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Date: 12 May 2025 Our ref: 03780

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

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.

Application: DC/25/0359
Location: Lock House Lock Partridge Green West Sussex RH13 8EG
Proposal: Conversion of 2no. existing buildings to holiday let use. (Full Application).

Thank you for consulting Place Services on the above application.

No ecological objection	☐
Recommend approval subject to attached conditions	☐
Requires further information (European Protected Species: bats)	☒
Recommend Refusal	☐
Subject to Natural England's formal comments on the conclusion of the Water Neutrality Appropriate Assessment	☒

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 documents supplied by the applicant, relating to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate mitigation. Please note that comments on Biodiversity Net Gain are provided by Horsham District Council in-house.

We have not commented on matters relating to Great Crested Newt as we have been instructed to leave comments on this European Protected Species to the NatureSpace Partnership.

We note we previously commented on the related application DC/25/0037, which we had no objection to but was submitted with the relevant information relating to protected species. We are not satisfied that there is sufficient ecological information available for determination of this application. The reasons for this are outlined below:

European Protected Species (bats):

No information relating to the buildings proposed to be converted has been provided. It is not clear from the submitted plans of their precise location on the plans. Aerial imagery shows mature trees bordering buildings that can be observed on the ground of Lock House. Therefore, it is not clear from the information provided whether or not bats will be impacted by the proposed conversion. Further information relating to whether there will be any exterior alterations and impacts to trees is required to inform the assessment. Therefore, we are not satisfied that there is sufficient ecological information available for determination of this application and recommend that a Preliminary Roost Assessment (PRA) for bats is conducted, following standardised methodologies, by a suitably qualified ecologist. Additional information on how to engage an ecologist to complete a PRA is available via the following links: https://cieem.net/i-need/finding-a-consultant/.

To fully assess the impacts of the proposal the LPA needs ecological information for the site, particularly for bats, European Protected Species. These surveys are required prior to determination because Government Standing Advice indicates that you should "*Survey for bats if the area includes buildings or other structures that bats tend to use or there are trees with features that bats tend to use nearby*".

The results of these surveys are required prior to determination because paragraph 99 of the 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 therefore required to provide the LPA with certainty of likely 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.

Furthermore, the Local Planning Authority, as a competent authority, should have regard to the requirements of The Conservation of Habitats and Species Regulations 2017 (as

amended) when reaching planning decisions and must not leave this until the licence application stage. Therefore, if a European Protected Species Mitigation Licence is required for this application, appropriate mitigation measures to support the provision of the licence must also be outlined prior to determination to allow certainty to the LPA that a licence will likely be granted.

This is needed to enable the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended).

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

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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.