14 October 2024

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/24/0505**
Location: **Champions Farm Storrington Road Thakeham West Sussex RH20 3EF**
Proposal: **Erection of a tractor shed (agriculture).**

Dear Shazia,

Thank you for re-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 Scoping Report (The Ecology Co-op Ltd., November 2023), relating to the likely impacts of development on designated sites, protected and Priority species and habitats and the identification of proportionate mitigation.

We are still not satisfied the sufficient ecological information is available for determination of this application, until further clarification is provided on roosting bats.

We understand from the Arboricultural Report (The Mayhew Consultancy Ltd., March 2024) that the dead tree with potential roost features (T4), located approximately 3m from the southern elevation of the existing barn (Location and Existing Site Plans Drawing number 24523/P200 (Mark Alford Design, February 2024) will be retained. However, as this tree is adjacent to the access for the new tractor shed, as requested in our response dated 15th August, we seek clarification as to whether further bat assessment is necessary to allow the LPA to have certainty of likely impacts upon European Protected Species.

In addition, as Tree T14 (Lombardy Poplar) to the north of the barn and Tree G3 (Apple) to the east of the barn will be removed, we request that these trees should be assessed for Potential Roost Features for bats in accordance with Government standing advice. In addition, we understand from the Arboricultural Report (The Mayhew Consultancy Ltd., March 2024) that some minor crown lifting and cutting back will be required. Therefore we request that the trees which will be impacted should also be assessed for the presence of Potential Roost Features and the results submitted to the LPA prior to determination.

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.

We also note that the site lies approximately 9.1km from The Mens Special Area of Conservation (SAC) and 14.7km from the Ebernoe Common SAC for which the qualifying feature is Barbastelle bats. Therefore, the site lies within the 12km Wider Conservation Area for The Mens SAC, for which significant impacts or severance to flightlines must be considered. Therefore, 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.

Additional comments:
We note that the barn has negligible bat roost potential and negligible hibernation potential for bats (Bat Scoping Report (The Ecology Co-op Ltd., November 2023)). We therefore agree that no further surveys for bats in buildings is required.

We support the proposed reasonable biodiversity enhancements, which include bird and bat boxes, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 180d and 186d of the National Planning Policy Framework (December 2023). The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Layout and should be secured by a condition of any consent.

Please note we have no comments on Great Crested Newt (GCN) as we have been instructed to leave comments on GCN to the NatureSpace Partnership. Please also note that we do not provide comments on mandatory biodiversity net gain as these will be provided by Horsham District Council in-house.

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

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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.