11 April 2024

Kate Turner
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 Kate

Application: DC/24/0232
Location: Pennthorpe School Church Street Rudgwick West Sussex RH12 3HJ
Proposal: Retention of earth bank adjacent to all-weather sports pitch (Retrospective)

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

a) No ecological harm/No objection	
b) Requires further information on European Protected Species (bats) and Priority woodland habitat	Yes
c) Recommend grant permission subject to conditions	
d) Recommend refusal	
e) Subject to Natural England's formal comments on the conclusion of the Water Neutrality Appropriate Assessment	
f) Subject to Natural England's formal comments on the conclusion of the bat Appropriate Assessment	
g) 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 documents supplied by the applicant, but unfortunately there is an absence of ecological information included with the application to help assess the previous potential use of the site by European Protected Species (including bats), protected species and Priority habitats. We note from the Planning Statement (Enplan, February 2024) that some of the dense woodland to the east of the sports pitch, which dropped down to a culverted water course, was felled during construction of the pitch after planning consent was granted for application DC/19/2573 in August 2020.

We also note that there are at least 24 records of bats within 2 km of the site to the south, north, east and west, including Bechstein's, Noctule/Serotine, Brown Long-eared, Soprano Pipistrelle, Common Pipistrelle and Whiskered/Brandts (Sussex Biodiversity Record Centre – accessed under licence). In addition, a European Protected Species Mitigation Licence was granted for Common Pipistrelle 980m to the northeast of the site in 2017 (MAGIC maps https://magic.defra.gov.uk/MagicMap.aspx).

In the absence of ecological information included with the application, the potential use of the site by European Protected Species (including bats), protected species and the presence of Priority habitats, together with any impacts from the development, was not assessed before works commenced.

In addition, the site lies 8.5km northeast of The Mens Special Area of Conservation (SAC) and 11.2km northeast of Ebernoe Common SAC. Therefore, the site lies within the 12km Wider Conservation Area for both of these SACs (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol) and is within the range of foraging areas required by Barbastelle and Bechstein's bats, which are the qualifying features of the SACs. The LPA will need to prepare a project level HRA to assess the likely effects from this retrospective development on the bats of the Sussex bat SACs.

We are therefore not satisfied that there is sufficient ecological information available for determination of this retrospective application.

We note from the Proposed Landscape Plan Drawing Number 02-897-120 (Enplan, February 2024) that the following native species whips are proposed for planting: Alder (25), Silver Birch (50), Hornbeam (25), Common Dogwood (100), Hazel (100), Hawthorn (100), Wild Cherry (50), Wild Cherry Plum (25), Blackthorn (25), Grey Willow (25), Elder (25) and Rowan (50).

However, we recommend that a suitably qualified ecologist provides an assessment of likely impacts from the development, particularly on bats and advises on appropriate compensation measures.

We look forward to working with the LPA and the applicant to receive the additional information required to support a lawful decision and overcome our holding objection.

Please contact us with any queries.

Yours sincerely

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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.