03 June 2024

Steve Astles
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 Steve

Application: **DC/24/0377**
Location: **Sayers Farm Two Mile Ash Horsham West Sussex RH13 0LA**
Proposal: **Extension to existing riding menage and construction of a horse walker.**

Thank you for consulting Place Services on the above application.

a) No ecological harm/No objection	
b) Requires further information on European Protected Species (Hazel Dormouse)	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	Yes
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 unless they can demonstrate water neutrality.

Summary
We have reviewed the Preliminary Ecological Appraisal (The Ecology Partnership, March 2024), supplied by the applicant, relating to the likely impacts of development on protected & Priority species and habitats, and identification of proportionate mitigation.

We are not satisfied that there is sufficient ecological information available for determination.

This is because the Preliminary Ecological Appraisal (The Ecology Partnership, March 2024) identifies that Hedgerow H2 (comprising 19m of Willow, Hornbeam, Blackthorn and bramble) will be removed), and Hazel Dormouse could be present. We therefore support the recommendation to implement a non-licensed Precautionary Method Statement for Hazel Dormouse (Preliminary Ecological Appraisal (The Ecology Partnership, March 2024)). The precautionary measures should be specific to Hazel Dormouse and a licensed ecologist should be present on site.

The non-licensed Precautionary Method Statement for Hazel Dormouse is required prior to determination because paragraph 99 of ODPM Circular 06/2005 highlights that: "*It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.*"

This information is required to provide the LPA with certainty of impacts on legally protected species and be able to secure appropriate mitigation either by a mitigation licence from Natural England or a condition of any consent. This will enable the LPA to demonstrate compliance with its statutory duties, including its biodiversity duty under s40 NERC Act 2006 (as amended) and prevent wildlife crime under s17 Crime and Disorder Act 1998.

In addition, the site lies approximately 11.3km northeast of The Mens Special Area of Conservation (SAC) for which one of the the qualifying features is Barbastelle bats. The site lies within the 12km Wider Conservation Area for the SAC (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol and therefore may be within the range of foraging areas required by the bats. The LPA will need to prepare a project level HRA to assess the likely effects from this development on the bats of the Sussex bat SAC.

However, as there are no buildings or trees on site, the site has negligible bat roost potential (Preliminary Ecological Appraisal (The Ecology Partnership, March 2024)), and we therefore agree that no further surveys for bats are required.

We understand that Hedgerow H2 has limited potential for reptiles and, in addition, small mammals may use the site for foraging and commuting. We therefore support the Precautionary Method Statement for mobile species in Sections 4.22 and 4.27 of the Preliminary Ecological Appraisal (The Ecology Partnership, March 2024).

Please note we have no comments on Great Crested Newt as we have been instructed to leave comments on this European Protected Species to the NatureSpace Partnership.

We look forward to working with the LPA and the applicant to receive the additional information required to 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.