21st November 2024

Steve Astles
Horsham District Council
Parkside,
Chart Way,
Horsham,
West Sussex
RH12 1RL

By email only

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*Thank you for requesting advice on this 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.*

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**Application:** **DC/24/1636**
**Location:** **Horelands West Chiltington Lane Broadford Bridge West Sussex RH14 9EA**
**Proposal:** **Replacement of flat roof dormer with smaller pitched roof dormer. Porch roof alteration and replacement of windows (Householder Application).**

Dear Steve,

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

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|---|---|
| a) No ecological harm/No objection | |
| b) Requires further information | |
| c) Recommend grant permission subject to conditions | Yes |
| d) Recommend refusal | |
| e) Subject to Natural England's formal comments on the conclusion of the Water Neutrality Appropriate Assessment | Yes |
| f) Discharge of condition | |

**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.**

**Summary**

We have reviewed the Bat Roost Assessment and Bat Emergence Survey Report (Lizard Landscape Design and Ecology, October 2023) supplied by the applicant, relating to the likely impacts of development on designated sites, protected & Priority species and habitats, and identification of appropriate mitigation measures. Please note that comments on mandatory Biodiversity Net Gain are provided by Horsham District Council in-house.

We note from the Bat Roost Assessment and Bat Emergence Survey Report (Lizard Landscape Design and Ecology, October 2023) that Building B01 (dwelling) has high bat roost potential and that a single Common Pipistrelle bat day roost was recorded in the hanging tiles on the southern aspect of the building during the emergence survey in September 2024. We note that the Bat Roost Assessment and Bat Emergence Survey Report (Lizard Landscape Design and Ecology, October 2023) recommends a bat disturbance notification is submitted to Natural England given the current state of disrepair of the roof and the costs of further surveys. We recommend that a copy of the derogation or a bat licence if the notification is not issued, is secured by a condition of any consent. We support the outline mitigation measures in Section 5.2.3 of the Bat Roost Assessment and Bat Emergence Survey Report (Lizard Landscape Design and Ecology, October 2023).

The site lies approximately 6.7km east of The Mens Special Area of Conservation (SAC) and therefore lies within the 12km Wider Conservation Area for the SAC (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol). The qualifying feature for the SAC is Barbastelle bats, but there are no records for this species within 2km of the site (Sussex Biodiversity Records Centre (SxBIS) - accessed under licence and MAGIC maps). The site lies approximately 11.7km east of Ebernoe Common SAC and is therefore inside the Wider Conservation Area for this SAC. The site lies approximately 5.4km northeast of the Arun Valley SAC, SPA and Ramsar site.

Two European Protected Species Mitigation License (EPSML) have been granted within 2km of the site: a) 1.5km to the southwest of the site in 2018 for Natterer's bat and b) 2.0km to the northeast of the site in 2013 for Brown Long-eared bat and Common Pipistrelle bat (MAGIC maps). There are over 20 records for bats within 2km of the site, including Common Pipistrelle, Soprano Pipistrelle, Natterer's bat, Whiskered bat and Noctule bat (SxBIS – accessed under licence).

We understand from the submitted documents that the 0.2 ha site comprises a residential property and two outbuildings, scattered trees, surrounding hedgerows and a pond. The proposals will impact only the 2-storey dwelling on site and all trees and hedgerows will be retained. Therefore, there will be no severance to the flight lines of foraging or commuting bats from the SAC and habitat connectivity within the site will be maintained.

We therefore believe there will therefore be no Adverse Effect on Integrity of the bat SAC. We advise the LPA to prepare a project level HRA Screening Report to record its decision and retain on file.

We are satisfied that there is sufficient ecological information available for determination. We have no objections on ecological matters excluding Great Crested Newt as we have been instructed to leave comments on this European Protected Species to the NatureSpace Partnership.

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats 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 (as amended).

The mitigation measures identified in the Bat Roost Assessment and Bat Emergence Survey Report (Lizard Landscape Design and Ecology, October 2023) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly those recorded in the locality.

We also support the proposed reasonable biodiversity enhancements for protected species, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 180d and 186d of the National Planning Policy Framework (December 2023). The enhancement measures should be outlined within a Biodiversity Enhancement Layout and secured by a condition of any consent for discharge prior to slab level.

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 Bat Roost Assessment and Bat Emergence Survey Report (Lizard Landscape Design and Ecology, October 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 (as amended) and Policy 31 of the Horsham Development Framework.

2. **PRIOR TO COMMENCEMENT OF ANY WORKS WHICH WILL IMPACT THE BREEDING / RESTING PLACE OF BATS: SUBMISSION OF A COPY OF EPS MITGATION LICENCE, EVIDENCE OF SITE REGISTRATION UNDER A BAT MITIGATION CLASS LICENCE FOR BATS OR A DEROGATION TO DISTURB BATS**

   *"Any works which will impact the breeding / resting place of bats, shall not in 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) *evidence of site registration supplied by an individual registered to use a Bat Mitigation Class Licence; or*
   c) *a derogation to disturb bats issued by Natural England under Wildlife & Countryside Act 1981 (as amended) authorising the specified activity/development to go ahead; or*
   d) *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."*

3. **PRIOR TO WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT LAYOUT**

   *"A Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Bat Roost Assessment and Bat Emergence Survey Report (Lizard Landscape Design and Ecology, October 2023), shall be submitted to and approved in writing by the local planning authority.*

   *The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter."*

   **Reason**: To enhance protected and Priority species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (as amended).

Please contact us with any queries.

Yours sincerely

**Genevieve Broad MCIEEM MSc BSc (Hons)**
Ecological Consultant
Place Services at Essex County Council
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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.