13th January 2025

Shazia Penne
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/24/1693**
Location: **The Barn West Chiltington Lane Billingshurst West Sussex RH14 9DP**
Proposal: **Erection of a two storey rear extension.**

Dear Shazia,

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)	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	Yes
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.

Summary

We have reviewed the Bat Emergence Survey Report (MBM Ecology, July 2024) and Phase 1 Preliminary Roost Assessment (MBM Ecology, May 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 further information is provided for bats prior to determination. The reasons for this are outlined below:

European Protected Species - bats

We note from the Bat Emergence Survey Report (MBM Ecology, July 2024) that a single Pipistrelle species bat and a Brown Long-eared bat were recorded on the south elevation during three emergence surveys undertaken in May and June 2024. We understand the access point is beneath a warped weatherboard on the south elevation. We also note from the Proposed Elevations Rev E (Pullen Architecture, October 2024) that, in addition to the new extension works, the window below the access point on the south elevation will be extended and a porch will be erected adjacent to the window. However, it appears from the Bat Emergence Survey Report (MBM Ecology, July 2024) that only the impacts from the new extension have been considered as Section 5 describes the roosting and emergence location as 5m from where the southern elevation roof will tie into the new extension roof. From the submitted documents, it appears that the window and the porch are within approximately 2m of the access point.

Therefore we request clarification as to whether the full impacts of the works have been assessed by the applicant's ecologist.

The additional information for bats 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.

This further information is therefore required to provide the LPA with certainty of impacts on legally protected species and enable it to demonstrate compliance with its statutory duties, including its biodiversity duty under s40 NERC Act 2006 (as amended).

We also recommend that reasonable biodiversity enhancements for protected, Priority and threatened species should be identified and implemented 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 Biodiversity Enhancement Strategy and should be secured by a condition of any consent.

Additional information
The site lies approximately 8.1km northeast of The Mens Special Area of Conservation (SAC) and is therefore within the 12.0km Wider Conservation Area (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol). One of the qualifying features for the SACs is Barbastelle bats and in the Wider Conservation Area significant impacts or severance to flightlines for this species must be considered (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol). The site also lies approximately 12.4km east of Ebernoe Common SAC and therefore lies outside the Wider Conservation Area for this SAC. 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 SACs.

Please note that 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.