15 April 2024

Tamara Dale
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 Tamara

Application: **DC/24/0284**
Location: **Bentons Cottage Bentons Lane Dial Post West Sussex RH13 8NP**
Proposal: **Change of use from office and barn storage to two single storey dwellings, as alternative to permissions DC/23/1069 and DC/23/2158 (resubmission of DC/23/1708).**

Thank you for consulting Place Services on the above change of use 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 Roost Assessment (Arbtech Ltd, June 2023) and Biodiversity Enhancement Layout Plan (February 2024), supplied by the applicant, relating to the likely impacts of development on protected & Priority species and habitats, and identification of proportionate mitigation.

We note from the Preliminary Roost Assessment (Arbtech Ltd, June 2023) that the wooden barn Building (B1) has negligible bat roost potential and that no trees or hedgerows will be removed during the development. We therefore agree that no further surveys for bats are required.

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 Roost Assessment (Arbtech Ltd, June 2023) 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 also support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Preliminary Roost Assessment (Arbtech Ltd, June 2023) to avoid impacts from light disturbance. We accept that the details of the lighting have been provided in the Biodiversity Enhancement Layout Plan (February 2024), which should be secured by a condition of any consent and implemented in full. For clarity, we summarise the measures recommended by GN:08/23 (Institute of Lighting Professionals) which should be taken to avoid lighting impacts to foraging / commuting bats, which are likely to be present within the local area:

- 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 bespoke biodiversity enhancements measures in the Biodiversity Enhancement Layout Plan (February 2024), which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 180[d] of the National Planning Policy Framework (December 2023). The enhancement measures should be secured by a condition of any consent and implemented in full.

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 Roost Assessment (Arbtech Ltd, June 2023) and Biodiversity Enhancement Layout Plan (February 2024), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

   This may 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.

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.