01 July 2024

Kate Turner
Horsham District Council
Parkside,
Chart Way,
Horsham,
West Sussex
RH12 1RL

By email only

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*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.*

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Dear Kate

**Application:** **DC/24/0193**
**Location:** **Springvale Fields Woodland Lane Colgate West Sussex RH13 6HU**
**Proposal:** **Replacement of the temporary dwelling with a permanent two storey rural workers dwelling and construction of an all weather equestrian sand school**

Thank you for re-consulting Place Services on the above application.

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| 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) 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 and Preliminary Roost Assessment (Arbtech Consulting Ltd., May 2024), relating to the likely impacts of development on protected & Priority species and habitats, and identification of proportionate mitigation and mandatory Biodiversity Net Gain.

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

This is because the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech Consulting Ltd., May 2024) identified that Building B1 (temporary one-storey dwelling) has moderate bat roost potential and therefore two emergence / re-entry surveys for bats are required between mid-May to August in order to inform the need for a bat licence to implement any consent, any mitigation requirements or the need for further surveys.

The results of the above surveys 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.

**Additional information**

We note that Buildings B2 (stable), B3 (storage building) and B4 (chicken coop) will not be impacted by the works and that the four young trees on site have negligible bat roost potential (Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech Consulting Ltd., May 2024)). We therefore agree that no further surveys for bats are required for these buildings or the trees.

We support the Precautionary Method Statement for reptiles in the Reptile Section *Recommendations* of the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech Consulting Ltd., May 2024)) as there is some suitable habitat for reptiles on site. This should be secured by a condition of any consent.

We also support the Precautionary Method Statement for common amphibians in the Amphians Section *Recommendations* of the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech Consulting Ltd., May 2024)) as there is some suitable habitat for amphibians on site. This should be secured by a condition of any consent.

We also support the Precautionary Method Statement for mobile species in the Other (e.g. Hedgehog) Section *Recommendations* of the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech Consulting Ltd., May 2024)) as there is suitable habitat for mobile species on site. This should be secured by a condition of any consent.

We also support the proposed reasonable biodiversity enhancements which have been recommended to secure bespoke species net gains for biodiversity, as outlined under Paragraph 180d of the National Planning Policy Framework (December 2023). These should be outlined within a Biodiversity Enhancement Strategy and should be secured by a condition of any consent. We note that this minor application is exempt from Biodiversity Net Gain as it was validated prior to 2nd April 2024 (Biodiversity Net Gain: exempt developments).

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 overcome our holding objection.

Please contact us with any queries.

Yours sincerely

**Genevieve Broad MCIEEM MSc BSc (Hons)**
Ecological Consultant
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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.