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Date: 9 May 2025 Our ref: 03714

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By email only: Planning Department, planning@horsham.gov.uk

Thank you for requesting advice on this discharge of condition 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.*

Application: DISC/25/0086
Location: Pilgrims Rest Cox Green Rudgwick West Sussex RH12 3DE
Proposal: Approval of details reserved by conditions 4, 6, 13 and 14 to approved application DC/24/1715.

Thank you for consulting Place Services on the above discharge of condition application.

Conditions

Condition 4: **Recommend discharge**

"*Pre-commencement Condition: No development shall take place until a Reptile Mitigation Strategy addressing the mitigation measures for Slow Worm and Grass Snake has been submitted to and approved in writing by the local planning authority.*
The Reptile Mitigation Strategy shall include the following.

a) *Purpose and conservation objectives for the proposed works.*
b) *Review of site potential and constraints.*
c) *Detailed design(s) and/or working method(s) to achieve stated objectives.*
d) *Extent and location/area of proposed works on appropriate scale maps and plans.*
e) *Type and source of materials to be used where appropriate, e.g. native species of local provenance.*

f) *Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.*
g) *Persons responsible for implementing the works.*
h) *Details of initial aftercare and long-term maintenance of the Receptor area(s).*
i) *Details for monitoring and remedial measures.*
j) *Details for disposal of any wastes arising from works.*

The Reptile Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter."

Reason: To conserve protected species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998.

Condition 6: **Recommend discharge**

"Pre-commencement (Slab Level) Condition: Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected and Priority or threatened species, prepared by a suitably qualified ecologist, shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

a) *Purpose and conservation objectives for the proposed enhancement measures;*
b) *detailed designs or product descriptions to achieve stated objectives;*
c) *locations of proposed enhancement measures by appropriate maps and plans (where relevant);*
d) *persons responsible for implementing the enhancement measures; and*
e) *details of initial aftercare and long-term maintenance (where relevant).*

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter."

Reason: To enhance protected and Priority species & habitats and allow the Local Planning Authority to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended).

Condition 13: **Recommend discharge**

"Regulatory Condition: 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 statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence."*

Reason: To conserve protected species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998.

Condition 14: **Recommend discharge**

"Regulatory Condition: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Protected Species - reptiles - Response (The Ecology Co-op, January 2025), Bat Survey Report (AEWC, October 2024) and Reptile Survey Report (AEWC, September 2024), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the non-licensed Precautionary Method Statement for bats in Section 7 of the Bat Survey Report (AEWC, October 2024), which avoids impacts on European Protected Species. 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 Local Planning Authority 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.

Comments

Condition 4: We have reviewed the Reptile Mitigation Strategy (The Ecology Co-op, March 2025) and we are satisfied the submitted mitigation strategy includes sufficient detail. The mitigation and compensation measures as detailed should be implemented in full.

Condition 6: We have reviewed the Biodiversity Enhancement Strategy (The Ecology Co-op, March 2025) and we are satisfied that the submitted information includes the detail required by this condition.

Condition 13: We have reviewed the email correspondence from Natural England, which confirms successful site registration, stating "*Based on the information you have provided, Natural England is satisfied that the works fall within the remit of WML-CL21 and that the three tests have been met. Please accept this email as confirmation that the site is now registered and you can commence works on site as described in your site registration form and in accordance with class licence WML-CL21*". We are satisfied this is sufficient proof to recommend discharge of condition 13.

Condition 14: This condition is a compliance condition, as long as the mitigation recommendations as detailed and secured within the documents listed in the condition wording, no further consultation is required. As such as long as the secured documents are complied with we are satisfied Condition 14 can be recommended for discharge.

Recommendation
Subject to implementation in full of the submitted details, we recommend discharge of Conditions 4, 6, 13 and 14.

Please do not hesitate to contact us if you have any queries in relation to this advice.

Hayley Dean MCIEEM MSc 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.