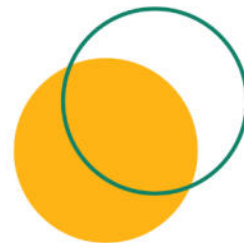




Biodiversity Net Gain Assessment



Holdhazel Limited
1 Beach Road, Littlehampton, BN17 5HY

May 2026

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1 Introduction

1.1 Overview

Holdhazel Limited ('the client') is seeking consent for a proposed development at 1 Beach Road, Littlehampton, BN17 5HY (thereafter referred to as the 'potential development site'), which is within the Arun District Council (ADC).

The proposal involves the creation of two dormer balconies and an extension on both sides of the existing building, changing the use of the building to residential flats.

ACP Consultants Ltd. was instructed by the client to produce a Biodiversity Net Gain Assessment to accompany the planning application to the ADC for consent to undertake the proposed work. Major developments are required to submit a Biodiversity Net Gain Assessment demonstrating biodiversity enhancements that contribute to the objectives of the latest ADC Local Plan. Relevant planning policy and legislation can be found in Appendix D.

Local Authorities are tasked with determining new development and local planning applications against a wide range of social, economic and environmental criteria. The purpose of this report is to assess whether the development proposal is compliant with the relevant local policies in terms of ecological impact and whether the Proposed Development will result in a biodiversity net gain.

This assessment has been carried out in accordance with good practice guidelines, including the National Planning Policy Framework (2024) and applicable local supplementary guidance.

The remainder of this report is presented in the following order:

- Section 2: Existing Site Conditions
- Section 3: Biodiversity Net Gain
- Section 4: Conclusions

1.2 BNG Informative

As a stipulation of the Environment Act (2021), BNG sets a legal commitment for qualifying developments to generate a net positive impact on habitats, specifically targeting a minimum +10% measurable uplift from the baseline, leaving biodiversity in a better state than before. Developments must adhere to the ten good practice principles (*British Standard 8683:2021 – Process for Designing and Implementing Biodiversity Net Gain*) to achieve and sustain net gain.

A standardised procedure is strictly followed, with four rules underpinning the calculations that generate Biodiversity Unit values of the site as a proxy for biodiversity:

1. Statutory instruments (e.g. metric calculation tool, user guide, and condition assessments, be it the Statutory Biodiversity Metric or the Statutory Small Sites Metric) must be used to accurately apply the biodiversity metric formula.
2. Biodiversity unit outputs for area-, linear-, and watercourse-based habitats must not be summed, traded, or converted between unit types; the requirement to deliver minimum +10% net gain applies to each type of unit which is present in the baseline.
3. Like-for-like or like-for-better principles of trading rules must be followed.
4. Demonstrate application of the BNG Mitigation Hierarchy of first avoiding and minimising adverse impacts before compensatory mitigation.

Ideally, the +10% uplift should occur on-site within the red line development boundary. However, in cases where site constraints or other factors do not allow the uplift to be achieved on-site, off-site habitat creations and/or enhancements can be used to achieve BNG. Regardless of whether BNG is realised on-site or off-site, such gains in biodiversity are expected to be upheld for the long-term sustainability

goals between stakeholders. Under mandatory BNG, proposed habitats must be subject to a planning condition or a section 106 agreement, requiring them to be maintained for at least 30 years after the development is completed in line with protocols set out in its Habitat Management and Monitoring Plan (HMMP).

Relevant policies and legislation are outlined in **Appendix 5**.

1.3 Scope of Report

The aims and objectives of the report are as follows:

- To establish the pre-development (baseline) biodiversity value of the site, including any degradation, if applicable.
- To establish the post-development (proposed) biodiversity value of the site.
- To calculate the net change of biodiversity value of the site as a result of the proposed development, and to determine whether the current proposed scheme generates a net loss, net gain, or no net change for all baseline broad habitat types (i.e. area-, linear-, and watercourse-based) present.
- To identify and outline any foreseen constraints to BNG, including any anticipated trading rule violations, and to give appropriate recommendations for habitat retention, creation, or mitigation, and if necessary, to outline further recommendations to achieve the required uplift.

2 Methodology

2.1 Desk Study

The desk study included the following investigations:

- Publication date and metric version used for the calculations.
- The National Character Area (NCA) of the site, as informed by the NCA Area Map (Natural England).
- Whether the site's Local Planning Authority (LPA) requires an uplift greater than the statutory +10%, and if so, what the minimum uplift is as required by local policy. This was achieved by reviewing the Local Plan, including any supplementary documents.
- Whether any priority or irreplaceable habitats as defined by the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024 are present on site.
- Whether habitat degradation had taken place between 30 January 2020 and the date of the site visit. This was assessed via a review of historic aerial satellite images from GoogleEarth. Any identified degradation will impact the classification, condition, and risk multipliers applied and inputted within the Statutory Biodiversity Metric. Where historic data of the site was made available by the client, assumptions about conditions will have been made and justified within Table 3.1.
- Whether the site has an adopted Local Nature Recovery Strategy (LNRS) published, and whether habitats on site qualify for any increased strategic significance. This was determined using the LNRS: Responsible Authorities Guidance (DEFRA, 2026) and subsequently any Strategic Areas identified by the Local Habitat Maps.

2.2 Habitat Quality Inputs

Classification

Baseline and post-development habitats were classified in accordance with the UK Habitat Classification User Manual (v2; UKHabs, 2023):

- Baseline habitats were classified on site during the field survey, wherein all habitat parcels were described and mapped in line with the appropriate habitat classifications. Where required, deviations from on-site classifications were applied; such instances are justified in their respective baseline habitat descriptions within Section 3.2.1 of this report.
- Post-development proposed habitats were informed by the proposed plans, including any planting specifications (if provided), and assigned their most probable UKHabs equivalents. Using the plans, post-development proposed habitats were identified as either being retained (i.e. maintained in its baseline classification and condition), enhanced (i.e. an improvement in condition or distinctiveness relative to its baseline counterpart), or lost (i.e. destroyed and removed as a result of the proposed development).

Condition

The condition of baseline habitats was assessed with the relevant condition assessment sheets (DEFRA, 2025).

The condition of post-development proposed habitats had taken feasible 30-year management regimes into account and was also assessed using the relevant condition assessment sheets (DEFRA, 2025). The Temporal Multipliers Tool and Enhancement Temporal Multipliers Tool were utilised, where relevant, per circumstances outlined within the Statutory Biodiversity Metric User Guide (DEFRA, 2025).

Size

The extent of habitat parcels, be it area- or linear-based habitats, was determined using QGIS, an open-source geographic information system software which provides accurate area and length data for habitat polygons and linear hedgerows respectively. Each parcel that achieves a unique habitat classification and condition was inputted separately within the Statutory Biodiversity Metric. Where separate parcels of the same habitat type achieved the same condition, the area or length of the parcels were combined for ease of presentation and calculation.

The area of individual trees was calculated using the Tree Helper Tool within the Statutory Biodiversity Metric in line with class sizes set out in Table 15 of the Statutory Biodiversity Metric User Guide (DEFRA, 2025). As with other habitat parcels, trees that achieve different conditions were independently inputted.

Strategic Significance

The strategic significance of each distinct habitat type was determined in accordance with measures set out in Table 7 and Table 8 of the Statutory Biodiversity Metric User Guide (DEFRA, 2025). The investigation of Local Nature Recovery Strategies (LNRs) as well as any rewarded increase in strategic significance is set out and justified within Section 3.1 of this report.

2.3 Mitigation Hierarchy

In line with the Statutory Biodiversity Metric User Guide (DEFRA, 2025), BNG should be achieved in accordance with the BNG Mitigation Hierarchy of:

1. **Avoidance** of adverse impacts to on-site habitats through layout of proposals to retain as much of the existing baseline habitats as possible;
2. If impacts to habitats are unavoidable, the extent of impacts should be **minimised** insofar as possible;
3. Once impacts have been minimised through design changes, their effects should be **mitigated on-site** where possible through, for example, the enhancement of any unaffected habitats;
4. If following the above and the required net gain or trading requirements are not satisfied, losses to biodiversity must be compensated for by ways of **offsetting off-site**:
 - Habitat creations or enhancements on client-owned off-site land;
 - Purchasing of biodiversity units of the appropriate distinctiveness from reputable habitat banks; or
 - Purchasing of statutory biodiversity credits of the appropriate distinctiveness from the UK Government.

3 Results

3.1 Desk Study Results

Features of the desk study, comprising metric details, NCA of the site, BNG target uplift, irreplaceable habitats, habitat degradation, as well as strategic significance determination, are presented within Table 3.1 below.

Table 3.1: Summary of desk study results

Desk Study Feature	Findings	
Technical Competence of Assessors	The site visit and this report were undertaken and authored by Dr Ayan Chakravartty, an ecologist with experience in field surveys, trained under the UKHabs Classification System to undertake condition assessments of habitats. The report was written by Ella Walker, an ecologist with experience undertaking BNG assessments using the statutory metric. This report was reviewed by Brydie Stacey, BSc MRes, senior ecologist and BNG lead, who has three years of experience undertaking BNG calculations in various versions of the metric.	
Metric Details	Version	Statutory Biodiversity Metric Calculation Tool
	Publication Date	3 July 2025
NCA	126 South Coast Plain	
BNG Target Uplift	+10%	
Irreplaceable Habitat Statement	This statement confirms no habitats as defined in the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024 are present on site and as such no impacts to any irreplaceable habitats are foreseen.	
Habitat Degradation Statement	Baseline Date	13 February 2025
	This statement confirms no habitat degradation has occurred since January 2020 as historic satellite imagery indicates habitats on site do not appear to have undergone changes in broad habitat types from 30 January 2020 to the date of the site visit.	
	Historical imagery < 23 Apr 2020 > > Historical imagery < 3 Mar 2024 > >  Aerial imagery from 2020 Aerial imagery from 2024 (most recent imagery)	
Strategic Significance	Local Nature Recovery Strategy (LNRS) Status	In consultation (unavailable to view)

3.2 Habitats On-site

The existing site currently consists of one large building, alongside other associated developed land (areas of hardstanding concrete) to the south of the site. There is also a small area of mixed scrub to the south-east of the site.

UKHab classifications present on-site were determined during a site visit carried out by Ayan Chakravarty on the 13th of February 2025, and included Building (ub15), Other Developed Land (ub16), Vacant or Derelict Land (u82), Ruderal or Ephemeral Land (u81), and one Tree (u200). As existing plans provided by the client do not show all habitat types, information collected during the site visit was used to inform the on-site baseline during calculations.

The existing and proposed plans provided by the client can be found in Appendix A.



Building (ub15) and Other Developed Land (ub16) (ACP, 2025)



Vacant or Derelict Land (u82), Tree (u200), and Ruderal or Ephemeral Land (u81) (ACP, 2025)

4 Biodiversity Net Gain

4.1 Calculation

As mentioned in previous sections, all developments are required to submit an ecology assessment demonstrating the sites biodiversity loss or gain using a Biodiversity Metric.

Biodiversity Net Gain is calculated using the Statutory Biodiversity Metric tool to determine if the Proposed Development will result in a habitat biodiversity net loss or gain. The tool helps to calculate the biodiversity value of a site before and after the Proposed Development.

The percentage net change by measuring many factors including:

- The existing habitats on site.
- How distinctive the habitats are on site.
- Habitat condition.
- Habitats to be retained and enhanced within the development.
- Habitats to be lost within the development.
- Any indirect negative impacts.
- Habitat creation on site, and
- Habitat enhancement.

The net change result is displayed as a percentage loss (highlighted red) or a gain (highlighted green).

The site received an on-site net percentage change of +147.72% (Gain), with trading rules satisfied as a result of the Proposed Development. As a result, the Proposed Development offers sufficient ecological benefits and is expected to attract and provide enough essential habitat for fauna. The percentage increase of hedgerow units could not be calculated as there were 0 baseline units (Appendix B).

Proposal details which show that areas of communal vegetated garden and two trees are to be incorporated, can be found in Appendix A. It is understood that the area of existing derelict and ruderal or ephemeral land are to be removed.

Statutory Biodiversity Metric tool results can be found in Appendix B.

It can, therefore, be concluded that the Proposed Development is considered to comply with national, regional and local planning policies and offers ecological improvements to the site and surrounding area.

5 Conclusions

This report provides an assessment of the following potential key impacts associated with the construction and operational phases of the Proposed Development at 1 Beach Road, Littlehampton, BN17 5HY. The BNG report aimed to assess the proposed landscape plans and compare this to the current habitats on site to see if the proposed residential development will result in a biodiversity net gain and demonstrate the sites biodiversity loss or gain through habitat impact assessment calculations.

The scheme offers ecological improvements to the landscape including communal vegetated garden and two small trees.

The proposed changes resulted in an on-site net percentage change of +147.72% (Gain) in habitat units, with trading rules satisfied as a result of the Proposed Development. As a result, the Proposed Development does sufficient ecological benefits as trading rules and the net gain have been met.

It can, therefore, be concluded that the Proposed Development is considered to comply with national, regional and local planning policies and offers ecological improvement to the site and surrounding area.

Appendices

Appendix A: UKHab Map

Appendix B: Existing and Proposed Site Plans

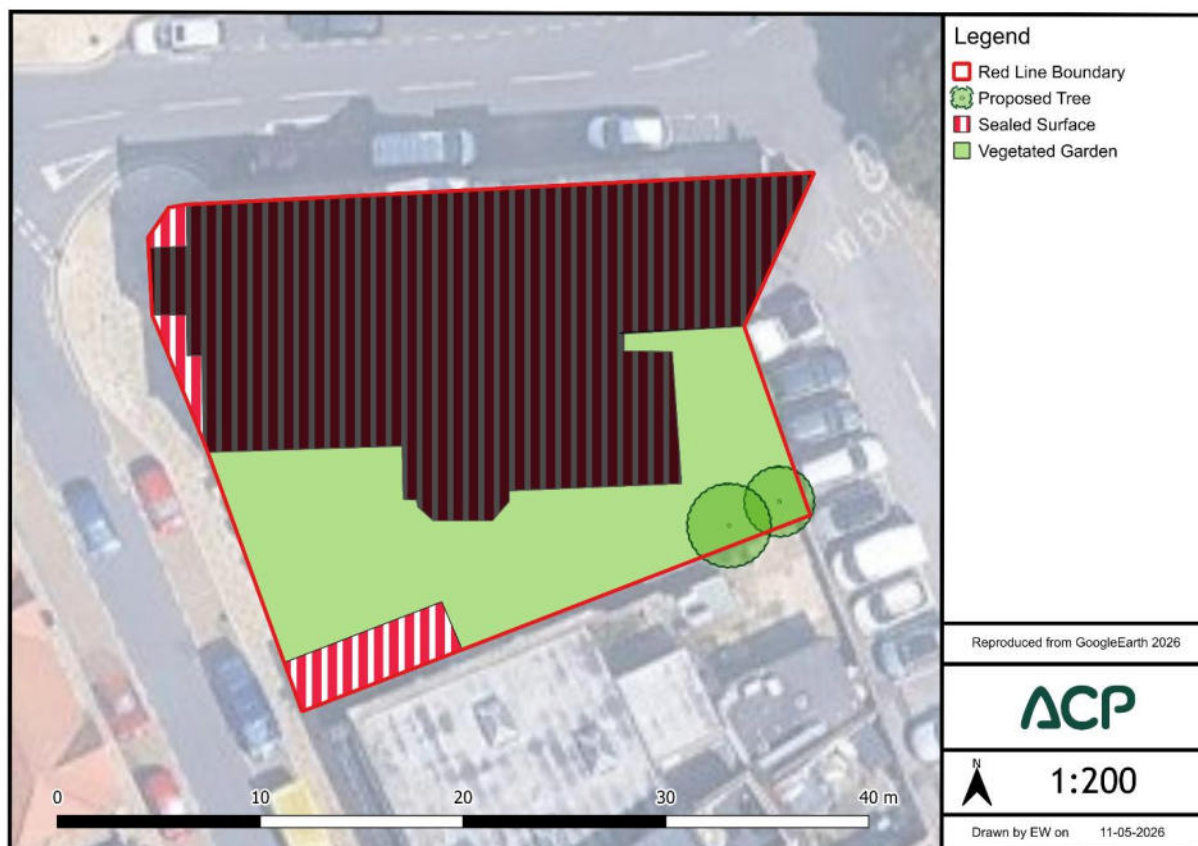
Appendix C: Biodiversity Net Gain Calculations

Appendix D: Planning Policy & Legislation

Appendix A: UKHab Map

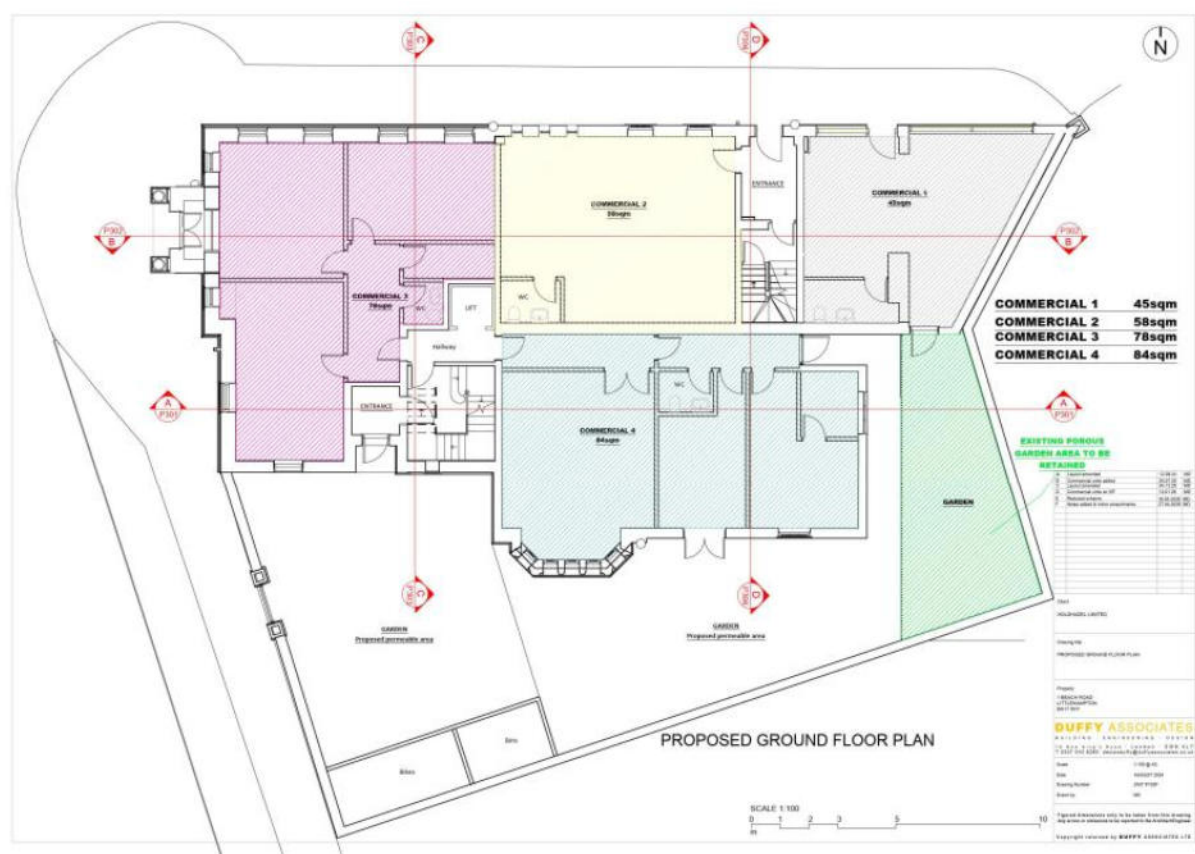


Existing Habitat Map



Proposed Habitat Map





Proposed Plans

Appendix C: Biodiversity Net Gain Calculations

1 Beach Road, Littlehampton (RevisionB)

Return to results menu

Headline Results

Scroll down for final results ▲

On-site baseline	Habitat units	0.03	
	Hedgerow units	0.00	
	Watercourse units	0.00	
On-site post-intervention (including habitat retention, creation & enhancement)	Habitat units	0.06	
	Hedgerow units	0.00	
	Watercourse units	0.00	
On-site net change (units & percentage)	Habitat units	0.04	147.72%
	Hedgerow units	0.00	0.00%
	Watercourse units	0.00	0.00%
Off-site baseline	Habitat units	0.00	
	Hedgerow units	0.00	
	Watercourse units	0.00	
Off-site post-intervention (including habitat retention, creation & enhancement)	Habitat units	0.00	
	Hedgerow units	0.00	
	Watercourse units	0.00	
Off-site net change (units & percentage)	Habitat units	0.00	0.00%
	Hedgerow units	0.00	0.00%
	Watercourse units	0.00	0.00%
Combined net unit change (including all on-site & off-site habitat retention, creation & enhancement)	Habitat units	0.04	
	Hedgerow units	0.00	
	Watercourse units	0.00	
Spatial risk multiplier (SRM) deductions	Habitat units	0.00	
	Hedgerow units	0.00	
	Watercourse units	0.00	
FINAL RESULTS			
Total net unit change (including all on-site & off-site habitat retention, creation & enhancement)	Habitat units	0.04	
	Hedgerow units	0.00	
	Watercourse units	0.00	
Total net % change (including all on-site & off-site habitat retention, creation & enhancement)	Habitat units	147.72%	
	Hedgerow units	0.00%	
	Watercourse units	0.00%	
Trading rules satisfied?	Yes ✓		

Unit Type	Target	Baseline Units	Units Required	Unit Deficit
Habitat units	10.00%	0.03	0.03	0.00
Hedgerow units	10.00%	0.00	0.00	0.00
Watercourse units	10.00%	0.00	0.00	0.00

No additional area habitat units required to meet target ✓

No additional hedgerow units required to meet target ✓

No additional watercourse units required to meet target ✓

Condition Sheet: URBAN Habitat Type			
Habitat type			
Sparingly vegetated land - Ruderal/Ephemeral Sparingly vegetated land - Tall forbs Urban - Allotments Urban - Biodiverse green roof Urban - Bioswale Urban - Cemeteries and churchyards Urban - Facade-bound green wall Urban - Ground based green wall Urban - Intensive green roof Urban - Open mosaic habitats on previously developed land Urban - Rain garden Urban - Sustainable drainage system (SuDS) Urban - Vacant or derelict land Urban - Bare ground			
Habitat Description			
See the Statutory Biodiversity Metric User Guide for green roofs and UK Habitat Classification (UKHab) for other habitats: UKHab - UK Habitat Classification AC- T302/2025			
On-site or off-site, site name and location	Onsite	Survey date and Surveyor name	
Limitations (if applicable)		Survey reference (if relating to a wider survey)	
Grid reference		Habitat parcel reference	
Condition Assessment Criteria		Criterion passed (Yes or No)	Notes (such as justification)
Core Criteria - must be assessed for all urban habitat types:			
A	Vegetation structure is varied, providing opportunities for vertebrates and invertebrates to live, eat and breed. A single structural habitat component or vegetation type does not account for more than 80% of the total habitat area.	N	
B	The habitat parcel contains different plant species that are beneficial for wildlife, for example flowering species providing nectar sources for a range of invertebrates at different times of year.	N	
C	Invasive non-native plant species (listed on Schedule 9 of WCA ¹) and others which are to the detriment of native wildlife (using professional judgement) ² cover less than 5% of the total vegetated area ³ . Note - to achieve Good condition, this criterion must be satisfied by a complete absence of invasive non-native species (rather than <5% cover).	Y	
Additional Criterion - must be assessed for Open mosaic habitat on previously developed land only:			
D	The parcel shows spatial variation and forms a mosaic of bare substrate PLUS: - At least four early successional communities (a) to (f): Communities: (a) annuals; (b) mosses/ferns; (c) lichens; (d) ruderals; (e) inundation species; (f) open grassland; (g) flower-rich grassland; (h) heathland; (i) pools.	Y	
Additional Criteria - must be assessed for Bioswale and SuDS habitat types only:			
E1	Plant species are mostly native. If non-native species are present, they should not be detrimental to the habitat or native wildlife ⁴ .		
E2	The vegetation is comprised of plant species suited to wetland or riparian situations.		
Additional Criterion - must be assessed for intensive green roofs only:			
F	The roof has a minimum of 50% native and non-native wildflowers. 70% of the roof area is soil and vegetation (including water features).		
Additional Criterion - must be assessed for Biodiverse green roofs only:			
G	The roof has a varied depth of 80 - 150 mm; at least 50% is at 150 mm and is planted and seeded with wildflowers and sedums or is pre-prepared with sedums and wildflowers. Note - to achieve Good condition some additional habitat, such as sand piles, stones, logs etc. are present.		
Essential criteria relevant for habitat type achieved (Yes or No) Y			
Number of criteria passed 2			
Condition Assessment Result	Condition Assessment Score	Score Achieved N/A	
Results for habitats requiring assessment of 3 core criteria only (all listed urban habitats except Open mosaic habitat on previously developed land, Bioswale, SuDS and Green roofs):			
• Passes all 3 core criteria; AND • Meets the requirements for Good condition within criterion C.	Good (3)		
• Passes 2 of 3 core criteria; OR • Passes 3 of 3 core criteria but does not meet the requirements for Good condition within criterion C.	Moderate (2)		
• Passes 0 or 1 of 3 core criteria.	Poor (1)	X	
Results for Green roofs and Open mosaic habitat on previously developed land (requiring assessment of 4 criteria only - core criteria plus additional criterion specified for habitat type):			
• Passes all 3 core criteria; AND • Meets the requirements for Good condition within criterion C; AND • Passes additional criterion relevant to specific habitat type (D, F or G).	Good (3)		
• Passes 2 or 3 of 4 criteria; OR • Passes 4 of 4 criteria but does not meet the requirements for Good condition within criterion C.	Moderate (2)		
• Passes 0 or 1 of 4 criteria.	Poor (1)		
Results for Bioswale or SuDS (requiring assessment of 5 criteria - core criteria plus additional criteria specified for habitat type):			
• Passes all 3 core criteria; AND • Meets the requirements for Good condition within criterion C; AND • Passes all additional criteria relevant to specific habitat type (Group E)	Good (3)		
• Passes 3 or 4 of 5 criteria; OR • Passes 5 of 5 criteria but does not meet the requirements for Good condition within criterion C.	Moderate (2)		
• Passes 2 or fewer of 5 criteria.	Poor (1)		

Condition Sheet: INDIVIDUAL TREES Habitat Type			
Habitat Types			
Individual trees – Urban trees Individual trees – Rural trees Complete a condition sheet for each tree or block of trees.			
<i>Please see the separate Line of trees condition sheet for a line of rural trees. You should only use the Line of trees condition assessment and record that habitat type in rural locations.</i>			
Habitat Description			
Individual trees (description applied to the urban or rural environment): Young trees over 7.5 cm in diameter at breast height whose canopies are not touching.			
Urban Perimeter / Linear Blocks and Groups (description applied to the urban environment only): Groups or stands of trees (size requirement as defined above) within and around the perimeter of urban land. This includes those along urban streets, highways, railways and canals, and also former field boundary trees incorporated into developments. Canopies should predominantly overlap continuously. Groups of urban trees that don't match the descriptions for woodland may be assessed within this category.			
On-site or off-site, site name and location	On-site	Survey date and Surveyor name	AC- 13/02/2025
Limitations (if applicable)		Survey reference (if relating to a wider survey)	
Grid reference		Habitat parcel reference	
Condition Assessment Criteria		Criterion passed (Yes or No)	Notes (such as justification)
A	The tree is a native species (or at least 70% within the block are native species).	Y	
B	The tree canopy is predominantly continuous, with gaps in canopy cover making up <10% of total area and no individual gap being >5 m wide (individual trees automatically pass this criterion).	N	
C	The tree is mature (or more than 50% within the block are mature) ¹ .	N	
D	There is little or no evidence of an adverse impact on tree health by human activities (such as vandalism, herbicide or detrimental agricultural activity). And there is no current regular pruning regime, so the trees retain >75% of expected canopy for their age range and height.	N	
E	Natural ecological niches for vertebrates and invertebrates are present, such as presence of deadwood, cavities, ivy or loose bark.	N	
F	More than 20% of the tree canopy area is oversailing vegetation beneath.	Y	
Number of criteria passed		2	
Condition Assessment Result (out of 6 criteria)	Condition Assessment Score	Score Achieved x/√	
Passes 5 or 6 criteria	Good (3)		
Passes 3 or 4 criteria	Moderate (2)		
Passes 2 or fewer criteria	Poor (1)	X	
Note that 'Fairly Good and Fairly Poor' condition categories are not available for this broad habitat type.			

Appendix D: Planning Policy & Legislation

This section summarises the relevant National and Local legislative and policy background, statutory and non-statutory guidelines relevant to the potential commercial development.

National Policy

National Planning Policy (December 2024)

The principal national planning policy guidance with respect to the potential development is the National Planning Policy Framework (NPPF). The most recent update of the NPPF was published in December 2024 by the Ministry of Housing, Communities and Local Government. This guidance sets out the Government's planning policies for England and how they are expected to be applied. Three dimensions to sustainable development have been identified in the NPPF: economic, social, and environmental.

The NPPF Section 187 states that:

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

- a) 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);*
- b) 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;*
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*
- d) 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;*
- e) 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*
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate."*

Section 188 states that:

"Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries."

Section 189 states that:

"Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks and the Broads⁶³. The scale and extent of development within these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas."

Section 190 states that:

“When considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development⁶⁴ other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.”*

Section 192 states that:

“To protect and enhance biodiversity and geodiversity, plans should:

- a) 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 steppingstones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and*
- 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.”*

Section 193 states that:

“When determining planning applications, local planning authorities should apply the following principles:

- a) 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;*
- b) 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;*
- c) 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*
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”*

Section 194 states that:

“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.”

Relevant National Planning Practice Guidance (NPPG, 2016)

NPPG is a web-based resource which brings together planning guidance on various topics into one place. It was launched in March 2014 and coincided with the cancelling of the majority of Government Circulars which had previously given guidance on many aspects of planning.

The guidance note on 'Natural Environment' explains key issues in implementing policy to protect and enhance the natural environment, including local requirements. This has been referred to when preparing this report. It states that:

"Planning authorities need to consider the potential impacts of development on protected and priority species, and the scope to avoid or mitigate any impacts when considering site allocations or planning applications. Guidance on the law affecting Habitats Sites, protected species and SSSIs.

Natural England has issued standing advice on protected species. A protected species mitigation licence from Natural England may be required before any work can start."

The PPG also states that:

"Information on biodiversity and geodiversity impacts and opportunities needs to inform all stages of development (including site selection and design, pre-application consultation and the application itself). An ecological survey will be necessary in advance of a planning application if the type and location of development could have a significant impact on biodiversity and existing information is lacking or inadequate. Pre-application discussions can help to scope whether this is the case and, if so, the survey work required.

Even where an Environmental Impact Assessment is not needed, it might still be appropriate to undertake an ecological survey, for example, where protected species may be present or where biodiverse habitats may be lost.

As with other supporting information, local planning authorities should require ecological surveys only where clearly justified. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity. Further guidance on information requirements is set out in making an application."

Biodiversity net gain is mentioned in the PPG and states that:

"The National Planning Policy Framework encourages net gains for biodiversity to be sought through planning policies and decisions. Biodiversity net gain delivers measurable improvements for biodiversity by creating or enhancing habitats in association with development. Biodiversity net gain can be achieved on-site, off-site or through a combination of on-site and off-site measures. It may help local authorities to meet their duty under Section 40 of the Natural Environment and Rural Communities Act 2006."

Species and Habitats Legislation

The Conservation of Habitats and Species Regulations 2017 (as amended)

The Conservation of Habitats and Species Regulations 2017 (as amended) consolidates all various amendments made to The Conservation (Natural Habitats & c.) Regulations 1994, in respect of England and Wales. The 1994 Regulations transposed the EC Habitats Directive 1992 (Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora) into national law.

Annexes I and II of the Habitats Directive list (respectively) habitats and species for which member states are required to establish and monitor SACs. The EC Birds Directive provides a similar network of sites (SPAs) for all rare or vulnerable species listed in Annex I and all regularly occurring migratory species, with particular focus on wetlands of international importance.

Together with SACs, SPAs form a network of pan-European protected areas known as 'NATURA 2000' sites.

The Habitats Regulations also make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade on the animals listed in Schedule 2, or pick, cut, uproot, destroy or trade in the plants listed in Schedule 4.

This legislation was amended in January 2021: The main changes to the 2017 Regulations are:

- “the creation of a national site network within the UK territory comprising the protected sites already designated under the Nature Directives, and any further sites designated under these Regulations
- the establishment of management objectives for the national site network (the ‘network objectives’)
- a duty for appropriate authorities to manage and where necessary adapt the national site network as a whole to achieve the network objectives
- an amended process for the designation of Special Areas of Conservation (SACs)
- arrangements for reporting on the implementation of the Regulations, given that the UK no longer provides reports to the European Commission
- arrangements replacing the European Commission’s functions with regard to the imperative reasons of overriding public interest (IROPI) test where a plan or project affects a priority habitat or species
- arrangements for amending the schedules to the Regulations and the annexes to the Nature Directives that apply to the UK.”

The Convention on Conservation of European Wildlife and Natural Habitats (Bern Convention 1979)

The Convention on Conservation of European Wildlife and Natural Habitats (Bern Convention 1979) aims to ensure conservation and protection of all wild plant and animal species and their natural habitats (listed in Appendices I and II of the Convention), to increase cooperation between contracting parties, and to afford special protection to the most vulnerable or threatened species (including migratory species).

The Wildlife and Countryside Act 1981 (as amended) (WCA 1981)

The WCA is the primary UK mechanism for statutory site designation (Sites of Special Scientific Interest [SSSIs]) and the protection of individual species listed under Schedule 1,2,5 and 8 of the Act, each subject to varying levels of protection.

The Countryside and Rights of Way Act 2000

This legislation strengthens the provision of the 1981 WCA (as amended), both in respect of statutory sites such as SSSIs and protected species. It also places a statutory obligation on Local Authorities and other public bodies to further conservation of biodiversity in the exercise of their functions, thus providing a statutory basis to the Biodiversity Action Plan (BAP) process, which began in 1994. Section 74 of the Act lists the habitat types and species of principal importance in England. The UK Biodiversity action Plan has now been superseded by the ‘UK Post-2010 Biodiversity Framework’ (July 2012), however, many of the species and habitats in the UK and local BAPs have not been updated and are still considered relevant to date.

A Bill to amend the Countryside and Rights of Way Act 2000 to extend the right of public access to the countryside, including to woodlands, the Green Belt, waters and more grasslands; and for connected purposes is currently in second reading in the House of Commons (November 2022).

Local Policy: Arun District Council Local Plan (2011-2031)

It is understood that the local plan referenced within this report is an adopted plan (2018). A further Local Plan is to be released however this is not yet accessible.

Policy ENV DM4: Protection of trees

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Development will be permitted where it can be demonstrated that trees protected by a Tree Preservation Order(s), (TPO) identified as Ancient Woodland, in a Conservation Area or contributing to local amenity, will not be damaged or destroyed now and as they reach maturity, unless development:

- a. Would result in the removal of one or more trees in the interests of good arboricultural practice. This shall be demonstrated by the developer following the advice of a suitably qualified person which shall be guided by BS 5837 (2012). Details of any advice received having regard to BS 5837 (2012) shall be submitted, in writing, as part of a planning application; or*
- b. Would enhance the survival and growth prospects of other protected trees;*
- c. The benefits of the proposed development in a particular location outweigh the loss of trees or woodland, especially ancient woodland.*

Where planning permission is granted in any of the above instances, conditions shall be used to ensure that, for any trees which are removed as part of a development, at least an equivalent number of a similar species and age (where practical) are planted on the proposed development site. Sufficient space for replacement trees to mature without causing future nuisance or damage shall be provided. The planting of new trees shall form an integral part of the design of any development scheme.

Proper provision must be made for the protection and management of trees or areas of woodland on-site when undertaking development. A management plan shall be provided as part of a planning application in accordance with BS 5837 (2012) in order to ensure that trees are adequately protected during development and appropriately maintained in the future. Conditions for the continued protection of trees on sites shall be included in any planning permission given.

Where there are existing trees on or adjacent to a development site, developers shall be required to provide:

- d. Land and tree surveys*
- e. A tree constraints plan*
- f. An arboricultural impact assessment to include a tree protection plan and arboricultural method statement.*

These will ensure that development is planned to take a comprehensive view of tree issues at an early stage in the design process and that development works do not have a negative impact on existing trees.'

Policy ENV DM5: Development and biodiversity

'Policy ENV DM5 Development and biodiversity

Development schemes shall, in the first instance, seek to achieve a net gain in biodiversity and protect existing habitats on site. They shall also however incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitats (whether designated or not). Development schemes shall also be appropriately designed to facilitate the emergence of new habitats through the creation of links between habitat areas and open spaces. Together, these provide a network of green spaces which serve to reconnect isolated sites and facilitate species movement.

Where there is evidence of a protected species on a proposed development site, planning applications shall include a detailed survey of the subject species, with details of measures to be incorporated into the development scheme to avoid loss of the species. This involves consideration of any impacts that will affect the species directly or indirectly, whether within the application site or in an

area outside of the site, which may be indirectly affected by the proposals. All surveys shall be carried out at an appropriate time of year and shall be undertaken by a qualified and, where appropriate, suitably licensed person.

All developments shall have regard to Natural England's standing advice for protected species.'