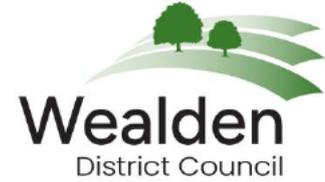


Built & Natural Environment Team



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Application Reference:	WD/2025/0922/MEA
Site:	Land West Of Uckfield - Owlsbury Farm, Horsted Green, Little Horsted, TN22 5TJ

To:	Sam Batchelor	Date:	13/11/2025 V2
From:	Gabrielle Graham		

Recommendation	Objection due to Insufficient Information
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Biodiversity Net Gain Exemption	Not Exempt
Reason: Does not meet the exemption criteria.	

Policy Considerations
<ul style="list-style-type: none"> • Adopted Local Plan (Wealden District Council, 1998) <ul style="list-style-type: none"> ○ EN11 ○ EN12 ○ EN13 ○ EN14 ○ EN15 • Core strategy (Wealden District Council, 2013) <ul style="list-style-type: none"> ○ WCS12 ○ WCS13 • NPPF (Ministry of Housing, Communities and Local Government and Department for Levelling Up, Housing and Communities, 2024)

Ecological feature	Applicant assessment and summary results	Comments and recommendations
Ashdown Forest SAC, SPA and SSSI	<ul style="list-style-type: none"> • Details of SANG including HMMP provided. 	<ul style="list-style-type: none"> • As identified in Natural England response, appropriate mitigation through SAMMS has not been provided. This will need to be provided prior to determination. • We advise that further comment is required from Natural England prior to determination following the submission of the Updated Illustrative Masterplan to confirm the appropriate design of the SANG. • In-combination effects for air quality has not been appropriately considered, especially considering the scale of development.
Ancient woodland and Veteran trees	<ul style="list-style-type: none"> • EPR report (2022) provides details of seven parcels of ancient woodland, as identified in the provisional ancient woodland inventory. The results of the assessment (Appendix 5.2) is based on data interpretation and field surveys undertaken in summer 2023. • In addition to the ancient woodland parcels identified in the provisional ancient woodland inventory, EPR identified a further three parcels and three hedgerows they assessed as being suitable for inclusion as ancient woodland, or ancient woodland connecting habitat. A recommendation was made to incorporate a 15 m buffer to protect these from impacts of development. • MAGIC presents seven parcels of ancient woodland within the red line boundary and one parcel immediately adjacent to the red line boundary. • Arboricultural Impact Assessment states two trees (T59 and T235) exhibited veteran features. Likewise T247d and T248 exhibit traits of early veteranisation (refer to WDC's arboricultural response) 	<ul style="list-style-type: none"> • We advised that prior to determination clarification is provided regarding the status of ancient woodland habitats, namely: <ul style="list-style-type: none"> ○ Section 4.15 and 4.16 of Appendix 5.2 indicates additional areas of ancient woodland. Although the location is unclear given the maps are not provided in a format that is legible, p. 17 and 18), Section 3.3.2.2 of EclA, disagrees with this conclusion given the small size of the habitat and limited AWIs. Ancient woodland presence is not determined by the species, or condition of the woodland, but by its presence pre-1600. Further justification is required regarding this to conclude whether the additional parcels ancient woodland. Historical mapping, including Tithe mapping, can be used as evidence. ○ This is particularly important given Section 4.16 of Appendix 5.2 refers to the hedge trees H23, H24 and H45 being remnant ancient woodland following the grubbing up of ancient woodland. As an irreplaceable habitat, determining the correct status of the woodland is critical given impacts to ancient woodland are contrary to the NPPF and Natural England standing advice. ○ Impacts include the encirclement and pressure on the ancient woodland. • We note that the advice provided in the arboricultural report is incorrect in relation to buffers around ancient woodland, specifically in Section 1.4.7 of the arboricultural impact assessment refers to the presence of a 15m buffer around ancient woodland, but recommends this is pragmatic and reflects site conditions is . For the purposes of development this is incorrect, and the minimum 15m buffer will need to be implemented throughout, regardless of past land-use. Reference is made with regards to veteran trees or those exhibiting early signs of veteranisation. We recommend the advice provided by WDCs arboriculturalist is taken into consideration with regards to buffers around these trees. • We advise that prior to determination further clarification is provided regarding the drainage strategy which demonstrates buffer encroachment in multiple places. Recommendations for design considerations is detailed below and should be incorporated into revised designs. • We advise that prior to determination clarification is provided regarding the impact of the proposals on the ancient woodland within the SANG and also encapsulated by the proposed development. The full extent of impacts on ancient woodland has not been fully considered, especially around deterioration of the habitats due to the disturbance pressure from surrounding urbanisation. Based on the current plans, deterioration is considered likely which contravenes Policy 193c of the NPPF. Further information is provided below. <ul style="list-style-type: none"> ○ Impact assessment of ancient woodland is very brief and does not fully consider impacts including: <ul style="list-style-type: none"> ▪ Lighting, including level of lighting in the wider area, adversely impacting the ability for species to move across the landscape. This is pertinent given the extent and size of the development. ▪ Deterioration through increased recreational pressure ▪ Impacts from introduction of pets including nutrient enrichment and direct impact on protected species. Measures proposed will not be sufficient to manage this.

Ecological feature	Applicant assessment and summary results	Comments and recommendations
		<ul style="list-style-type: none"> ▪ Hydrological impacts and connectivity, especially for the wet woodland which is an irreplaceable habitat. No evidence the ecologist has reviewed the hydrological reports and incorporated conclusions into their own assessment. ▪ Green Infrastructure Plan does not refer to the 15m buffer. ▪ Deterioration of 1 x veteran oak tree (T59), veteran trees are irreplaceable habitats and as such measures will need to be put in place to adequately protect the tree. Of note it is in close proximity to amenity spaces and as such the size of the buffer should reflect this to avoid deterioration from recreational activities. ○ The EclA conclusions regarding residual impacts suggests minor effect (Table 13). Further clarification regarding this should be provided prior to determination considering impacts to irreplaceable habitats are unacceptable (NPPF). • We recommend the following design recommendations are considered: <ul style="list-style-type: none"> ○ Considering the level of proposed urbanisation and level of impact on ancient woodland and connectivity across the landscape, significantly increasing the buffer to between 25 - 45m. ○ Improved connectivity and opportunity to connect and strengthen the resilience of ancient woodland. For example: <ul style="list-style-type: none"> ▪ Excluding the ancient woodland from the SANG along with connecting woodland habitat ▪ Connect the parcels of ancient woodland in the main application site, including parcels 17 in the Illustrative Masterplan (fabrik, 2025) • Biodiversity net gain assessment includes ancient woodland as being enhanced. This will be achieved by improving the proportion of deadwood, installing deer-proof fencing and planting thorny species to deter cats and people from entering the woodland. We advise that prior to determination further evidence is provided demonstrating how this will be possible considering the degree of development. Planting thorny species will not deter individuals and animals from entering the woodland and as demonstrated in Table 15 of the EclA, even with these measures a residual deterioration of an irreplaceable habitat is considered likely, which contravenes NPPF.
Hazel dormouse	<ul style="list-style-type: none"> • Confirmed as present, mitigation strategy to be provided at a later stage 	<ul style="list-style-type: none"> • We advise that prior to determination a hazel dormouse mitigation strategy outline is submitted for approval given the scale and nature of impact. This will ensure that measures are embedded into the design. • We advise that prior to determination justification is provided regarding the appropriateness of a significant delay between impact and planting of compensatory habitat (minimum eight years, however this will take time to establish and operate as a functional habitat). • We advise that prior to commencement a mitigation licence will need to be sought from Natural England. • As for bats, we advise that prior to determination details of the lighting principles, including location of dark corridors is submitted to ensure these are embedded into designs. • We advise that prior to determination further clarification is provided regarding the location of the hazel dormouse boxes (mitigation and compensation) considering the level of urbanisation and dwellings that will be constructed. Impacts from introduction of predators (cats and dogs) into this landscape will need to be appropriately considered given the scale of development.
[REDACTED]	<ul style="list-style-type: none"> • Unredacted report submitted for review. • Survey undertaken in 2021 following good practice methodology. • [REDACTED] 	<ul style="list-style-type: none"> • [REDACTED] ▪ [REDACTED] ▪ [REDACTED]

Ecological feature	Applicant assessment and summary results	Comments and recommendations
	<ul style="list-style-type: none"> • [REDACTED] • [REDACTED] <ul style="list-style-type: none"> ○ Retention of connective woodland ○ Creation of species-rich grassland ○ Introduction of speed limits ○ Maintenance of dark corridors connecting woodland habitats. • [REDACTED] ■ [REDACTED] ■ [REDACTED] <p>Further survey was recommended to inform a licence.</p>	<ul style="list-style-type: none"> • [REDACTED] ■ [REDACTED] ■ [REDACTED]
Biodiversity net gain assessment	<ul style="list-style-type: none"> • BNG Statutory metric has been submitted to accompany the application. • This is based on the whole site boundary and includes the SANG. • Strategic significance has been justified in Appendix 5.1 	<ul style="list-style-type: none"> • We advise that prior to determination an updated baseline map is submitted to a reasonable scale (A4 or A3) with all labels presented so this can be reviewed in line with the metric. The plan will need to show all habitats, hedgerows and watercourses. • We advise that prior to determination further information is provided regarding the presence of individual trees. No individual trees have been recorded in the BNG metric and based on aerial imagery it is evidence some individual trees, and trees within hedgerows will need to be documented and impacts on these assessed. • We advise that prior to determination clarification is provided regarding the application of the mitigation hierarchy. • Of note, the SANG has been included in the baseline. In line with guidance from Natural England regarding the creation of SANG and BNG (Natural England, 2021), it is possible to deliver BNG on the site provided additionality can be demonstrated. This must be achieved by using the SANG requirements as the baseline, and not the current baseline, and calculate any achievable enhancements to deliver this. We therefore advise that prior to determination the metric is re-submitted with the correct baseline information. • The UK government has provided some guidance in relation to phased developments and biodiversity net gain, specifically Paragraphs 053 – 057. We note the delivery of the BNG involves an eight or 14 year delay in delivering the created habitats and a two, eight or 14 year delay for the enhancement of habitats. Hedgerows will be created with a 14 year delay and enhancements by eight years. The watercourse units suggest the improvements for ditches was implemented over 30

Ecological feature	Applicant assessment and summary results	Comments and recommendations
		<p>years ago. We assume this is an error and the ecologist should correct this or provide evidence-based justification. The current delays not only bring significant risk to BNG failing and not delivering the required units, some later phases not being delivered, impacting the overall delivery of the BNG across the scheme, but also results in an absence of appropriate replacement habitats for protected species for at least 10 years once habitats are created and established. Impacts at such a large scale should be managed such that the mitigation (creation/enhancement) should be front loaded as much as possible. On this basis, we advise that prior to determination a revised biodiversity net gain strategy is provided that ensures the delivery of the units is early in the phased process and also considers how trading rules will be met. This could be presented in an Overall Biodiversity Gain Plan, supported by the delivery of units in the likely phasing of the project.</p> <ul style="list-style-type: none"> • We note that enhancements to wet woodland and lowland, mixed deciduous woodland will take more than 30 years to deliver. Considering any legal agreements would be to a maximum of 30 years, prior to determination further justification regarding the suitability of the proposals to guarantee the scheme will deliver the required gains.
Bats – Trees	<ul style="list-style-type: none"> • 2x PRF-M trees, no evidence of bats recorded (T73 and T75) • 1 x PRF-I tree, no evidence of bats (T10) 	<ul style="list-style-type: none"> • We advise that prior to determination further information is provided regarding the impact of trees on the SANG and justification that no further trees supporting potential roosting features or roosts will be adversely impacted. • We understand that further tree removal will be required along the A22. We therefore advise that prior to determination clarification is provided regarding this and whether this affects the trees identified in the EclA as being PRF-M. • Two PRF-M trees will be adversely impacted by the proposals however no further surveys were completed to inform the assessment as it was argued that the surveys would need to be repeated at a later date. We advise that prior to determination further clarification is provided regarding this. Specifically, an assessment of the roosting resource across the development should be made to establish impacts to roosting bats. Use of the activity surveys and linking this to the peak emergence time for species utilising the habitats could be made to determine the impact of tree loss on roosting bats. Of particular consideration is the scale of development and whilst dark corridors could be established the urbanisation and increase in lighting will reduce the suitability of the site for roosting bats.
Bats – Buildings	<ul style="list-style-type: none"> • 10 buildings recorded <ul style="list-style-type: none"> ○ Building B – two surveys undertaken, although possible emergence recorded during the first survey, no evidence of bats present on the second survey. Determine to not be a roost. Why ○ Building F 1 x BLE day roost ○ Building G 1 x Ppip day roost (x 6 bats x 3 access points), 1 x Ppyg day roost (x 1 bat), 1 x Myotis day roost (x 1 bat) ○ Building H: Ppyg maternity roost (117 bats) 	<ul style="list-style-type: none"> • Building B: It is understood that a possible emergence was recorded during the second survey and bats were not seen emerging during the second survey. Bats switch roosts throughout the year and absence is not sufficient to confirm likely absence. We advise that prior to determination further justification is provided with regards to the conclusion of likely absence. Evidence could include reviewing the infrared or thermal footage to confirm likely absence of roost. • Building H supports a maternity roost – The survey information does not include the peak number of each species recorded during the surveys, just total numbers. We advise that prior to determination further information regarding this is provided. • Given the presence of a maternity roost for soprano pipistrelle and a variety of other roosts present, we advise that prior to determination a strategy for delivering the required mitigation is submitted. Considering this is a phased development, a bat masterplan will be required to inform licences and in line with this the proposed approach for delivering the mitigation ahead of impacts should be provided prior to determination. Consideration of the scale of impact and urbanisation should be made in developing the plans to ensure the long-term success of the mitigation measures.
Bats – Foraging and commuting habitat	<ul style="list-style-type: none"> • Surveys undertaken to inform SANG design and the development. Monthly surveys undertaken in the development area and only 	<ul style="list-style-type: none"> • Monthly surveys have been undertaken however prior to determination further information is required to understand the suitability of the habitat in relation to guidance to ensure the appropriate survey effort has been undertaken.

Ecological feature	Applicant assessment and summary results	Comments and recommendations
	<p>three surveys (one per season) of the SANG given impacts are reduced.</p> <ul style="list-style-type: none"> • During the transect surveys relatively common species recorded, with some with some <i>Myotis</i> species records. Bechstein's, a rare <i>Myotis</i> species is known to be present in the area. During the static monitoring surveys rare species included barbastelle, and also <i>Myotis</i> species. Common species were also recorded. • Woodlands and hedgerows supported higher levels of activity, suggesting these habitats are important for commuting bats. 	<ul style="list-style-type: none"> • Constraints were recorded during the surveys, however no further information is provided regarding whether this significantly impacts the conclusions. On this basis, further clarification is required prior to determination. • We advise that prior to determination further clarification is provided regarding the presence of barbastelle and impact of the proposed development on this light-sensitive species. Specifically, a relatively high number of passes considering the rarity of the species. September records shows 150 passes across four nights, with a peak count of 68 in one night. Consideration should be made of bats commuting to a mating roost. Further analysis of the results is required to ensure the appropriate measures are embedded into the design to manage this impact. Current impact suggests impact is at a site level only within Section 4.4.2, however Table 15 indicates this is at a local level. We would agree with the latter, however further clarification is required prior to determination to establish the correct scale of impact. • Mitigation measures have not been fully explored in the impact assessment. Appendix 6 details information on artificial lighting and wildlife however, given the scale and nature of the impact, establishing a lighting strategy, identifying appropriate movement corridors that will remain dark is critical prior to determination. This will ensure the measures are embedded into the design and will need to be in line with good practice guidance (BCT and Institute of Lighting Professionals, 2023). Specifically, bats will need to be able to move across the landscape with an uninterrupted dark corridor to ensure impacts to light-sensitive species (e.g. barbastelle) are appropriately managed.
Invasive species	<ul style="list-style-type: none"> • Three-cornered leek • Cotoneaster • Australian swamp stonecrop • Variegated yellow archangel • Japanese knotweed (along the bank of the River Uck) • Himalayan balsam 	<ul style="list-style-type: none"> • An appropriate mitigation strategy will need to be developed prior to commencement. Considering the presence of species listed under Schedule 9 of the Wildlife and Countryside Act 1981, as amended, this will need to be prepared by a specialist contractor and submitted to the LPA for approval.
Invertebrates	<ul style="list-style-type: none"> • No baseline assessment completed 	<ul style="list-style-type: none"> • Prior to determination it is advised that an assessment of the habitats for invertebrates is undertaken and any further surveys recommended should be undertaken at an appropriate time of year. This will ensure impacts to invertebrates are appropriately assessed. • The ecologist should provide a robust justification where invertebrates are scoped out of the assessment.
Higher plants	<ul style="list-style-type: none"> • Grasslands supporting the lesser spearwort and brown sedge are of moderate conservation interest (modified rush pasture) 	<ul style="list-style-type: none"> • Measures to protect or encourage high plant species of conservation concern have not been included in the Ecological Impact Assessment. This is required prior to determination, including opportunities for mitigation and enhancement.
Breeding and wintering birds	<ul style="list-style-type: none"> • Breeding and overwintering bird surveys undertaken in line with guidance. Small direct losses to woodland could impact SPI, including dunnock, house sparrow, linnet, reed bunting and song thrush. • Overwintering bird species recorded within hedge hedgerow, lines of trees and woodland. • Barn owl likely to occur in the wider area but is unlikely to roost in the buildings on site. 	<ul style="list-style-type: none"> • Skylark was identified as possibly breeding in the neighbouring land. Section 5.5.4 of the EclA does not provide adequate compensation for the loss of skylark habitat. Considering the loss is unavoidable (5.5.3) appropriate mitigation and compensation should be provided prior to determination. • Specific measures to benefit skylark have not been included in the development and the SANG will most likely be unsuitable as this will encourage active recreation which includes dog walking. As skylark is a ground-nesting bird the use of the SANG will be contrary to its habitat needs. Considering this is a SPI and Birds of Conservation Concern Red List Species, it is advised that the design is revised to incorporated skylark plots in areas not accessible for recreation, and sheltered from development, to provide alternative habitat for the species. Details of how this will be incorporated into the designs are required prior to determination.

Ecological feature	Applicant assessment and summary results	Comments and recommendations
		<ul style="list-style-type: none"> Recommended measures in the EclA in relation to enhancements should be implemented. Of note, given the scale of impacts and duration of the development, it is advised that ecological enhancements and compensation is implemented at the start of the project so that the species utilising the habitats have continual access to habitats.
Amphibians	<ul style="list-style-type: none"> Great crested newt is confirmed as being present in XX waterbodies and terrestrial habitat for this species occurs. Retention of all but two waterbodies. 	<ul style="list-style-type: none"> Recommendations in line with the NatureSpace Newt Officer should be followed, notably should the applicant consider joining the DLL scheme, a NatureSpace report or Certificate must be submitted prior to determination. If this option is not being considered, the application should provide details of the mitigation strategy, including further surveys to inform the application considering only seven of the 50 waterbodies was assessed for presence or likely absence and no population size class assessments were undertaken. The impact assessment should also consider the size of the development particularly when considering the scale of impact. The proposal is located in a predominantly red and amber zone for GCN and as such impacts will be at a local level, not a site level. This is reflected in Table 15 of the EclA but not earlier in the report.
Reptiles	<ul style="list-style-type: none"> Reptile presence/likely absence surveys undertaken in 2021 by EPR. During the surveys grass snake (including juvenile) and slow worm were recorded within the development footprint, whilst grass snake, slow worm (including juvenile) and common lizard (including juvenile) were recorded in the proposed SANG area. During the updated surveys in 2023, all three species were recorded in the development footprint (despite many refugia being lost). Based on these results, the populations were confirmed as being good. 	<ul style="list-style-type: none"> The EclA does not recognise that the presence of three reptile species makes the site a Key Reptile Site in line with (Froglife, 1999). This is of material consideration. The proposed mitigation measures includes the installation of reptile fencing to protect reptile populations from construction activities. The proposals suggest the mitigation will involve translocation into the SANG, however based on the BNG Assessment, it is proposed that the habitats created for the SANG will be done in year 8 of the development, and will take some time to establish before being a functional habitat for reptiles. Further justification is required prior to determination to explain how this will be managed and how suitable reptile habitat will be made available to that translocated reptiles will have suitable habitat. Consideration of the relative carrying capacity of the translocation site will need to be made and demonstrate the existing population in these areas will not be adversely impacted. Where measures to improve the carrying capacity are required, these will need to be detailed in the HMMP, and demonstrate how these are in addition to the minimum requirements for the SANG or to meet BNG requirements.
Enhancements	<ul style="list-style-type: none"> Bat access tiles incorporated into new dwellings One in every four dwellings to have at least two roosting features integrated into the design (850 features total) One maternity bat box incorporated into each woodland parcel. One in every four dwellings to have a house sparrow terrace. One in every two dwellings to have swift brick incorporated into the design. Four barn owl nesting boxes. Artificial kingfisher tunnel. 80 hazel dormouse boxes 40 hibernacula along railway line and within SANG Four hedgehog boxes 	<ul style="list-style-type: none"> Implementation of the ecological enhancements would need to be incorporated into the final scheme. It is advised that further clarification is sought in relation to the timing of these measures such that they are implemented at the start of the scheme, and not at the end. This is due to the significant delay in delivering the project considering the size of the scheme.