



27 July 2023

Jason Hawkes
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By email only

Thank you for requesting advice on this outline application from Place Services' ecological advice service. This service provides advice to planning officers to inform Horsham District Council planning decisions with regard to potential ecological impacts from development. Any additional information, queries or comments on this advice that the applicant or other interested parties may have, must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.

Dear Jason

Application: DC/23/1178
Location: Horsham Golf Park Denne Park Horsham West Sussex RH13 0AX
Proposal: Outline planning application with all matters reserved save for access for the development of a Sports and Leisure Hub including the provision of communal facilities, nursery, Golf College, sports club house (containing Health & Fitness spa, changing facilities and food & beverage) and an educational facility for Warren Clark Golfing Dreams (Use Classes E, F1 & F2); a local centre containing a convenience store and co-working space (Use Classes E & F2); the provision of supporting landscaping, open space and related infrastructure; outdoor sports and leisure provision comprising Driving Range, reprovision of golf (including supporting golf facilities) and hockey (including pitches and training area) (Use Class F2) all supported by the delivery of up to 800 homes (Use Class C3).

Thank you for consulting Place Services on the above outline application.

Temporary Holding Objection	
No ecological objections	
Recommended Approval subject to attached conditions	Yes
Recommended Discharge of condition	
Subject to Natural England's formal comments on the conclusion of the Water Neutrality Appropriate Assessment	Yes



Please note that following receipt of Natural England's position statement on developments in the Sussex North Water Supply Zone, decisions on planning applications should await the completion of a Sussex North water neutrality strategy. As this application does not yet demonstrate water neutrality, we are required to apply a holding objection.

Summary

We have reviewed the Environmental Statement Vol I Chapter 11 Ecology and Biodiversity (including Annexes 1 to 11) (Trium, June 2023), Environmental Statement Chapter 15 Environmental Management, Mitigation and Monitoring (Trium, June 2023) and the Illustrative Masterplan Drawing Number 008-01 (Mosaic Urban Design & Masterplanning, February 2023) supplied by the applicant, relating to the likely impacts of development on Protected & Priority habitats and species, and identification of proportionate mitigation.

We note that emergence / re-entry surveys undertaken on the barn concluded that bats are unlikely to be using the building to roost and that none of the other buildings on site had potential to support roosting bats (Environmental Statement Vol I Chapter 11 Ecology and Biodiversity (Trium, June 2023)). We therefore agree that no further surveys for bats are required. We also note that the bat activity surveys concluded that the site is used for commuting by Common Pipistrelle, Soprano Pipistrelle, Nathusius Pipistrelle, Brown Longeared Bat, Barbastelle, Myotis Species and Serotine bat (Environmental Statement Vol I Chapter 11 Ecology and Biodiversity (Trium, June 2023)).

We note that three of the on-site and three of the off-site ponds contain evidence of Great Crested Newt (GCN) and therefore translocation of GCN will be undertaken under a European Protected Species Mitigation Licence (EPSML) (Environmental Statement Vol I Chapter 11 Ecology and Biodiversity (Trium, June 2023)). Alternatively, the applicant may wish to consider the strategic district licensing scheme available in the Horsham area through [NatureSpace](#). A GCN licence must be obtained before commencement of any works and we recommend that a copy of the licence is secured by a condition of any consent.

We also note that the site lies adjacent to Denne Park ancient woodland (irreplaceable habitat) on the western boundary (MAGIC maps <https://magic.defra.gov.uk/MagicMap.aspx>) and therefore a 15m buffer zone will be required to protect the ancient woodland under [Government standing advice](#).

We understand that deciduous woodland (Priority habitat) is present on site, but the majority of the existing woodland will be retained (Environmental Statement Vol I Chapter 11 Ecology and Biodiversity (Trium, June 2023)). Proportionate compensation will be required for any deciduous woodland lost to the development. We support the preparation of a woodland management plan as recommended in Section 11.23 of the Environmental Statement Vol I Chapter 11 Ecology and Biodiversity (Trium, June 2023)). This aims to deliver long term management of habitats used by commuting bats, including Barbastelle, and provide foraging opportunities. The plan should be secured by a condition of any consent.

We are satisfied that there is sufficient ecological information available for determination

This provides certainty for the LPA of the likely impacts on Protected and Priority species and, with appropriate mitigation measures secured, the development can be made acceptable.



This will enable the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

The mitigation measures identified in the Environmental Statement Vol I Chapter 11 Ecology and Biodiversity (including Annexes 1 to 11) (Trium, June 2023) and the Environmental Statement Chapter 15 Environmental Management, Mitigation and Monitoring (Trium, June 2023) should be secured and implemented in full. This is necessary to conserve and enhance protected and Priority Species. The finalised measures should be provided in a Construction and Environmental Management Plan - Biodiversity to be secured as a pre-commencement condition of any consent.

We welcome the indicated biodiversity net gain of 14.31% for habitat units and the 11.99% gain for linear hedgerow units Appendix 11 Environmental Statement Vol I Chapter 11 Ecology and Biodiversity (Trium, June 2023). The proposed habitats should be subject to a long-term Landscape and Ecological Management Plan (LEMP) to ensure they are managed to benefit wildlife and deliver the promised net gain for biodiversity. This LEMP should be secured by a condition of any consent.

We also support the proposed reasonable compensation and biodiversity enhancements, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 174[d] of the National Planning Policy Framework 2021. The reasonable biodiversity enhancement measures should be outlined within a Compensation and Biodiversity Enhancement Strategy and should be secured by a condition of any consent and implemented in full.

We also support the implementation of a Wildlife Friendly Lighting Strategy for this application (Environmental Statement Vol I Chapter 11 Ecology and Biodiversity (Trium, June 2023)). Therefore, technical specification should be submitted prior to occupation, which demonstrates measures to avoid lighting impacts to foraging / commuting bats, which are likely to be present within the local area. This should summarise the following measures will be implemented:

- Light levels should be as low as possible as required to fulfil the lighting need.
- Warm White lights should be used at <2700k. This is necessary as lighting which emit an ultraviolet component or that have a blue spectral content have a high attraction effects on insects. This may lead in a reduction in prey availability for some light sensitive bat species.
- The provision of motion sensors or timers to avoid the amount of 'lit-time' of the proposed lighting.
- Lights should be designed to prevent horizontal spill e.g. cowls, hoods, reflector skirts or shields.

Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013. In terms of biodiversity net gain, the enhancements proposed will contribute to this aim.

Submission for approval and implementation of the details below should be a condition of any planning consent:



Recommended conditions

1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

“All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Environmental Statement Vol I Chapter 11 Ecology and Biodiversity (including Annexes 1 to 11) (Trium, June 2023), Environmental Statement Chapter 15 Environmental Management, Mitigation and Monitoring (Trium, June 2023) and the Illustrative Masterplan Drawing Number 008-01 (Mosaic Urban Design & Masterplanning, February 2023), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.”

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham Development Framework.

2. ACTION REQUIRED: SUBMISSION OF A COPY OF THE MITIGATION LICENCE FOR GREAT CRESTED NEWT

“Any works which will impact the breeding / resting place of Great Crested Newt shall not in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or*
- b) a GCN District Licence issued by Horsham District Council pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or*
- c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.”*

Reason: To conserve protected species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998.

3. CONCURRENT WITH RESERVED MATTERS PRIOR TO COMMENCEMENT: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN FOR BIODIVERSITY

“A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.*
- b) Identification of “biodiversity protection zones”.*



- c) *Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).*
- d) *The location and timing of sensitive works to avoid harm to biodiversity features.*
- e) *The times during construction when specialist ecologists need to be present on site to oversee works.*
- f) *Responsible persons and lines of communication.*
- g) *The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.*
- h) *Use of protective fences, exclusion barriers and warning signs.*

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority”

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

4. CONCURRENT WITH RESERVED MATTERS PRIOR TO FIRST OCCUPATION: WOODLAND MANAGEMENT PLAN

No dwelling/s shall be occupied until and unless a Woodland Management Plan has been submitted to and approved in writing by the local planning authority.

The Woodland Management Plan shall include details as to the following: retained tree lines and woodland suitable for foraging and commuting bats, in particular Barbastelle bats; any woodland routes to be used by pedestrians/cyclists to avoid trees which could be used by bats, and inspections ahead of all tree safety works to be undertaken by a Suitably Qualified Ecologist.

The woodland/s and tree lines shall thereafter be managed in accordance with the approved Woodland Management Plan unless otherwise agreed in writing by the local planning authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham Development Framework.

5. CONCURRENT WITH RESERVED MATTERS PRIOR TO FIRST OCCUPATION: BIODIVERSITY COMPENSATION AND ENHANCEMENT STRATEGY

“A Biodiversity Compensation and Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Compensation and Enhancement Strategy shall include the following:



- a. *Purpose and conservation objectives for the proposed compensation and enhancement measures;*
- b. *detailed designs to achieve stated objectives;*
- c. *locations of proposed compensation and enhancement measures by appropriate maps and plans;*
- d. *timetable for implementation demonstrating that works are aligned with the proposed phasing of development;*
- e. *persons responsible for implementing the compensation and enhancement measures;*
- f. *details of initial aftercare and long-term maintenance (where relevant).*

The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter."

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham Development Framework.

6. CONCURRENT WITH RESERVED MATTERS PRIOR TO FIRST OCCUPATION: LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN

"A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to commencement of the development.

The content of the LEMP shall include the following:

- a) *Description and evaluation of features to be managed.*
- b) *Ecological trends and constraints on site that might influence management.*
- c) *Aims and objectives of management.*
- d) *Appropriate management options for achieving aims and objectives.*
- e) *Prescriptions for management actions.*

- f) *Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).*
- g) *Details of the body or organisation responsible for implementation of the plan.*
- h) *Ongoing monitoring and remedial measures.*

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details."



Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

7. CONCURRENT WITH RESERVED MATTERS: PRIOR TO FIRST OCCUPATION WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

“A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

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

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham Development Framework.

Please contact us with any queries.

Yours sincerely

Genevieve Broad MCIEEM MSc BSc (Hons)

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Place Services provide ecological advice on behalf of Horsham District Council

Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.