



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.

Dear Shazia

Application: DC/24/0944
Location: Alderbury Church Hill Pulborough West Sussex RH20 1AB
Proposal: Erection of 2No. holiday homes within the residential boundary

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 biodiversity enhancements	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 unless they can demonstrate water neutrality.



Summary

We have reviewed the documents supplied by the applicant, but unfortunately there is an absence of ecological information included with the application to help assess the potential use of the site by bats and the impact of additional lighting on bats.

We are not satisfied that there is sufficient ecological information available for determination.

This is considered a reasonable request as bats may be present and affected as we understand from the Arboricultural Method Statement (Bernie Harveson, March 2024) that ivy will be removed from Tree 3 (Sycamore) and Tree 4 (Sycamore). These works may impact bats, if present, in which case they could be affected by the development proposal without mitigation measures. We therefore recommend that Ground Level Tree Assessment for bats is undertaken in accordance with the 4th Ed. Bat Surveys for Professional Ecologists Bat Conservation Trust (Collins ed., 2023) and in line with [Government Standing Advice](#).

There are approximately 26 records for bats within 2km of the site, including Soprano Pipistrelle, Brown Long-eared bat, Whiskered bat, Daubenton's bat and Common Pipistrelle bat (Sussex Biodiversity Record Centre – accessed under licence). In addition, two European Protected Species Mitigation Licences for Soprano Pipistrelle were granted nearby in 2016, one 145m south of the site and one 165m south of the site ([MAGIC maps](#)).

All bat species are designated and protected as European Protected Species (EPS). All EPS are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). This means that it is an offence to deliberately kill, injure, disturb or capture bats; or to damage or destroy bat breeding sites and resting places (even when bats are not present).

The results of the above assessments for bats 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.

We also recommend that reasonable biodiversity enhancements 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.

**Additional information**

The site lies approximately 3.8km southeast of The Mens Special Area of Conservation (SAC) and is therefore within the 6.5km Key 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, although this species has not been recorded within 2km of the site ([MAGIC maps](#)). In the Key Conservation Area all impacts must be considered as habitats within this zone are considered critical for sustaining the populations of bats within the SACs (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol). The site also lies approximately 9.3km southeast of Ebernoe Common SAC ([MAGIC maps](#)) and therefore lies within 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 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 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.