Enhancement

New habitat will be created when a parcel is developed, and this habitat will be maturing / mature before other parcels are cleared of existing habitats (assuming this is excluding woodland creation, given the habitats long time to reach maturity). However, the applicant should consider whether habitat creations/enhancements mentioned in para 7.6.1 as a mitigation measure will be installed prior to the commencement of construction within each phase (i.e., advanced planting). This will further mitigate impacts of severing connecting habitats and disrupting animal dispersal.

11. Biodiversity Enhancement

It is positive to see that biodiversity enhancements are being considered as part of the development design in the built-up areas in line with Policy 38 of the Horsham District Planning Framework 2015, through landscape planting and green infrastructure. It is also advised that in-keeping with retaining connectivity across the site, enhancements such as hedgehog friendly fencing could be implemented to further reduce the effects of physical barriers on hindering animal movement. Building designs can also incorporate

wildlife friendly enhancements, such as bird and bat tiles / bricks / boxes etc. Please see Policy 30 in the emerging Horsham Local Plan.

ANY RECOMMENDED CONDITIONS:

N/A

NAME:

Ecology Officer (Planning)

DEPARTMENT:

Strategic Planning - Specialists

DATE:

07th November 2023