

From: Linsey.King <Linsey.King@horsham.gov.uk>
Sent: 21 February 2025 15:23:08 UTC+00:00
To: "Stephanie.Bryant" <Stephanie.Bryant@horsham.gov.uk>
Subject: RE: DC/24/1538 Land to the South of Furners Lane Henfield - HDC Ecology (BNG) 3rd Consultation Response

Hi Steph,

Comments in red below.

Best,
Linsey

Linsey King

Ecology Officer
Specialists Team - Strategic Planning

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From: Stephanie.Bryant <Stephanie.Bryant@horsham.gov.uk>

Sent: 21 February 2025 13:22

To: Linsey.King <Linsey.King@horsham.gov.uk>

Subject: RE: DC/24/1538 Land to the South of Furners Lane Henfield - HDC Ecology (BNG) 3rd Consultation Response

Hi Linsey,

In response to the below, the applicant has provided the attached updated draft HMMP and the following comments:

To address the additional Ecology comments, we include:

- An updated Draft HMMP to address the additional comments from the Ecology Officer.

Please note, we ask that both the Precautionary Method Statement planning condition and the draft HMMP condition require updated reports to be submitted **prior to commencement**.

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We ask this as the government standing advice states:

*If you're making significant on-site enhancements, you need to describe how you'll maintain and monitor the habitat enhancement. You should submit a HMMP with the biodiversity gain plan. You should also submit a **draft** HMMP with your planning application.*

<https://www.gov.uk/guidance/creating-a-habitat-management-and-monitoring-plan-for-biodiversity-net-gain>

It also states -

The statutory framework for biodiversity net gain requires a Biodiversity Gain Plan to be submitted and approved by the planning authority to discharge the biodiversity gain condition prior to the commencement of development

The plan must be submitted in writing, no earlier than the day after planning permission has been granted.

<https://www.gov.uk/guidance/biodiversity-net-gain#submission-of-the-biodiversity-gain-plan>

Paragraph: 031 Reference ID: 74-031-20240214

This is why I asked for draft. We need it to determine whether the proposed habitats and conditions are feasible, and to inform any legal agreement. It is up to you and the Applicant if the legal agreement is done before determination or after, but the former is considered the norm as far as I'm aware. Reminder, the BGP is relevant to Outline only, not RM. Yes, it will be subject to change, but we need a foundation to go off and plans/legal agreements can be modified. Any further comments relating to this should be escalated to Adrian.

In addition to this, note that in respect of the comments made under the Landscape Plan section, the Ecology Officer is not quite correct. The landscape strategy identifies the vegetation along the 'north-east to southeast of the site with enhancement' as existing hedge and scrub, so there is no conflict with the ecology report. Similarly, there is no enhancement of the hedgerows proposed on the landscape strategy so this has not been included in the BNG assessment.

It is existing and new hedge and scrub (mixed scrub is to be created as per the metric entry), I think the ecology report map has merged them into one habitat parcel. Happy for the Landscape Strategy Plan to be within the HMMP. I note that the HMMP has been amended to state 46x trees will be planted.

Finally, in the absence of detailed planting plans and agreement as to how the site will be managed e.g. the extent of any obligation on the management company to manage new and existing habitats, the inclusion of new hedgerows within the Metric should only be considered to be illustrative. Such detail will be confirmed and agreed via the discharge of the Statutory BNG condition and submission of the Biodiversity Gain Plan at that point. This detail does not need to, and cannot, be agreed at this point in the planning process.

Better to iron out any concerns now, rather than wait for the BGP submission post-consent as it risks further delay and refusal of the BGP. Reminder, BGP is relevant to Outline only, not RM. I am commenting on what has been submitted, illustrative or not. Hedgerow creation cannot be counted within the metric if it is within the private garden of a dwelling, same goes for trees. I am raising this issue now prior to submission of the BGP, as this is necessary to know for any legal agreement and to ensure that forthcoming information within the BGP is correct. It is a risk the Applicant carries with regards to delaying all amendments to submission of the BGP.

Please can you provide a response for my return from leave on Monday 3rd March?

Many thanks,
Steph

Stephanie Bryant

Senior Planning Officer

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From: Linsey.King <Linsey.King@horsham.gov.uk>

Sent: 18 February 2025 16:27

To: Stephanie.Bryant <Stephanie.Bryant@horsham.gov.uk>

Subject: DC/24/1538 Land to the South of Furners Lane Henfield - HDC Ecology (BNG) 3rd Consultation Response

Hi Steph,

Please see my third consultation response for DC/24/1538 attached.

Just a couple of comments – mostly over inconsistencies between plans and the metric, and whether some habitats proposed are located within private gardens (which can't be secured).

Again, my comment re the veteran tree will depend on Andy's comments. If Andy believes that with the amendments that no harm will come to the tree, then please disregard my comments about this.

Best,
Linsey

Linsey King

Ecology Officer
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