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Date: 02 June 2026

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our ref
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Dear Mr Smith

OUTLINE APPLICATION FOR THE ERECTION OF UP TO 150 DWELLINGS, WITH ASSOCIATED WORKS, PARKING, LANDSCAPING, PUBLICLY ACCESSIBLE OPEN SPACE, LAND FOR EDUCATION OR COMMUNITY USE, WITH ACCESS FROM GREEN ROAD AND EASTERN ROAD

LAND SOUTH OF GREEN ROAD, WIVELSFIELD GREEN, EAST SUSSEX

ECOLOGICAL CONSULTATION

Background

1. The advice below is provided to the Local Planning Authority by the County's Ecology Officer in line with the Service Level Agreement and is not a statutory consultation response. We apologise for the severe delay in providing ecological advice on this application and hope this response can still be of use, particularly in setting expectations for ecological requirements at the reserved matters (RM) stage should permission be granted. For this reason, we have focused on recommended conditions although departures from best practice are still noted. We are aware that this application is now the subject of an appeal for non-determination with the Inquiry opening on 30 June 2026.

Policy context

2. Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, as amended by the Environment Act 2021, states that:

"A public authority...must from time to time consider what action the authority can properly take, consistent with the proper exercise of its functions, to further the conservation of biodiversity."

"After that consideration, the authority must...a) determine such policies and specific objectives as it considers appropriate for taking action to further the general biodiversity objective, and b) take such action as it considers appropriate, in the light of those policies and objectives, to further that objective."

The Duty applies to all public authorities in England and Wales, including all local authorities. Conserving biodiversity includes restoring and enhancing species and populations and habitats, as well as protecting them.

3. The National Planning Policy Framework (NPPF, 2024) states that *"planning policies and decisions should contribute to and enhance the natural and local environment by... protecting and enhancing ... sites of biodiversity or geological value or soils..."*, *"...recognising the wider benefits*

from natural capital and ecosystem services... including the economic and other benefits of trees and woodland” and “minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs ...” (paragraph 187).

4. The NPPF sets out principles that local planning authorities should seek to apply when determining planning applications to protect and enhance biodiversity; these include refusing planning permission if significant harm to biodiversity 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; refusing development that would result in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees), unless there are wholly exceptional reasons and a suitable compensation strategy exists; and encouraging opportunities to incorporate biodiversity improvements in and around developments, especially where this can secure measurable net gains for biodiversity (paragraph 193).
5. The NPPF states that *“decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on... the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should... limit the impact of light pollution from artificial light on... dark landscapes and nature conservation”* (paragraph 198).
6. Schedule 14 of The Environment Act (2021) requires that all development (apart from those meeting the criteria for exemption) provide a minimum of 10% biodiversity net gain (BNG), although local planning policy may require higher levels. The biodiversity gain objective must be met in relation to development for which planning permission is granted, demonstrated through the completion of the Statutory Biodiversity Metric and Biodiversity Gain Plan (BGP).
7. Core Policy CP10 of the Lewes District Local Plan 2016 states that the natural environment of the district, including landscape assets, biodiversity, geodiversity, priority habitats and species and locally designated sites, will be conserved and enhanced by: ensuring that new development will not harm nature conservation interests, unless the benefits of development at that location clearly outweigh the harm caused (in such cases appropriate mitigation and compensation will be required); maintaining and where possible enhancing local biodiversity resources including through maintaining and improving wildlife corridors, ecological networks and avoiding habitat fragmentation; and working with neighbouring local authorities to contribute to the delivery of biodiversity improvements within the South Downs Way Ahead Nature Improvement Area and the Brighton and Lewes Downs Biosphere Project, as well as other projects and partnerships that are established during the plan period.

Potential impacts on biodiversity

Designated sites

Statutory sites

8. The site is not designated for its nature conservation interest. The South Downs National Park lies c. 1.8km south at its nearest point. The nearest statutory designated site is Ditchling Common Site of Special Scientific Interest (SSSI) c. 690m west. The next nearest is Chailey Common SSSI c. 2km north-west. We note that Natural England, the statutory consultee for SSSIs, have already provided a ‘no objection’ response (18/12/25) and therefore we have no further comment to make on this aspect of the proposal.

Non-statutory sites

9. The nearest non-statutory site is Purchase Wood Local Wildlife Site (LWS) c. 50m south-west with access from the application site via public rights of way (PRoWs). The LWS is designated for its ancient oak and hornbeam coppice woodland with areas of parkland. We are satisfied that any potential for construction phase impacts on the LWS can be managed through a Construction Environmental Management Plan (CEMP) which can be secured by condition.
10. The primary operational impact requiring management is additional recreational pressure from new residents which can include elements such as ground compaction from trampling, damage to ground flora and nutrient enrichment from dog fouling. The Ecological Assessment (ES, Ecology

Solutions, 17/12/24) simply states that the '*extensive areas of on-site open space*' to be provided mean that the proposed development will '*not lead to an increase in recreational pressure on nearby sensitive sites, including LWS*'.

11. This approach is potentially acceptable, but care will need to be taken with regards to the design of the open space, the linking of new routes with existing ones, the provision of necessary infrastructure such as strategically located dog waste bins and the location and design of interpretation boards (to both publicise available routes outside the LWS and clearly identify actions users can take to protect the ancient woodland). From ES paragraph 5.2.13 it is clearly intended to make the open space available to existing residents in the local area as well as new ones so the approach to promoting this should also be clarified. A comprehensive approach to public open space delivery should be secured by condition.

Ancient woodland

12. Immediately to the south of the application site lies West Wood, a c. 42ha block of ancient semi-natural woodland (ASNW) comprised primarily of oak and hornbeam. Ancient woodland is recognised as an irreplaceable habitat in paragraph 193 of the NPPF (December 2024). Three discrete areas along the woodland's northern edge, totalling c. 0.87ha, fall within the red line boundary (RLB). The ES notes that management appears to have been limited for some time as there is little understorey vegetation and evidence of overgrown coppice stools. This woodland is already publicly accessible both formally (via PROWs) and informally.
13. The ES comprehensively considers potential impacts. The provision of a minimum 30m wide undeveloped buffer along the woodland edge is welcomed. This and the fact that the woodland is not influenced by drainage within the application site (being on higher ground) means that, as with the LWS, the key impact requiring management is recreational pressure. The intention is to restrict access into the woodland to the three existing PROWs, fencing the remainder of the woodland edge and combining this with a soft edge of scrub and thicket planting (including a high percentage of thorny species) to create a more varied habitat transition. The development will also be providing an extensive area of new public open space to the east including interpretation boards.
14. The area of onsite ASNW is not currently proposed for enhancement as part of BNG (see below). Keeping this irreplaceable habitat separate from the BNG process is supported, however we strongly recommend that some form of management is secured through this application. This should be agreed in discussion with the owner/s of the majority of West Wood (to the south) as to what would be most beneficial in the context of the new development and the likely increase in levels of access. We recommend that a comprehensive Woodland Management Plan is secured by condition (this should also include non-ASNW, see below).

Other onsite habitats

15. The majority of the site by area is either arable fields (east) or agriculturally managed grassland that is cut for hay (west). There is a band of broadleaved woodland c. 30m wide running north-south through the centre of the site. The site is further bounded and divided by 12 hedgerows (some including trees or associated with a dry ditch). There are some scattered individual trees in the eastern fields, small areas of mixed scrub and two ponds located within the ASNW, close to the southern boundary.
16. The ES fails to clearly state which of the above are Habitats of Principal Importance (HPI) under Section 41 of the NERC Act 2006. Based on the information available we consider that both the north-south band of woodland (which the ES describes as meeting the UK Hab description for lowland mixed deciduous woodland (LMDW)) and all of the hedgerows (with the possible exception of residential boundary hedgerow H4) would qualify.
17. The majority of the woodland band and hedgerows will be retained, with a small number of gaps created for access roads. This is acceptable and losses can be compensated through the BNG process although measures should be taken to maintain connectivity for protected species (see below).

Bats

18. All species of bats are fully protected under the Wildlife and Countryside Act 1981, as amended, and the Conservation of Habitats and Species Regulations 2017, as amended, making them European Protected Species. It is an offence to: deliberately kill, injure, disturb or capture them; damage or destroy their breeding sites and resting places (even when bats are not present); possess, control or transport them (alive or dead). Under the Act it is also an offence to intentionally or recklessly: disturb bats while they occupy a structure or place used for shelter or protection; obstruct access to a place of shelter or protection.
19. There are no buildings or structures onsite and while a number of trees with bat roost potential have been identified (although not fully surveyed at this stage) these are all being retained in areas of public open space under current plans. The bat activity survey work reported in the EA is broadly acceptable with one notable deviation from best practice. This relates to the lack of any surveys (walked transects or deployment of statics) covering the spring or early summer period, with the first static deployed on 26/07/23 and the first transect on 31/07/23. The EA notes this but considers that the survey work undertaken still provides a sufficiently comprehensive understanding of bats' use of the site.
20. Bats were active throughout the site although there was a concentration of activity in the centre along the north-south band of woodland. A minimum of seven species were recorded, with activity dominated by common and soprano pipistrelles. However, low numbers of rarer species including barbastelles, a very rare and light-averse species, were also recorded.
21. The EA considers that the impact of the scheme on bats will be minimal as all trees with roost potential will be retained as will the majority of existing woodland, hedgerows, treelines and other field boundaries. We recommend that care is taken with detailed site design, landscaping and lighting to minimise impacts on specific foraging/commuting routes, particularly for more light-sensitive species. For example, comparison of the EA Protected Species Plan (ECO3) with the Development Framework Plan (DFP, CSA Environmental, October 2024, Drawing No. CSA/6467/104, Rev F) shows that hedgerow H8, containing three PRF-M trees (with the potential to support larger numbers of roosting bats), is currently shown with its connection to the main north-south woodland band severed by the main access road for the southern housing block.
22. A sensitive lighting scheme, in line with national guidance (GN08/23) should be implemented to maintain dark corridors, with light spill of no greater than 1 lux, which is particularly important given the presence of light-sensitive species such as barbastelles and brown long-eareds. This could be secured by condition. Any future RM application should also be supported by updated bat survey work (which should include the spring period).

Hazel dormouse

23. The hazel dormouse is fully protected under Schedule 5 of the Wildlife and Countryside Act 1981, as amended, and Schedule 5 of The Conservation of Habitats and Species Regulations 2017, as amended, making it a European Protected Species. Under the Regulations it is an offence to deliberately kill, injure disturb or capture them; damage or destroy their breeding sites and resting places; possess, control or transport them (alive or dead). Under the Act, it is also an offence to intentionally or recklessly: disturb hazel dormice while they occupy a structure or place used for shelter or protection; or obstruct access to a place of shelter or protection.
24. A nest tube survey conducted between July and November 2023 and following best practice guidelines found no evidence of dormice onsite. Given the presence of suitable onsite habitat, including ancient woodland, any future RM application should be supported by updated survey work while precautionary habitat clearance methods, assuming surveys confirm continued absence of the species, can be secured by condition.

Great crested newt

25. The great crested newt (GCN) is fully protected under Schedule 5 of the Wildlife and Countryside Act 1981, as amended, and Schedule 2 of The Conservation of Habitats and Species Regulations 2017, as amended, making it a European Protected Species. The site lies within the red zone of the impact risk maps for the district licence scheme (DLS), indicating highly suitable habitat and high likelihood of GCN presence.

26. There are two ponds within the application site and a further nine within 250m. A Habitat Suitability Index (HSI) assessment and eft netting surveys were undertaken in August 2023 although ponds P1-P3 were dry at the time of survey and ponds P4-P7 and P10 could not be accessed.
27. The size of the proposed development notwithstanding, we accept that the risk to GCN is relatively low for the following reasons:
- P1-P3 will not be directly impacted by the development, with P1 and P2 located within ancient woodland just within the southern site boundary and P3 just outside it. If these ponds were dry in August 2023 (which was a wetter than average summer) then they are likely to be unsuitable as breeding ponds which generally need to retain water until the end of August for successful emergence of juveniles;
 - P4-P6 are located to the east of the development on the opposite side of Hundred Acre Lane. As this is relatively narrow, vegetated up to both edges and without kerb stones this may not form a sufficiently significant barrier between the ponds and the application site. However, based on current plans the developed areas of the site (roads and housing) are more than 250m from these ponds.
 - P7 and P10 are located to the north of the site on the opposite side of the busier, two-lane Green Road which we consider does form a more substantial barrier to movement.
 - P8, P9 and P11 were all surveyed with no evidence of GCN found.
28. Based on this level of risk the ES considers that there is no requirement for a licence to facilitate the proposed development. This seems reasonable but we would normally defer to NatureSpace (who administer the DLS on behalf of the Council) as to whether a licence is required. We understand that NatureSpace were consulted on this application but cannot see a response on the planning portal. If they have genuinely not responded then if possible, we recommend that their advice is sought as part of the appeal process.
29. As a minimum both precautionary working methods and update surveys to support any future RM application should be secured by condition.

Reptiles

30. Slow worms, grass snakes, common lizards and adders are protected against intentional killing or injuring under Schedule 5 of the Wildlife and Countryside Act 1981, as amended.
31. The site contains some suitable habitat for reptiles, particularly boundary habitats and woodland. It was surveyed between August and October 2023 with no reptiles recorded. While the survey period was relatively condensed at the end of the recommended survey season, the temperature on all visits was within acceptable parameters and it seems likely that if the site supported a significant population, then some animals would have been found.
32. Precautionary construction working methods to avoid potential harm can be secured by condition and any future RM application should be supported by an updated survey. Given the extent of public open space proposed, if a reptile population is identified at a later stage, it seems likely that the site would be able to accommodate it.

Badgers

33. Badgers are protected under the Protection of Badgers Act 1992. Under the Act, it is an offence *inter alia* to: wilfully kill, injure or take a badger, or attempt to do so; cruelly ill-treat a badger; or intentionally or recklessly interfere with a badger sett, by a) damaging a sett or any part of one, b) destroying a sett, c) obstructing access to or any entrance to a sett, d) causing a dog to enter a sett, or e) disturbing a badger when it is occupying its sett. Activities that can affect badgers include noise, additional lighting or vibration. Badger sett tunnels can extend for 20 m or more from the entrance holes.
34. Site surveys undertaken in July 2023 and October 2024 found no setts on site nor any other evidence of regular badger presence although this species may still pass through occasionally. Precautionary construction working methods to avoid potential harm can be secured by condition, and as badgers are a mobile species and can build new setts quickly, any future RM application should be supported by an updated survey.

Breeding birds

35. Under Section 1 of the Wildlife and Countryside Act (WCA) 1981, as amended, wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. Certain species, such as barn owl, are included in Schedule 1 of the WCA which affords them additional protection against disturbance whilst nesting in addition to the basic level of protection afforded to most wild birds. Specifically, it is an offence to intentionally or recklessly: disturb a Schedule 1 bird while it is building a nest or is in, on or near a nest containing eggs or young; disturb a Schedule 1 bird's dependent young. Offences against birds listed on Schedule 1 are subject to special penalties.
36. Current industry best practice is to complete six survey visits for breeding birds in line with '*Bird Survey Guidelines for Assessing Ecological Impacts*' (Bird Survey & Assessment Steering Group, 2025, <https://birdsurveyguidelines.org>). These guidelines have been periodically updated but were launched in 2021, prior to the survey work supporting this application being carried out. They recommend that surveys are evenly spread between late March and early July, that morning surveys commence half an hour before or after sunrise and that at least one survey should be carried out in the evening to pick up species not readily recorded by conventional morning surveys, such as nightingale and owls.
37. The only information pertaining to breeding birds presented at this outline stage relates to a biological records search. The EA states that this returned a single record from within the RLB, of a nightingale in 2012 although there was insufficient detail to place it accurately within the site. The EA acknowledges that the site contains suitable habitat for breeding birds, particularly the woodland, hedgerows, treelines and scrub.
38. The application has failed to meet best practice for assessing impacts to breeding birds. While the lack of records could suggest that no particularly rare, protected, or notable bird species or assemblage are likely to be reliant upon the application site (as stated in the EA), it could equally be down to a lack of recording in this area. In most cases mitigation measures for breeding birds are relatively straightforward to incorporate into site design and landscaping. However, some species, including ground-nesting farmland specialists such as skylark, have more complex mitigation requirements and their presence has yet to be comprehensively ruled out.
39. Any future RM application must be supported and informed by a comprehensive breeding bird survey, including six survey visits spaced over the full survey season and following best practice guidance.

Other species

40. The site offers suitable habitat for hedgehog which is a Species of Principal Importance (SPI) under the NERC Act, with populations having suffered significant declines in recent years. The precautionary construction working methods and provision of hedgehog holes in hard boundary features recommended in the EA are supported and can be secured by condition.
41. **If any protected species not discussed above are encountered during development, work should cease immediately, and advice should be sought on how to proceed from a suitably qualified ecologist (SQE).**

Biodiversity Net Gain and enhancements

42. As correctly stated on the Application Form the proposal is subject to mandatory BNG, requiring it to provide a net gain in biodiversity of at least 10%. While this is an outline application there is no indication at this stage that development would be phased. Paragraph 053 of the BNG Planning Practice Guidance (BNG PPG, MHCLG, 01/05/24) indicates that in this case the standard provisions for biodiversity net gain are likely to apply. If development is to be phased, then the statutory framework for BNG includes specific modifications for this with detailed guidance provided in paragraphs 053 – 063 of the BNG PPG.
43. Unfortunately, we have been unable to review an Excel copy of the submitted Statutory Biodiversity Metric so the advice below is based on the associated Biodiversity Net Gain Report (BNGR, Ecology Solutions, 10/12/24). The BNGR suggests that the proposal would achieve a net gain of +14.12 habitat units (+11.54%) and + 5.27 linear/hedgerow units (+42.72%) all through

onsite habitat creation and enhancement. There are no watercourses onsite. Post-development habitats are based on the Illustrative Landscape Masterplan and may be subject to change.

44. Baseline habitat classification and condition information seems reasonable. We note that the ASNW on site has been correctly recorded as irreplaceable habitat for BNG purposes and therefore contributes no baseline biodiversity units. The approach to post-development BNG does not need to be finalised prior to determination but we recommend that the following observations are borne in mind:
- Much of the created and enhanced other neutral grassland (ONG) in the areas of public open space currently targets good condition. This is potentially challenging as it will require low soil nutrient levels, appropriate management and minimal recreational pressure. Although it is proposed to mow paths through it, we still consider recreational pressure impacts to be a risk as people may not stick to them. Consideration should be given to whether good condition is likely to be maintained with regular mowing and trampling. Robust evidence to support the achievability of the proposed approach to grassland creation and enhancement should be provided at BGP stage, potentially including soil assessment data, and it may be that a target condition of moderate is more realistic;
 - It is proposed to enhance the 1.47ha of LMDW (that is not also classified as ASNW) from moderate to good condition, with the BNGR stating this will be achieved by *'allowing for regeneration and increased amount of dead wood while reducing the amount of woodland disturbance.'* It is unclear exactly how the latter will be achieved, given that this woodland is already publicly accessible with several hundred potential new users being introduced. If this approach is taken forward to BGP stage, then robust evidence as to achievability will be required;
 - It is currently proposed to plant 175 new trees, all targeting poor condition. Given that most are located within areas of green space we would encourage at least some to target moderate condition;
 - We welcome the provision of multiple wildlife ponds (ponds – non-priority habitat) but note the high bar required for achieving the target condition of good, whereby all nine criteria must be met. This may be achievable but is likely to require careful management, particularly as it is proposed to locate the ponds within the eastern area of public open space. The ponds are likely to require fencing and signage, particularly to restrict access by dogs (as this can have both physical and chemical impacts that over time significantly reduce a pond's water quality and associated wildlife value). The applicant could consider whether one of the ponds could be 'sacrificial' i.e. targeting a lower condition and where use by dogs is actively encouraged and facilitated by the design; and
 - Proposals include the creation of new native hedgerows with trees and ditches. We would strongly encourage these to be species-rich and given the extent of retained native hedgerows onsite would also ideally encourage additional planting to at least some of these to enhance their species richness.
45. In terms of post-development BNG, we recommend that the majority of created or enhanced habitats (as currently proposed) are treated as 'significant onsite' BNG in line with national guidance. Exceptions would be built development, vegetated gardens, modified grassland and SuDS features. The management and monitoring of 'significant onsite' BNG should be secured by condition or legal agreement for a minimum 30-year period. What to secure as 'significant on-site' BNG is ultimately a decision for the Council / the Inspector but for those habitats where it is considered to apply, we recommend the review of monitoring reporting at intervals of 2, 5, 10, 15, 20, 25 and 30 years is formalised through a legal agreement including the collection of fees to cover this work.
46. The pre-commencement Biodiversity Gain Condition will be attached by default to any approval. This will require the submission and approval by the Council of a Biodiversity Gain Plan (BGP) supported by an updated Metric and a Habitat Management and Monitoring Plan (HMMP) covering any significant onsite BNG. At this point the final approach for meeting the minimum gain of 10% (and satisfying all Trading Rules) will need to be confirmed, including evidence of the purchase/allocation of any offsite units and/or statutory biodiversity credits if required.

47. The application should also seek opportunities for non-habitat-based enhancements with the EA currently making broad recommendations for bat and bird bricks/boxes. We note that the final number of houses is not yet confirmed but could be up to 150. Bird boxes should be provided in line with *BS42021: 2022 Integral nest boxes – selection and installation for new developments* which recommends a minimum ratio of one bird box per dwelling within a development. We recommend that a mix of tree-mounted and building-mounted features are provided. We maintain that where these are delivered on new dwellings, they should be integrated bricks (as opposed to externally mounted boxes) wherever possible. These are preferred for reasons of security, longevity, reduced maintenance, reduced predation, thermal stability and aesthetic integration with the building design. Full details including information on target species and brick/box number, type, location, installation and maintenance should be provided in an Ecological Design Strategy (EDS) which could be secured by condition.

Recommended conditions

48. In light of the above, and in line with *BS42020: 2013 Biodiversity – code of practice for planning and development*, if the Inspector is minded to approve the application, the following conditions should be applied.

Further surveys to support reserved matters application

Prior to submission of a reserved matters application the baseline ecological information for the site, including but not limited to that included in the Ecological Assessment (Ecology Solutions, 17/12/24), shall be reviewed by a suitably qualified ecologist. Where best practice guidance on the age of ecological survey data indicates that baseline survey information is out of date, further ecological surveys, including for bats, dormice, reptiles and badgers, shall be commissioned and submitted as part of the reserved matters application. Further surveys should i) establish if there have been any changes in the presence and/or abundance of relevant habitat and species and ii) identify any likely new ecological impacts that might arise from any changes.

The above notwithstanding, the reserved matters application shall be accompanied by breeding bird surveys following the methodology set out by the Bird Survey and Assessment Steering Group (2025).

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved outline scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: *As species are mobile and habitats can change and become more or less suitable, it is important that the surveys reflect the situation at the time on any given impact occurring to ensure adequate mitigation and compensation can be put in place and to ensure no offences are committed.*

Construction Environmental Management Plan (Biodiversity)

No development shall take place (including ground works, vegetation clearance etc) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) risk assessment of potentially damaging construction activities;*
- b) identification of “biodiversity protection zones”;*
- c) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);*
- d) the location and timing of sensitive works to avoid harm to biodiversity features;*
- e) the times during construction when specialist ecologists need to be present on site to oversee works;*
- f) responsible persons and lines of communication;*
- g) the role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;*
- h) use of protective fences, exclusion barriers and warning signs.*

The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details.

Reason: *To ensure that any adverse environmental impacts of development activities are mitigated.*

Precautionary Working Methods Statement (NOTE: if updated surveys confirm the presence of protected species including dormice, great crested newts and badgers, licences may be required)

No development shall take place (including any demolition, ground works, site clearance) until a precautionary working methods statement (PWMS) detailing reasonable avoidance measures for dormice, great crested newts, reptiles, badgers, breeding birds and hedgehogs has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a) purpose and objectives for the proposed works;*
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);*
- c) extent and location of proposed works shown on appropriate scale maps and plans;*
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;*
- e) persons responsible for implementing the works;*
- f) initial aftercare and long-term maintenance (where relevant);*
- g) disposal of any wastes arising from the works.*

Works shall only be undertaken in accordance with the approved Method Statement.

Reason: *To protect habitats and species identified in the ecological surveys from adverse impacts during construction and to avoid an offence under the Conservation of Habitats and Species Regulations 2017, as amended, the Wildlife and Countryside Act 1981, as amended, and The Protection of Badgers Act 1992.*

Woodland Management Plan

No development shall take place (including demolition, ground works, vegetation clearance or site investigation works) until a Woodland Management Plan (WMP) has been submitted to and approved in writing by the local planning authority.

The Woodland Management Plan shall:

- cover all onsite woodland (including part of West Wood Ancient Semi-Natural Woodland, mitigation buffer planting for West Wood and the narrow band of woodland running north-south between West Wood and the properties along Green Road);*
- be prepared, insofar as possible, in discussion with offsite landowners/managers (particularly those of West Wood and Purchase Wood);*
- be consistent with any information relating to woodland enhancement contained within the Biodiversity Net Gain Habitat Management and Monitoring Plan (BNG HMMP);*
- be informed by a woodland survey undertaken by a suitably qualified ecologist with support from a suitably qualified arboriculturalist; both being experienced in the preparation of WMPs and during an optimum period for surveying woodland so that woodland ground flora is identified and accurately mapped. Any invasive species should be recorded and mapped with details for their removal/control provided. Aims, objectives and management prescriptions should be provided and reflect the variation in composition, structure and condition of the woodland present. The woodland should be divided into appropriate compartments drawn onto appropriately scaled maps with key woodland features annotated;*
- be focused on access management, including mechanisms to positively manage public access holistically (considering all onsite and adjacent offsite woodland as a whole) and improve the resilience of the woodland resource to recreational pressure through the use of formalised footpaths, waymarking/signage, fencing, thorn scrub planting, dead hedging (as required); and*
- detail any other woodland management activities (such as coppicing, thinning, restocking, deer fencing etc.) that would enhance the condition of the onsite woodland without reducing its resilience to recreational pressure.*

Reason: To protect and enhance habitats (including irreplaceable habitats) identified in the ecological surveys from adverse impacts during operation and to provide a net gain for biodiversity as required by Section 40 of the Natural Environment and Rural Communities Act 2006, paragraphs 187 and 193 of the National Planning Policy Framework, and Policy CP10 of the Lewes District Local Plan

Ecological Design Strategy

No development shall take place until an ecological design strategy (EDS) addressing compensation, mitigation and enhancement measures has been submitted to and approved in writing by the local planning authority. The EDS shall cover the provision of public open space (demonstrating how the detailed design will help manage potential recreational pressure impacts on Purchase Wood Local Wildlife Site and West Wood Ancient Semi-Natural Woodland), the provision of dark corridors around the site, measures to minimise gaps in woodland and hedgerows and maintain connectivity of linear habitat features for bats, hedgehog holes in hard boundary features and a minimum of 1 No. bird box per dwelling, bat boxes, invertebrate boxes and log piles along with detailed locations and specifications for all boxes. The EDS shall include the following:

- a) purpose and conservation objectives for the proposed works;
- b) review of site potential and constraints;
- c) detailed design(s) and/or working method(s) to achieve stated objectives;
- d) extent and location /area of proposed works on appropriate scale maps and plans;
- e) type and source of materials to be used where appropriate, e.g. native species of local provenance;
- f) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- g) persons responsible for implementing the works;
- h) details of initial aftercare and long-term maintenance;
- i) details for monitoring and remedial measures;
- j) details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To ensure that any adverse environmental impacts of development activities can be mitigated, compensated and restored and that the proposed design, specification and implementation can demonstrate this, and to provide a net gain for biodiversity as required by Section 40 of the Natural Environment and Rural Communities Act 2006, paragraphs 187, 193 and 198 of the National Planning Policy Framework, and Policy CP10 of the Lewes District Local Plan.

Lighting Design Strategy for Light-Sensitive Biodiversity (can be included as part of the EDS)

Prior to the commencement of works a 'lighting design strategy for biodiversity' shall be submitted to and approved in writing by the local planning authority. The strategy shall show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that best practice [Guidance Note 08/23](#) has been followed and the following receive light spill no more than 1 lux i.e. the equivalent of full moon:

- SuDS basins and swales;
- boundary hedgerows and key internal hedgerows and central woodland band (as far as possible); and
- flightpaths to and from proposed bat bricks/boxes (where this is not possible alternative locations should be considered).

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the planning authority.

Reason: Many species active at night (e.g. bats) are sensitive to light pollution. The introduction of artificial light might mean such species are disturbed and /or discouraged from using their

breeding and resting places, established flyways or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation.

49. In addition to the above, the mandatory Biodiversity Gain condition will also automatically apply. As part of this further detail will be required in relation to BNG. [Government guidance on the template and contents of the Biodiversity Gain Plan](#) that must be submitted and agreed by the Council prior to the commencement of the consented development should be followed. Government guidance also recommends [text to be included in the Decision Notice](#).

Summary

In summary, provided the recommended mitigation, compensation and enhancement measures are implemented, the proposed development can be supported from an ecological perspective. The standard pre-commencement Biodiversity Gain Condition will also apply, and it is recommended that in addition to any legal agreement required to secure the management and monitoring of significant onsite BNG for at least 30 years, the Council should also secure fees for compliance monitoring; further advice can be provided if requested.

Yours sincerely



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