15 August 2024

Hannah Darley
Horsham District Council
Parkside,
Chart Way,
Horsham,
West Sussex
RH12 1RL

By email only

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.

Dear Hanah,

Application: **DC/24/0716**
Location: **Horse Ghylls Wood Farm Capel Road Rusper West Sussex**
Proposal: **Retrospective application for the regularisation of the use of the small office building; Regularisation of the use of the large barn for dog-related uses (indoor arena; shop; and workshop/storage); Regularisation of the open storage of 6no. containers for self-storage; Regularisation of the open storage on land of up to 6no. buses; Regularisation of the open storage on land or up to 9no. caravans/ trailers; and amendments to the external appearance of small office building**

Thank you for consulting Place Services on the above s73a retrospective application.

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 Planning Statement (Bell Cornwell, April 2024) and note that there is no ecology report supplied by the applicant, relating to the likely impacts of development on protected & Priority species and habitats, and identification of proportionate mitigation.

We note from the Planning Statement (Bell Cornwell, April 2024 that the site is bounded by mature hedgerow and mature trees along the northern boundary with Capel Road and partially along the western boundary with New Barn Farm. This retrospection application seeks to regularise the use of buildings on site which do not impact on ecological matters.

We are satisfied that there is sufficient ecological information available for determination. We have no objections on ecological matters excluding Great Crested Newt. 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 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 (as amended).

We note that there are no proposals for reasonable biodiversity enhancements for protected and Priority species, which should have been recommended to secure net gains for biodiversity, as outlined under Paragraph 180d of the National Planning Policy Framework (December 2023). The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Layout and should be secured by a condition of any consent.

Please note that we do not provide comments on mandatory Biodiversity Net Gain as these will be provided by Horsham District Council in-house.

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

Recommended condition

1. **PRIOR TO BENFICIAL USE: BIODIVERSITY ENHANCEMENT LAYOUT**
   "A Biodiversity Enhancement Layout, providing details and locations of the enhancement measures for protected and Priority species, 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 & habitats and allow the LPA to discharge its duties under the NPPF 2023 and s40 of the NERC Act 2006 (as amended).

Please contact us with any queries.

Yours sincerely

Sue Hooton CEnv MCIEEM 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.