HORSHAM DISTRICT COUNCIL CONSULTATION

TO:	Horsham District Council – Planning Dept
LOCATION:	Hop Oast Service Station Worthing Road Horsham
DESCRIPTION:	Installation of a new EV Charging Hub, associated infrastructure and all other associated works
REFERENCE:	DC/25/0313
RECOMMENDATION:	~~Holding Objection / More Information~~ No objection

SUMMARY OF COMMENTS & RECOMMENDATION:

~~The minimum national and local validation requirements have not been met, and therefore this application should be refused in the absence of this information. Specifically, the biodiversity metric (in original and PDF format). In addition, there are fundamental aspects missing from the BNG assessment and many amendments need to be made, which will require further site surveys.~~

After discussion with the Agent, an approach has been agreed to compensate for the vegetation clearance separately to the BNG requirement.

The amended BNG proposal demonstrates the development will have an overall ~~-78.24%~~ -64.53% net loss in area habitat (~~-0.24~~ -0.23 units) and an overall ~~-100%~~ -3.50% net loss in hedgerow habitat (~~-0.09~~ 0 units). In accordance with the Biodiversity Gain Hierarchy, the Applicant intends to purchase habitat bank units to fulfil the 10% requirement.

~~There are still concerns with the BNG proposal, including the watercourse module, delay between habitat clearance and creation, and missing condition assessments for baseline habitats.~~

~~A new metric has been submitted, which includes completed off-site tabs, however no off-site bespoke habitat enhancements have been provided. It is understood that these entries are indicative as to what a habitat bank provider will complete, after the purchase of units at the discharge of condition stage.~~

~~Note that without further clarification regarding the absence of the watercourse module, the baseline is considered incorrect and therefore my holding objection remains on this basis. Note that further amendments are still requested, including changing the landscaping plans to reflect the metric entries, adjusting time delays in the metric, and provision of completed condition assessment sheets for hedgerow and ditch to evidence the baseline assessment.~~

MAIN COMMENTS:

My comments below relate solely to the BNG requirement for the above proposed development. Please note, at the time of writing (9th April 2025), unauthorised vegetation clearance works have already been carried out, and HDC have not been notified by the Applicant for the carrying out of these works.

It has since been confirmed by the Applicant that some of the scrub and the roadside mature trees that were pre-emptively cleared were outside of the red line boundary. It is noted from the HDC Landscape Officers response that there were previous concerns raised relating to the overlaying of hardstanding within the RPA of these trees.

As per 2.2.1 of the updated BNG Assessment (Collington Winter Environmental, 2025, ref CW20-2574-002) '*the proposed landscaping plan (Ref: SY25-412-LPP-25-01) by Squires Young Landscape Architecture has provided a red line boundary and proposed landscaping within the application boundary. Additional landscaping will occur outside of the application boundary to mitigate for the site clearance works that occurred outside of the application boundary. However, these offsite habitats to be created have not been included within the post development assessment.*' This includes 3x trees, comprising 2x *Carpinus betulus* and 1x *Acer campestre.* After receiving verbal comments from the HDC Arboricultural Officer, they are satisfied with the number of trees and species proposed to compensate for the loss of the road-side mature trees. This is also considering 2x further trees (*Acer campestre*) are proposed on-site and included within the metric. We agree with this approach, however we would prefer the compensatory tree planting to be included within the red line boundary (but still omitted from the post-development tabs of the metric). It is also recommended to gain an updated comment from the HDC Landscape Officer to ensure this compensation is suitable for landscape purposes.

It is noted that only 1x acer campestre is now present within the red line boundary on the Landscape Planting Plan (Squires Young Landscape Architecture 2025, drawing ref. SY25-412-LPP-25-01B), however 2x small trees are still proposed within the metric. Please can the additional 1x tree be reinstated on the plans. Note that no other trees have been included within the red line boundary, which is disappointing. As such, it is requested that if minded to approve the application, that a legal agreement is entered to secure the planting of the compensatory trees.

Amended, with thanks.

The bramble/blackthorn scrub area that lies outside of the red line boundary that was cleared will be allowed to regrow, and existing coppiced hazel is to be retained. This is not contributing towards the BNG calculation. I would encourage management of the bramble areas which are envisaged to establish quickly, and complementary planting/retaining of other species to create a mixed scrub habitat which will cater for the loss of both the bramble and blackthorn scrub.

Validation requirements

It is a minimum national requirement to provide the baseline information of the site on the relevant date and submit a biodiversity metric (in its original MS Excel format) showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application. Please see the governments BNG planning practice guidance for a full list of national validation requirements.

As per the local validation requirements, there is also no PDF version of the metric submitted for public accessibility.

As such, this application should be refused if this information is not forthcoming prior to a decision being made. Please note, given the habitat degradation carried out to date, appropriate delays between habitat clearance and habitat creation should be inputted in the metric.

The above has been addressed, however no delays between habitat clearance and habitat creation have been accounted for in the metric entries. Please can this be amended.

This has not been addressed. The metric has therefore not been completed in accordance with the user guide. This change is expected at the discharge of condition stage.

Amended, with thanks.

Watercourse module

As identified within the PEA (Collington Winter Environmental, 2025), a 'dry' ditch runs along the southern boundary of the red line boundary, which appears to form part of the roadside drainage system. It also states that it can be reasonably assumed the ditch retains water at certain times of the year, with the banks comprising species that thrive in wet soils. As such, the watercourse module of the metric must be completed prior to a grant of planning permission. In the absence of evidence to the contrary, it should be assumed that condition criterions are passed where their failure cannot be proven. Given the habitat degradation carried out to date, such assessments will need to be clear and appropriately justified.

Whilst it is understood that the ditch is considered on highways land, the red line boundary still appears to be within the 5m riparian zone (with reference to Table 11 in the metric user guide). As such, further information is required as to why this has been omitted from the watercourse module of the metric.

Has not been addressed. Without this information, it is considered that the baseline assessment of the site is incorrect.

Further justification has been provided. Concern resolved, with thanks.

UKHab assessment

- The recorded pre-development habitat maps in the PEA and BNG Report (Collington Winter Environmental, 2025) don't match. The BNG Report states that only bramble and blackthorn scrub are to be removed, however the PEA also refers to a hedgerow and woodland area to the west of the site. Note that the hedgerow (H1) is not mapped within the PEA. It is also unclear as to what is happening to the ditch on the southern boundary. These baseline habitats are expected to be entered correctly in any forthcoming metric, and the **hedgerow module** of the metric must also be completed.

  The above has been addressed, with thanks. However, please see comments above pertaining to the ditch off-site.

  Resolved.

- Any mature trees that were removed as a result of the habitat degradation (with particular note to those that were lining the roadside) should be recorded individually at the baseline and recorded as lost. Any corresponding condition assessments (based on the precautionary principle) must also be provided.

  These trees were outside the red line boundary and therefore have not been included within the baseline. However, the agreed approach to compensate for the loss of these trees by planting 3x trees off-site outside of the BNG calculation is accepted.

- The associated condition assessment sheet for the baseline habitats within the Appendix of the BNG Report are pixelated and indecipherable. It appears to be for blackthorn scrub. A clearer version should be provided, alongside the condition assessments for the hedgerow, woodland, and ditch. In cases where there is a lack of evidence, it should be assumed that condition criterions are passed where failure cannot be justified. Given the habitat degradation, such assessments will need to be clear and appropriately justified.

  A clearer version for blackthorn scrub has been provided, however the condition assessment sheets for the hedgerow and ditch have not been provided. These have still not been provided.

Provided. Concern resolved, with thanks.

- There are discrepancies between post-development plans, with the BNG Report stating that the whole site area post-development will comprise of 'developed land; sealed surface', however the Proposed Site Plan (Jennings Design, 2025) indicates landscaped areas to the north and south of the site.

  An updated landscape plan (Drawing no. SY25-412-LPP-25-01, Squires Young Landscape Architecture 2025) has been provided which corresponds with the updated BNG Assessment and metric. It no longer corresponds, see comments above.

  Resolved.

It is noted that a few soft landscape maintenance details are provided on the updated landscape plan. Herbicide should not be used, unless for biosecurity reasons or for controlling species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). Hand-pulling methods should be adopted instead. This information should be amended, and it is requested to be present in the HMMP.

With the amendments made, at present, the BNG proposal does not meet HDC's significant on-site BNG definition, and as such a legal agreement is not required. However, any further modifications may cause the BNG to classify as significant.

ANY RECOMMENDED CONDITIONS:

If minded to approve:

Informative –

Scenario 1: BNG Required

Condition –

Habitat Management and Monitoring Plan

Pre-commencement condition:

1.1 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the Biodiversity Gain Plan and including:

(a) a non-technical summary;

(b) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the Biodiversity Gain Plan; and

(c) the management measures to maintain habitat in accordance with the Biodiversity Gain Plan from the completion of development.

has been submitted to, and approved in writing by, the local planning authority.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy 31 of the Horsham District Planning Framework (2015).

Regulatory Condition:

1.2 The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Any proposed or retained planting, which within a period of 5 years after the completion of

development, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation. Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy 31 of the Horsham District Planning Framework (2015).	
NAME:	Linsey King Ecology Officer (Planning)
DEPARTMENT:	Strategic Planning - Specialists
DATE:	09/04/25 24/06/25 17/11/25 07/04/26