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Preliminary Ecological Appraisal

Site Name

Westholme Clinic, Goring

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Client

Suk Maal

Author

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About the Author

This report has been prepared by Lynn Spencer, a Senior Ecologist at The Ecology Co-op, with 13 years' experience. She has a Level 1 bat survey licence and has prepared numerous European Protected Species licenses for bats. As an Associate member of the Chartered Institute for Ecology and Environmental Management (CIEEM) she is bound by their code of professional conduct.

About the Reviewer

This report has been reviewed by Emma Baker, who is a Senior ecologist with eight years' experience. She holds Level 1 great crested newt and hazel dormouse survey licenses. As a Full member of the Chartered Institute for Ecology and Environmental Management (CIEEM), she is bound by their code of professional conduct.



Report Summary

Purpose	The Ecology Co-op was commissioned by Suk Maal to undertake a Preliminary Ecological Appraisal (PEA) of Westholme Clinic, Goring further to a proposal to add an extension to the existing building within the site.
Context	The site is situated in an urban area in Goring within the town of Worthing. It comprises a building, developed land; sealed surface, modified grassland, and scattered trees. Residential properties are present to the north, east, south and west of the site.
Key findings	The habitats being affected by the development are of low ecological value. The scattered trees have the potential to support nesting birds and foraging and commuting bats.
Recommendations	Any removal or management of the trees should be undertaken outside of the nesting bird season (typically 1st March to 31st August). As the site may be used by foraging and commuting bats, it is important that the potential for disturbance from artificial lights is considered. The proposed development is likely to require an 'ecologically sensitive lighting scheme' in accordance with guidance produced by the Bat Conservation Trust (see Appendix 3).
Are further surveys required?	No



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1 INTRODUCTION

1.1 Purpose of the Report

The Ecology Co-op was commissioned to undertake a Preliminary Ecological Appraisal (PEA) of Westholme Clinic, Goring by Suk Maal. This report presents the findings of a walkover survey undertaken by Lynn Spencer, BSc (Hons), MSc, associate member of the Chartered Institute of Ecology and Environmental Management (CIEEM) and Level 1 Bat Survey Class Licence holder, on 6th February 2026. It provides details on the potential for any protected/notable species and/or habitats to be present at the site and a simple assessment of the potential ecological constraints and opportunities in relation to the proposed construction of a self-build with associated landscaping. Recommendations for further surveys that are likely to be required to inform a planning application and Ecological Impact Assessment (EclA) of the proposal are provided where necessary, and possible measures to avoid, mitigate and/or compensate for significant adverse effects are summarised. The potential to incorporate ecological enhancement measures as part of the scheme is discussed.

This PEA report is designed to inform the client and their team (as appropriate) about the initial findings of the site walkover and desk study research in relation to the site proposals, highlighting the key ecological constraints and opportunities, and any further survey requirements.

1.2 Background

The site is located at Westholme Clinic, Clive Avenue, Goring, Worthing BN12 4SG. The central National Grid Reference for this site is TQ 1164 0290.

The site is situated in an urban area in Goring within the town of Worthing. It comprises a building, developed land; sealed surface, modified grassland, and scattered trees. Residential properties are present to the north, east, south and west of the site.

The proposed development comprises the addition of an extension onto the eastern face of the existing building within the site. The location of the site is shown in Figure 1 and the proposed layout is shown in Figure 2.



Figure 1. An aerial image showing the location of the site. The approximate site boundary is outlined in red. Image produced courtesy of Google maps (map data ©2026 Google)

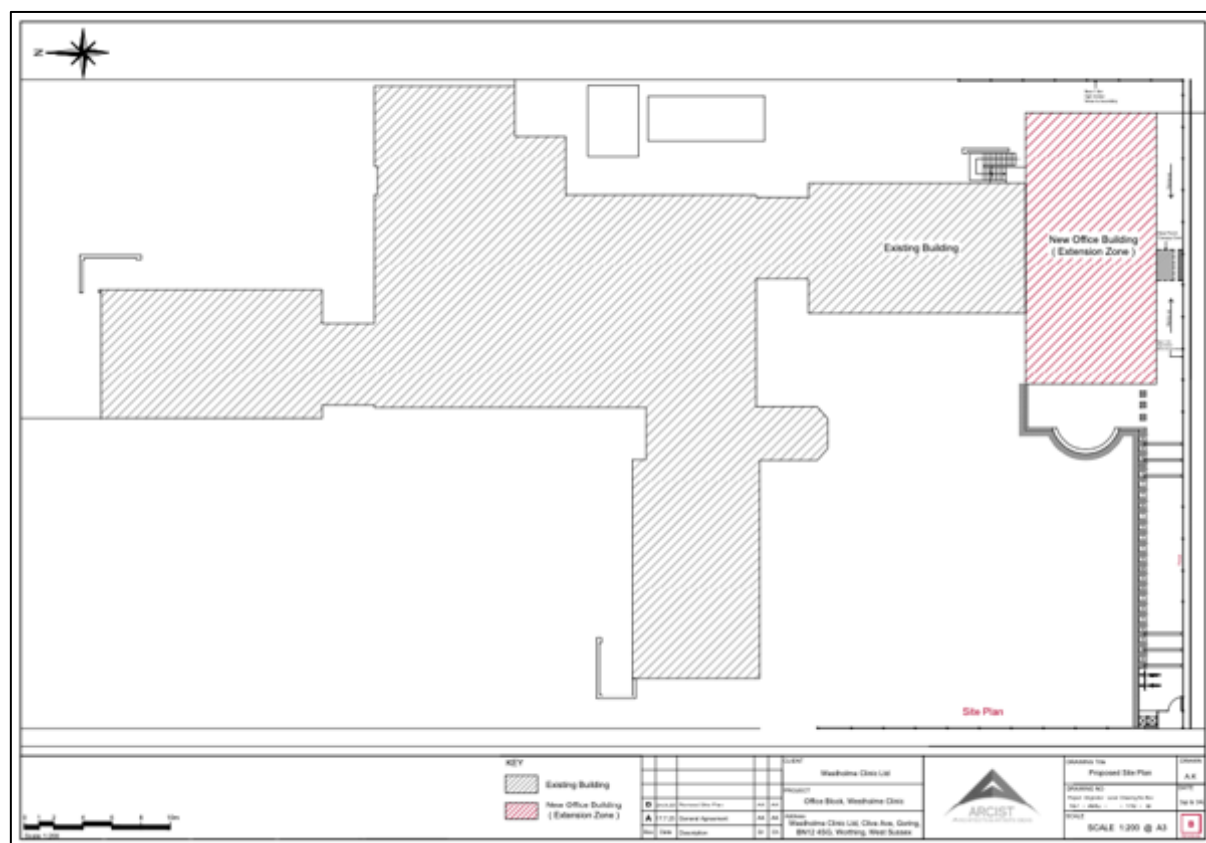


Figure 2. Proposed site plan. Courtesy of ARCIST, 2025, Drawing no: 107-ARC-110-B.

1.3 Policy and Legislation

Legal protection applying to relevant bird, mammal, herpetofauna, invertebrate species and flora, and current nature conservation planning policy is outlined in Appendix 1 of this report.

Where possible, this report provides guidance on how the proposal can be designed to meet the requirements of both local planning policy and the National Planning Policy Framework (NPPF). Details of the NPPF can be found in Appendix 1 and relevant local planning policy by Worthing District Council is provided in Appendix 2.

2 METHODOLOGY

The methodologies used for this survey are in accordance with the Guidelines for Preliminary Ecological Appraisal¹, but also consider the Guidelines for Ecological Report Writing, Second Edition².

2.1 Desk Study

A search of online mapping resources was undertaken to identify the location of any features of potential

¹ CIEEM (2017). *Guidelines for Preliminary Ecological Appraisal, 2nd edition*. Chartered Institute of Ecology and Environmental Management, Winchester.

² CIEEM (2017). *Guidelines for Ecological Report Writing, 2nd edition*. Chartered Institute of Ecology and Environmental Management, Winchester.



ecological interest including ponds within 500m (relevant to great crested newts *Triturus cristatus*), watercourses (relevant to riparian mammals and crayfish) and connectivity to woodland, scrub, and hedgerow networks (relevant to bats and dormice *Muscardinus avellanarius*) in the wider landscape around the site. The connectivity of the site to these features, buildings and other semi-natural habitats, such as grassland and heathland, are also relevant to great crested newts, reptiles and a wide variety of notable species of conservation concern.

The MAGIC website resource (www.magic.gov.uk) was used to identify the location of designated sites for nature conservation and European Protected Species (EPS) licences granted in relation to the survey site.

2.2 Field Survey

A site walkover survey was undertaken on 6th February 2026, during which the habitats contained within the site were described and evaluated. Since this site is relatively small in scale and contains limited semi-natural habitat diversity, it was not considered necessary to undertake comprehensive UKHab mapping of the site. All habitat types contained within the site, together with the dominant botanical species and indicators of important habitat types, such as ancient woodland or unimproved grassland, have simply been listed and described where identified.

Habitats and features at the site were evaluated for their potential to support legally protected species and/or species of conservation interest. In addition, observations of any important plant communities, bird assemblages or other potentially valuable ecological features were recorded.

Details of the preliminary survey methods for each legally protected species are given below. Any site-specific limitations to the survey, e.g. access constraints or seasonal constraints, are set out in section 3.10.

2.3 Badgers

Badgers *Meles meles* exploit a range of habitats, including gardens, coniferous woodland, deciduous woodland, mixed woodland and arable land. They live in an underground system of tunnels and nesting chambers, known as a sett, with territories ranging from 30ha to 150ha or more.

Habitats within the site and surrounding area were broadly assessed for their potential to support badgers. Any signs of badger activity, for example setts, footprints, latrines, well-worn paths and foraging marks, were recorded. Further surveys were recommended as appropriate.

2.4 Bats

Bats can use a wide range of features for roosting purposes, including loft spaces, cavity walls, loose tiles, mortice joints and cracks/gaps in a variety of built structures. They can also be found in trees with holes, splits, cracks, cavities, ivy and loose bark.

A detailed building inspection was carried out in accordance with best practice guidance as set out by the Bat



Conservation Trust³; the inspection comprised identification of potential access points and 'Potential Roost Features' (PRFs) that bats could use and any evidence indicating the presence of bats using the building, such as rub marks, feeding remains, staining or droppings. The survey included a ground-based external inspection around the building and internal inspection of any enclosed loft spaces or roof voids, where safe access was possible.

The potential for roosting bats for each feature, or group of features was assessed as negligible, low, moderate, or high, in accordance with best practice. Any evidence confirming the presence of bats was clearly recorded including photos and samples taken (e.g. droppings), where appropriate.

The habitats surrounding the site and wider landscape were broadly assessed for their potential to support foraging and commuting bats.

2.5 Breeding Birds

Birds can use a wide range of natural and artificial habitats when breeding, including trees, hedgerows, fields, houses and garden sheds. The habitats contained within the site and adjacent areas were broadly assessed for their potential to support important bird species/assemblages, and breeding birds. Any birds identified during the site visit were recorded. Special attention was paid to notable species such as red-listed Birds of Conservation Concern⁴ and those species afforded special protection on Schedule 1 of the Wildlife and Countryside Act (1981).

2.6 Dormice

Dormice are found in deciduous woodland and hedgerows, feeding on flowers, pollen, fruits, insects and nuts, favouring hazel *Corylus avellana* and honeysuckle *Lonicera periclymenum* for food and as bedding. The site was broadly assessed for its potential to support dormice. This included use of on-line mapping resources to assess the surrounding area for connectivity to large blocks of woodland, scrub and extensive hedgerow networks.

2.7 Great Crested Newt

Great crested newts breed in ponds during the spring and spend the rest of the year feeding on invertebrates primarily in semi-natural habitats including woodland, hedgerows, marshes and tussocky grassland. A desk study was undertaken to identify ponds and wet ditches within 500m of the site that might support breeding great crested newts. Where access permission was granted, or ponds could be viewed from public roads or footpaths, the ponds were assessed for their potential to support great crested newts using the Habitat Suitability Index (HSI) (Oldham et al 2000)⁵. The value of the site for terrestrially foraging great crested newts and any features that might be used by hibernating newts has also been assessed.

³ Collins, J.(ed.) (2023). Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edn). The Bat Conservation Trust, London.

⁴ Stanbury, A., Eaton, M., Aebischer, N., Balmer, N., Douse, A., Lindley, P., McCulloch, N., Noble, D., and Win I. (2021). Birds of Conservation Concern 5: the status of bird populations: the fifth Birds of Conservation Concern in the United Kingdom, Channel Islands and Isle of Man. British Birds 114, pp 723-747.

⁵ Oldham, R.S., Keeble, J., Swan, M.J.S. and Jeffcote, M. (2000). Evaluating the suitability of habitat for the great crested newt (*Triturus cristatus*). Herpetological Journal 10, 143-155.



2.8 Reptiles

The common lizard *Zootoca vivipara*, slow-worm *Anguis fragilis*, grass snake *Natrix helvetica* and adder *Vipera berus* are widespread species that can be found in any of these habitats, whereas smooth snake *Coronella austriaca* and sand lizard *Lacerta agilis* have much more restricted and isolated populations on lowland heathland and sand dunes.

Habitats on the site were broadly assessed for their potential to support reptiles. Particular attention was paid to those features that provide suitable basking areas (e.g. south-facing slopes), hibernation sites (e.g. banks, walls, piles of rotting vegetation) and opportunities for foraging (rough grassland and scrub).

2.9 Other Notable Species

The site's habitats were broadly assessed for their potential to support species of principal importance for nature conservation (Section 41 NERC Act 2006) and other notable species. This includes mammals such as harvest mouse *Micromys minutus*, hedgehog *Erinaceus europaeus*, brown hare *Lepus europaeus*, and many bird species. The site was broadly assessed for its potential to support important invertebrate assemblages with particular attention paid to features such as standing deadwood, wet flushes, bare earth banks and botanically rich areas.

3 BASELINE CONDITIONS

3.1 Designated Sites and Granted EPS Licences

There are no designated sites within 2km of the site.

There are no granted EPS licences for protected species within 1km of the site boundary.

There are two patches of priority habitat - deciduous woodland within 1km of the site, and the nearest lies approximately 600m south-east of the site.

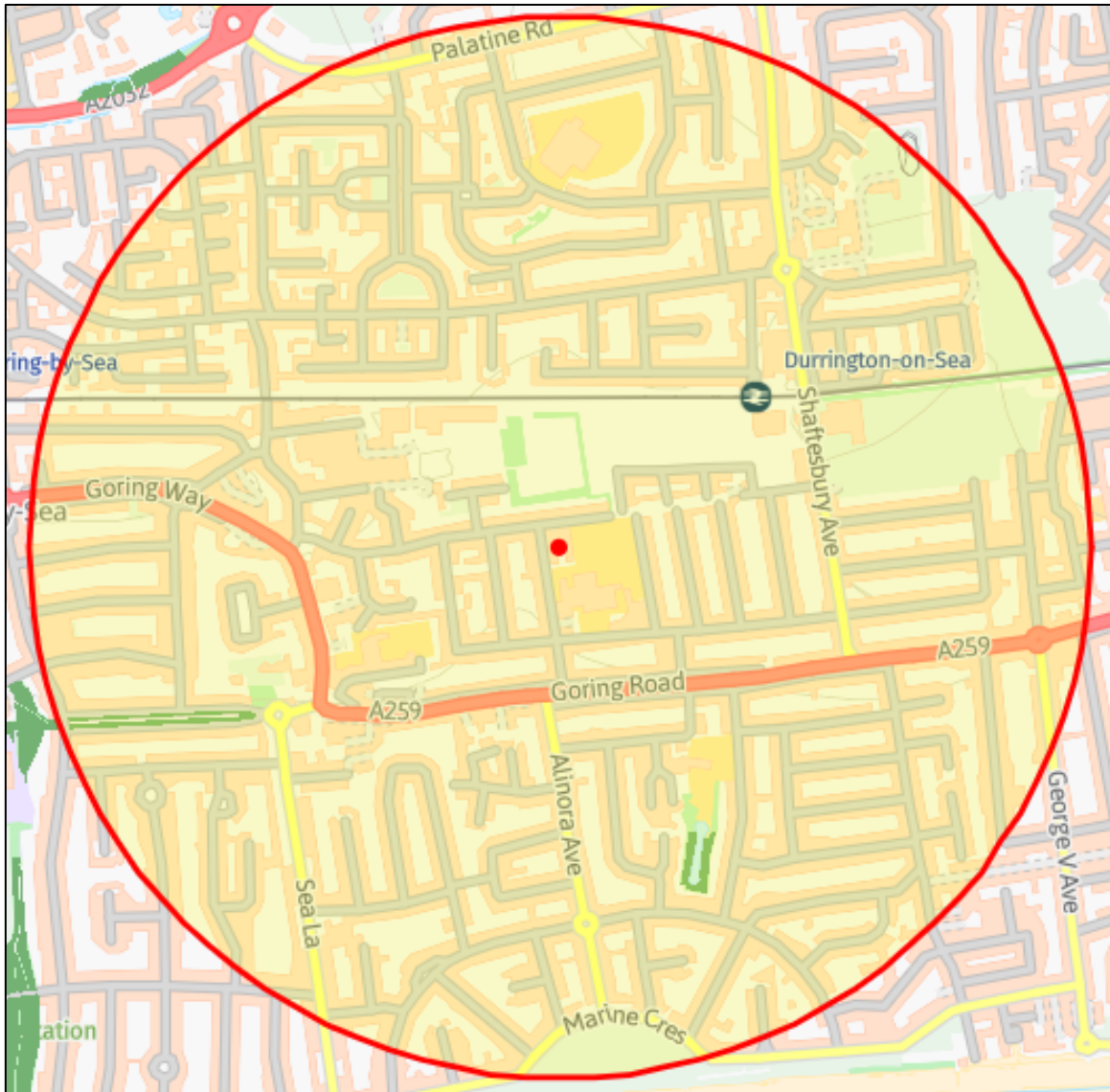


Figure 3. Habitats of importance for nature conservation (priority habitat - deciduous woodland - dark green). Image produced courtesy of Magic maps (<http://www.magic.gov.uk/>, contains public sector information licensed under the Open Government Licence v3.0).

3.2 Habitats

The site comprises a main building and shed, developed land; sealed surface, modified grassland, and some scattered trees. The buildings were assessed for roosting bat potential, and further details are provided in section 3.4.

An area of developed land; sealed surface consisting of a paved parking area and walkway is present in the eastern and southern areas of the site.

The modified grassland is closely-mown and had a sward height of approximately 5-10cm. Species present included perennial rye-grass *Lolium perenne*, cock's-foot *Dactylis glomerata*, red fescue *Festuca rubra*, yarrow *Achillea millefolium* and ribwort plantain *Plantago lanceolata*.

Some semi-mature scattered trees are present within the site. Species present included sycamore *Acer*



pseudoplatanus, rowan *Sorbus aucuparia*, elder *Sambucus nigra*, willow species *Salix* sp. and Norway maple *Acer platanoides*.



Photograph 1. Main building (southern view).





Photograph 2. Main building (western view), and close-mown modified grassland.



Photograph 3. Modified grassland around southern area of main building.



Photograph 4. Shed on hardstanding.



Photograph 5. Main building (eastern view).



3.3 Badgers

No signs of any badger activity were seen during the survey assessment, though there are habitats of value for this species within the site and surrounding landscape. It is likely that if any setts were situated within 30m of the site boundary, then evidence of badger activity would have been observed.

3.4 Bats

The site includes a main building and shed. These were assessed for bat roost potential. Details are provided in Table 2.

No trees within the red line boundary of the site were identified to have potential roost features suitable for supporting roosting bats. All trees were assessed as having 'negligible' bat roost potential.

The trees within the site are considered to be suitable for foraging and commuting by a variety of the more common and light tolerant species of bat.

Table 1. Potential roost features for bats.

Building	Description of features	Assessment of suitability
Main building	Two-storey brick building with flat roof. All walls in good repair, no cracks or gaps in walls or around window frames. No evidence of bats.	Negligible
Shed	Wooden shed with sloped felt roof. No cracks or gaps in panels. In good repair. No evidence of bats.	Negligible

3.5 Breeding Birds

The trees across the site have the potential to support a variety of common nesting birds.

3.6 Dormice

The trees within the site do not consist of species suitable to support dormice, and there are no hedgerows or scrub present within the site. Therefore, the species is highly unlikely to be present on the site.

3.7 Great Crested Newts and other Amphibians

There are no ponds contained by the site or within 500m of the site. Great crested newts and other amphibians are therefore highly unlikely to be present at the site.

3.8 Reptiles

The site does not contain any suitable habitat for reptiles and comprises almost exclusively closely mown modified grassland, buildings and developed land; sealed surface.



3.9 Invasive Non-native Species

No evidence of invasive non-native species was found during the walkover survey.

3.10 Survey Limitations

An initial site assessment such as this is only able to act like a 'snapshot' to record any flora or fauna that is present at the time of the survey. It is therefore possible that some species may not have been present during the survey but may be evident at other times of the year. For this reason, habitats are assessed for their potential to support some species, even where no direct evidence (such as droppings) has been found.

4 IMPACT APPRAISAL

4.1 Designated Sites

The site is outside the zone of influence of all designated sites, and, based on this and the small scale of the development, there are no identified mechanisms of impact on designated sites as a result of the proposed development.

4.2 Habitats

The site is dominated by closely-mown modified grassland, buildings and developed land; sealed surface with some scattered trees. The habitats within the site are of low ecological value and of important at the site level only. The development will result in the loss of a small area of modified grassland.

Ecological enhancement opportunities for native tree, shrub and hedgerow planting within the scheme are discussed below in section 5 below.

4.3 Badgers

No signs of badger activity were identified during the assessment and no badger setts are situated on or near to the proposed construction zone. No further surveys or mitigation for badgers is advised, however, if any signs of digging by large animals is identified on or near to the site in the future, prior to development or the submission of a planning application, further surveys would likely be required.

4.4 Bats

The main building on the site was assessed to have a negligible bat roosting potential, and as such, the planned extension on the east of the building will not impact upon roosting bats.

As the site may be used by foraging and commuting bats, it is important that the potential for disturbance from artificial lights is considered. The proposed development is likely to require an 'ecologically sensitive lighting scheme' in accordance with guidance produced by the Bat Conservation Trust (summarised in Appendix 3).



4.5 Breeding Birds

The trees within the site have the potential to support a variety of common nesting birds. It will be essential for any development to consider the nesting bird season and any vegetation removal should be timed outside of the nesting bird season (typically 1st March to 31st August), unless features are first searched by a suitably qualified ecologist and no active nests are found. If an active nest is identified, a minimum exclusion zone for all works within a 5m radius of the nest must be established to protect it from disturbance until the young have fledged.

5 OPPORTUNITIES FOR ENHANCEMENT

The proposed development represents an opportunity for habitat enhancement to benefit insects, birds, and bats. Any planting scheme must include native shrub species and flowering species known to encourage insect diversity. Such enhancement measures are in line with the recommendations of the NPPF and as such would be considered favourably when determining the planning application.

Bird boxes and bat boxes should be implemented within the scheme to provide additional nesting and roosting opportunities. As best practice, any lighting scheme should be designed to minimise light spill (see Bat Conservation Trust website), around these roosting features and potential commuting routes.

6 CONCLUSIONS

The site is dominated by closely-mown modified grassland, buildings and developed land; sealed surface with some scattered trees. The proposals will result in the loss of a small area of modified grassland.

The precautionary mitigation set out in section 4.5, to avoid the removal of vegetation during the nesting bird season, must be followed to ensure that there is not a breach of the Wildlife and Countryside Act.

As the site may be used by foraging and commuting bats, it is important that the potential for disturbance from artificial lights is considered. The proposed development is likely to require an 'ecologically sensitive lighting scheme' in accordance with guidance produced by the Bat Conservation Trust (summarised in Appendix 3).

The enhancement opportunities identified in section 5 of this document will result in new opportunities for nesting birds and roosting bats, and likely beneficial effects for biodiversity at the site should they all be implemented in full.

It is important that no habitat clearance or other site preparation work should be undertaken until planning permission has been granted and all relevant protections for habitats of importance and protected species have been detailed and implemented. Please be advised that any work to remove or modify habitats outside of typical management may undermine a future planning application.

Should you need any further advice on the information provided above, please do not hesitate to contact The Ecology Co-op, info@ecologyco-op.co.uk, www.ecologyco-op.co.uk, Office: 01798 861800.



APPENDIX 1 – Wildlife Legislation and National Planning Policy

Introduction

The following text is intended for general guidance only and does not constitute comprehensive professional legal advice. It provides a summary of the current legal protection afforded to wildlife in general and certain species. It includes current national planning policy relevant to nature conservation.

The ‘Birds Directive’, ‘Habitats Directive’ and ‘Natura 2000 Sites’

The Council Directive 79/409/EEC on the Conservation of Wild Birds (“the Birds Directive”) sets a framework for the protection of wild birds. Under the Directive, several provisions are made including the designation and protection of ‘Special Protection Areas’ (SPAs) – areas which support important bird populations, and the legal protection of rare or vulnerable species.

The Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (the “Habitats Directive”) directs member states of the EU to take measures to maintain the favourable conservation status of important habitats and species. This requires the designation of a series of sites which contain important populations of species listed on Annex II of the Directive (for example Bechstein’s bat *Myotis bechsteinii*, Barbastelle bat *Barbastella barbastellus* and white-clawed crayfish *Austropotamobius pallipes*). Together with ‘Special Areas of Conservation’ (SACs), SPAs form a network across Europe of protected areas known as the ‘Natura 2000 sites’.

Annex IV lists species in need of more strict protection, these are known as “European Protected Species (EPS)”. All bat species, common dormice *Muscardinus avellana*, otter *Lutra lutra* and great crested newts *Triturus cristatus* are examples of EPS that are regularly encountered during development projects.

The ‘Habitats Regulations’

The Conservation of Habitats and Species Regulations 2017, as amended (the “Habitats Regulations”) is the principle means of transposing the Habitats Directive and the Birds Directive, and updates the Conservation (Natural Habitats, &c.) Regulations 1994 (“the 1994 regulations”) in England and Wales.

‘Natura 2000’ sites, now known as National Site Network sites under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, receive the highest level of protection under the Regulations which requires that any activity within the zone of influence of these sites would be subject to a Habitats Regulations Assessment (HRA) by the competent authority (e.g. planning authority), leading to an Appropriate Assessment (AA) in cases where ‘likely significant effects’ to the conservation objectives are identified.

For European Protected Species, Regulation 41 makes it a criminal offence to:

- deliberately capture, injure or kill any such animal;
- deliberately disturb wild animals of such species;
- deliberately take or destroy their eggs (where relevant);
- damage or destroy a *breeding or resting place* of such an animal;
- possess, control, sell or exchange any live or dead animal or plant, of such species;
- deliberately pick, collect, cut, uproot or destroy a wild plant of such species.



The Habitats Directive and Habitats Regulations provide for the derogation from these prohibitions for specific reasons provided certain conditions are met. An EPS licensing regime allows operations that would otherwise be unlawful acts to be carried out lawfully. Natural England is the licensing Authority and, in order to grant a license, ensures that three statutory conditions (sometimes referred to as the 'three derogation tests') are met:

- a licence can be granted for the purposes of "preserving public health or safety or for other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment" (Regulation 53 (2) (e);
- a licence can be granted if "there are no satisfactory alternatives" to the proposed action;
- a licence shall not be granted unless the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Wildlife and Countryside Act (1981) as amended.

This remains one of the most important pieces of wildlife legislation in the UK. There are various schedules to the Act protecting birds (Schedule 1), other animals including insects (Schedule 5), plants (Schedule 8), and control of invasive non-native species (Schedule 9).

Under the Wildlife and Countryside Act (WCA) 1981, all wild birds (with the exception of those listed on Schedule 2), their eggs and nests are protected by law and it is an offence to:

- take, damage or destroy the nest of any wild bird while it is in use or being built
- take or destroy the egg of any wild bird
- disturb any bird listed on Schedule 1, while it is nest building, or at a nest with eggs or young, or disturb the dependant young of any such bird.

Schedule 5 lists all non-avian animals receiving protection to a varied degree. At its strongest, the Act makes it an offence to intentionally kill, injure or take any wild animal listed on Schedule 5, and prohibits interference with places used for shelter or protection, or intentionally disturb animals while occupying such places. Examples of species with *full protection* include all EPS, common reptile species, water vole *Arvicola amphibius*, white-clawed crayfish *Austropotamobius pallipes* and Roman snail *Helix pomatia*. Other species are protected from sale, barter or exchange only, such as white letter hairstreak *Satyrrium w-album*.

The Act makes it an offence to intentionally pick, uproot or destroy any plant or seed, and sell or possess any plant listed on Schedule 8. It is also an offence to intentionally uproot any wild plant not listed on Schedule 8 unless authorised [by the land owner]. Species on Schedules 5 and 8 are reviewed every 5 years when species can be added or removed.

Measures for the prevention of spreading non-native species which may be detrimental to native wildlife is included in the Act, which prohibits the release of animals or planting of plants into the wild of species listed on Schedule 9 (for example, Japanese knotweed *Fallopia japonica*, Himalayan balsam *Impatiens glandifera*, New Zealand Pygmyweed *Crassula helmsii*).

The Wildlife and Countryside Act 1981 (as amended) also prohibits certain inhumane methods of traps and devices for the capture or killing of wild animals and certain additional methods such as fixed trap, poisoning with gas or smoke, or spot-lighting with vehicles for killing species listed on Schedule 6 of the Act (this includes all bat species, badger, otter, polecat, dormice, hedgehog and red squirrel).



Natural Environment and Rural Communities (NERC) Act (2006)

The NERC Act (2006) created the statutory nature conservation body Natural England, and places a statutory duty on all public bodies, including planning authorities, under Section 40, to take, or promote the taking by others, steps to further the conservation of *habitats and species of principal importance for the conservation of biodiversity* in England (commonly referred to as the 'Biodiversity Duty'). This duty extends to all public bodies the biodiversity duty of Section 74 of the Countryside and Rights of Way (CROW) Act 2000, which placed a duty only on Government and Ministers. Section 41 of the NERC Act lists the habitats and species of principle importance. This includes a wide range of species from mosses, vascular plants, invertebrates through to mammals and birds. It originates from the priority species listed under the UK Biodiversity Action Plan (UK BAP) with some omissions and additions.

Environment Act (2021)

The Environment Act sets a target of halting the decline in species through the inclusion of a legally binding 2030 species abundance target. Aiming to restore natural habitats and enhance biodiversity, the Act requires new developments to improve or create habitats for nature (through mechanisms such as mandatory Biodiversity Net Gain), and tackle deforestation. Going forwards, UK businesses will need to look closely at their supply chains as amongst other measures they will be prohibited from using commodities associated with wide-scale deforestation. Woodland protection measures are also strengthened through the Act.

The Act enables the reform of the Habitats Regulations and further improves protection for nature through the establishment of Local Nature Recovery Strategies that support national Nature Recovery Networks. In addition, the Act provides for the production of Protected Site Strategies and Species Conservation Strategies, aimed at supporting the design and delivery of strategic approaches to deliver better outcomes for nature.

Protection of Badgers Act (1992)

The badger *Meles meles* is afforded specific legal protection in Britain under the Protection of Badgers Act (1992), and Schedule 6 of the Wildlife and Countryside Act 1981 (as amended) (see above).

Under this legislation, it is a criminal offence to:

- intentionally kill, injure, take, possess, or cruelly ill-treat, a badger, or to attempt to do so;
- interfere with a sett, by damaging or destroying it;
- to obstruct access to, or any entrance of, a badger sett; or
- to disturb a badger when it is occupying a sett.

A licence may be obtained from Natural England to permit certain prohibited actions for a number of defined reasons including interference of a sett for the purpose of development, provided that a certain number of conditions are met. Note that licenses are not normally granted for works affecting badgers between the end of November and the start of July.

National Planning Policy Framework

The National Planning Policy Framework (NPPF 2024)⁶ sets out the Government's view on how planners should balance nature conservation with development and helps ensure that Government meets its biodiversity

⁶ HM Government (2024). National Planning Policy Framework. Department for Communities and Local Government. Available online at: https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf



commitments with regard to the operation of the planning system.

Paragraph 185b, states that council plans should “*promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.*”

The Office of the Deputy Prime Minister (ODPM) Circular 06/2005, 2005)⁷. In accordance with the NPPF, it is important that developments should contribute to and enhance the natural and local environment by:

- minimising impacts on existing biodiversity and habitats;
- providing net gains in biodiversity and habitats, wherever possible;
- establishing coherent ecological networks that are more resilient to current and future pressures.

UK Post-2010 Biodiversity Framework

The UK Biodiversity Action Plan (UK BAP), first published in 1994, was the UK’s response to the commitments of the Rio Convention on Biological Diversity (1992) until 2010, when the UK BAP was replaced by the UK Post-2010 Biodiversity Framework. This framework covers the period 2011 to 2020 and forms the UK government’s response to the new strategic plan of the United Nations Convention on Biodiversity (CBD) published in 2010. This promotes a focus on individual countries delivering target for protection for biodiversity through their own strategies.

The most recent biodiversity strategy for England, 'Biodiversity 2020: A strategy for England's wildlife and ecosystem services' was published by Defra (2011), and a progress update was provided in July 2013 (Defra 2013).

'Biodiversity 2020' builds on the Natural Environment White Paper for England – 'The Natural Choice', published on 7 June 2011, and sets out the strategic direction for biodiversity policy for the next decade.

Biodiversity 2020 deliberately avoids setting specific targets and actions for local areas and species because the Government believes that local people and organisations are best placed to decide how to implement the strategy in the most appropriate way for their local area or situation.

Birds of Conservation Concern (BoCC)

In 1996, the UK’s leading non-governmental bird conservation organisations listed the conservation status of all bird species in the UK against a series of criteria relating to their population size, trends and relative importance to global conservation. The lists, known as the ‘Red’, ‘Amber’ and ‘Green’ lists (in order of decreasing concern) are used to inform key conservation policy and decisions. The lists are reviewed every five years and are a useful reference for determining the current importance of a particular site for birds. The most recent review was undertaken in 2021 (Stanbury et al, 2021), which provides an up to date assessment of the conservation status of birds in the UK.

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APPENDIX 2 – Worthing Local Plan 2020-2036 (Adopted 28th March 2023)

Policy number/title	Policy summary
DM – Biodiversity	a) Planning applications should be supported by relevant environmental information, which is informed by appropriate up-to-date ecological information, prior to determination. b) All development should ensure the protection, conservation, and enhancement of biodiversity. If significant harm cannot be avoided (by locating development on an alternative site with less harmful impacts or through design), then such harm should be adequately mitigated. Where it cannot be adequately mitigated then as a last resort such harm must be compensated for. Where it cannot be compensated for, then planning permission should be refused. This process is known as the mitigation hierarchy. c) Developments which would adversely affect a Site of Special Scientific Interest (SSSI) (individually or cumulatively) will not normally be permitted. Exceptions will only be made where the benefits of the development on the particular site clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts. Where an exception is considered the mitigation hierarchy will apply. d) Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) will be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.



APPENDIX 3 – Reducing Impacts of Artificial Light

Bright external lighting can have a detrimental impact upon foraging and commuting bat flight paths, but more importantly can also cause bats to remain in their roosts for longer. Artificial lighting can also cause significant impacts to other nocturnal species, most notably moths and other nocturnal insects. It can also result in disruption of the circadian rhythms of birds, reducing their fitness.

Guidelines issued by the Bat Conservation Trust⁸ should be referred to when designing the lighting scheme. Note that lighting designs in very sensitive areas should be created with consultation from an ecologist and using up-to-date bat activity data where possible. The guidance contains techniques that can be used on all sites, whether a small domestic project or larger mixed-use, commercial or infrastructure development. This includes the following measures:

Avoid lighting key habitats and features altogether

There is no legal duty requiring any place to be lit. British Standards and other policy documents allow for deviation from their own guidance where there are significant ecological/environmental reasons for doing so. It is acknowledged that in certain situations lighting is critical in maintaining safety, such as some industrial sites with 24-hour operation; however, in the public realm, while lighting can increase the perception of safety and security, measurable benefits can be subjective. Consequently, lighting design should be flexible and be able to fully consider the presence of protected species.

Apply mitigation methods to reduce lighting to agreed limits in other sensitive locations – lighting design considerations

Where bat habitats and features are considered to be of lower importance or sensitivity to illumination, the need to provide lighting may outweigh the needs of bats. Consequently, a balance between a reduced lighting level appropriate to the ecological importance of each feature and species, and the lighting objectives for that area will need to be achieved. The following are techniques which have been successfully used on projects and are often used in combination for best results:

- dark buffers, illuminance limits and zonation;
- sensitive site configuration, whereby the location, orientation and height of newly built structures and hard standing can have a considerable impact on light spill;
- consideration of the design of the light and fittings, whereby the spread of light is minimised ensuring that only the task area is lit. Flat cut-off lanterns or accessories should be used to shield or direct light to where it is required. Consideration should be given to the height of lighting columns. It should be noted that a lower mounting height is not always better. A lower mounting height can create more light-spill or require more columns. Column height should be carefully considered to balance task and mitigation measures. Consider no lighting solutions where possible such as white lining, good signage, and LED cat's eyes. For example, light only high-risk stretches of roads, such as crossings and junctions, allowing headlights to provide any necessary illumination at other times;
- screening, whereby light spill can be successfully screened through soft landscaping and the installation of walls, fences and bunding;
- glazing treatments, whereby glazing should be restricted or redesigned wherever the ecologist and lighting professional determine there is a likely significant effect upon key bat habitat and

⁸ Bat Conservation Trust and Institute for Lighting Professionals (2018) Guidance note 8. Bats and Artificial Lighting. <https://www.theilp.org.uk/documents/guidance-note-8-bats-and-artificial-lighting/>



features;

- creation of alternative valuable bat habitat on site, whereby additional or alternative bat flightpaths, commuting habitat or foraging habitat could result in appropriate compensation for any such habitat being lost to the development;
- dimming and part-night lighting. Depending on the pattern of bat activity across the key features identified on site it may be appropriate for an element of on-site lighting to be controlled either diurnally, seasonally or according to human activity. A control management system can be used to dim (typically to 25% or less) or turn off groups of lights when not in use.

Demonstrate compliance with illuminance limits and buffers

- *Design and pre-planning phase*; it may be necessary to demonstrate that the proposed lighting will comply with any agreed light-limitation or screening measures set as a result of your ecologist's recommendations and evaluation. This is especially likely to be requested if planning permission is required.
- *Baseline and post-completion light monitoring surveys*; baseline, pre-development lighting surveys may be useful where existing on or off-site lighting is suspected to be acting on key habitats and features and so may prevent the agreed or modelled illuminance limits being achieved.
- *Post-construction/operational phase compliance-checking*; as a condition of planning, post-completion lighting surveys by a suitably qualified person should be undertaken and a report produced for the local planning authority to confirm compliance. Any form of non-compliance must be clearly reported, and remedial measures outlined. Ongoing monitoring may be necessary, especially for systems with automated lighting/dimming or physical screening solutions.

Lighting Fixture Specifications

The Bat Conservation Trust recommends the following specifications for lighting on developments to prevent disturbance:

- lighting spectra: peak wavelength >550nm
- colour temperature: <2700k (warm)
- reduction in light intensity
- minimal UV emitted
- upward light ratio of 0% and good optical control.

Further reading:

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