07 October 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 Hannah

Application: **DC/22/2280**
Location: **Brookhill Cottage Horsham Road Cowfold West Sussex RH13 8AH**
Proposal: **Construction of hardstanding and general maintenance of pond (Retrospective).**

Thank you for consulting Place Services on the above 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 Preliminary Ecological Appraisal (Arbtech Consulting Ltd., May 2024), supplied by the applicant, relating to the likely impacts of development on protected species, and identification of proportionate mitigation. Please note that comments on Biodiversity Net Gain are provided by the Horsham District Council in-house ecologist.

We note from the Preliminary Ecological Appraisal (Arbtech Consulting Ltd., May 2024), that T1 (Oak tree), T2 (Ash tree) and T3 (Ash tree) have Potential Roost Features 'None' and we therefore agree that no further surveys for bats are required.

As grassland will be removed during construction, we support the Precautionary Method Statement for reptiles in the Summary of Survey Findings Reptiles, Preliminary Ecological Appraisal (Arbtech Consulting Ltd., May 2024). This should be secured by a condition of any consent.

As the habitats on site provide foraging and commuting opportunities for mobile Priority species (such as Hedgehog), we support the Precautionary Method Statement for mobile species in Summary of Survey Findings Other e.g. Hedgehog, Preliminary Ecological Appraisal (Arbtech Consulting Ltd., May 2024). This should be secured by a condition of any consent.

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

The mitigation measures identified in the Preliminary Ecological Appraisal (Arbtech Consulting Ltd., May 2024) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species.

We recommend that reasonable biodiversity enhancements for Priority species should be identified and implemented 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 Strategy and should be secured by a condition of any consent.

Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013. In terms of biodiversity net gain, the enhancements proposed will contribute to this aim.

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

Recommended conditions

1. **ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS**
   "All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Arbtech Consulting Ltd., May 2024), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the Precautionary Method Statement for reptiles in Summary of Survey Findings Reptiles, and the Precautionary Method Statement for mobile species in Summary of Survey Findings Other e.g. Hedgehog in the Preliminary Ecological Appraisal (Arbtech Consulting Ltd., May 2024). This avoids impacts on 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 LPA 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.

2. **PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY**
   "A Biodiversity Enhancement Strategy for protected and Priority 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, orientations and heights 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 LPA to discharge its duties under the NPPF (December, 2023) and s40 of the NERC Act 2006 (as amended).

Please contact us with any queries.

Yours sincerely

Genevieve Broad 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.