14th January 2025

Halima Chowdhury
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.

Application: **DC/24/1896**
Location: **Ashfolds Horsham Road Rusper West Sussex RH12 4QX**
Proposal: **Erection of extension and alterations to barn style garage to form 1 no new dwelling. Demolition of annexe and erection of 1 no detached dwelling.**

Dear Halima

Thank you for consulting Place Services on the above application.

a) No ecological harm/No objection	
b) Requires further information on European Protected Species (bats and 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) 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 (Simlaw Ecology, September 2024) relating to the likely impacts of development on designated sites, protected and Priority species & habitats, and

identification of appropriate mitigation measures. Please note that comments on Biodiversity Net Gain are provided by Horsham District Council in-house.

We are not satisfied that there is sufficient ecological information available for determination of this application and recommend that details of survey results for bats and information on Hazel Dormouse are provided prior to determination. The reasons for this are outlined below:

European Protected Species:
Bats
We note that the Preliminary Ecological Appraisal (Simlaw Ecology, September 2024) recommends that Building B2 (garage studio) and Building B3 (annex) should be subject to further dusk bat emergence surveys between May to August. This is because Building B2 has high bat roost suitability and Building B3 has moderate bat roost suitability. The results need to be submitted to the LPA prior to determination in order to inform any mitigation requirements or the need for further surveys in accordance with Government Standing Advice.

Hazel Dormouse
We understand that Hedgerow 1 on the north and west boundaries provides suitable habitat for Hazel Dormouse and is connected to suitable woodland habitat 250m to the southeast (Preliminary Ecological Appraisal (Simlaw Ecology, September 2024). Although Hedgerow 1 is not due to be impacted by the works, we recommend that justification should be provided as to why surveys or precautionary measures for Hazel Dormouse are not required (Government Standing Advice).

The survey results for bats and further information for Hazel Dormouse are 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.

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).

Additional comments
We understand that Buildings B1 (main house), B4 (stables), B5 (shack), B6 (lodge) and B7 & B8 (sheds), together with ancillary structures A1 (well) A2 (air raid shelter) and A3 (wood store), are not due to be impacted by the works (Preliminary Ecological Appraisal (Simlaw Ecology, September 2024). Therefore we agree that no further bat surveys are required for these buildings and structures.

If external lighting is required, we support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Preliminary Ecological Appraisal (Simlaw Ecology, September 2024) to avoid impacts from light disturbance. This should be secured by a condition of any consent and implemented in full. Therefore, technical specification should be submitted prior to occupation, which demonstrates measures to avoid lighting impacts to foraging / commuting bats, which are likely to be present within the local area. This should summarise the following measures recommended by Guidance Note:08/23 (Institute of Lighting Professionals) will be implemented:

- Do not provide excessive lighting. Light levels should be as low as possible as required to fulfil the lighting need.
- All luminaires should lack UV elements when manufactured. Metal halide, compact fluorescent sources should not be used.
- Warm White lights should be used at <2700k. This is necessary as lighting which emits an ultraviolet component or that has a blue spectral content has a high attraction effect on insects. This may lead in a reduction in prey availability for some light sensitive bat species.
- Where appropriate, external security lighting should be set on motion-sensors and set to as short a possible a timer as the risk assessment will allow.
- Luminaires should always be mounted horizontally, with no light output above 90° and/or no upward tilt.
- Only if all other options have been explored, accessories such as baffles, hoods or louvres can be used to reduce light spill and direct it only to where it is needed. However, due to the lensing and fine cut-off control of the beam inherent in modern LED luminaires, the effect of cowls and baffles is often far less than anticipated and so should not be relied upon solely.

We also support the proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024). The reasonable biodiversity enhancement measures should be outlined within a separate Biodiversity Enhancement Strategy and should be secured by a condition of any consent.

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 support a lawful decision and overcome our holding objection.

Please contact us with any queries.

Yours sincerely

Genevieve Broad MCIEEM MSc BSc (Hons)
Ecological Consultant
Place Services at Essex County Council
placeservicesecology@essex.gov.uk

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.