27th January 2025

Stephanie Bryant
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/24/0982**
Location: **Land North of Little Potters Potters Green Station Road Cowfold West Sussex**
Proposal: **Development of the site to create 35 new dwellings including associated landscaping and parking, with provision of additional parking facilities associated with St Peters Church of England School and provision of public open space with 9 allotments.**

Dear Stephanie

Thank you for consulting Place Services on the above application.

Recommended Temporary Holding Objection	
No ecological objections	
Recommended Approval subject to attached conditions	Yes
Recommended Discharge of condition	

Summary

We have reviewed the Ecological Impact Assessment (The Ecology Partnership, January 2025), Ecological Impact Assessment (The Ecology Partnership, June 2024) and Preliminary Ecological Appraisal (The Ecology Partnership, 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 note from the Ecological Impact Assessment (The Ecology Partnership, January 2025) that there are no buildings on site and that one Oak tree which has low roost potential (Potential Roost Features for individual bats – PRF-Is) will be removed. We highlight that appropriate compensation for all PRF-Is must be provided in advance of impacts to avoid loss of roost resource. We also highlight that soft felling

methods must be supervised by a suitably qualified ecologist under a non-licensed precautionary method statement (UK Bat Mitigation Guidelines CIEEM Version 1.1 (Reason and Wray, 2023)). This should be secured by a condition of any consent.

We support the implementation of the non-licensed Precautionary Working Method Statement for Hazel Dormouse in Section 5.10 of the Ecological Impact Assessment (The Ecology Partnership, January 2025) as, although this species is considered unlikely to be present on site, there are works to 44m of the northern hedgerow and 0.06ha of the central scrub area. We also support the creation of 0.116ha of new mixed scrub and 531m of new native hedgerow as compensation for the loss of potential Hazel Dormouse habitat. The non-licensed Precautionary Working Method Statement for Hazel Dormouse should be secured by a condition of any consent.

We also support the reptile mitigation strategy in Sections 5.14 to 5.19 and 7.4 of the Ecological Impact Assessment (The Ecology Partnership, January 2025), including the translocation of reptiles to the southern part of the site. This should be secured by a condition of any consent.

We also support the Precautionary Method Statement for mobile protected species (including Hedgehog, which is a Priority species) in Section 5.21 of the Ecological Impact Assessment (The Ecology Partnership, January 2025). This should be secured by a condition of any consent.

We are satisfied that there is sufficient ecological information available to support determination of this application. However, 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.

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation measures identified in the Ecological Impact Assessment (The Ecology Partnership, January 2025), Ecological Impact Assessment (The Ecology Partnership, June 2024) and Preliminary Ecological Appraisal (The Ecology Partnership, May 2024) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly those recorded in the locality. The finalised measures should be provided in a Construction and Environmental Management Plan - Biodiversity to be secured as a pre-commencement condition of any consent.

We support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Ecological Impact Assessment (The Ecology Partnership, January 2025) to avoid impacts from light disturbance. This should be secured by a condition of any consent and implemented in full. Therefore, technical specification should be submitted prior to occupation, which demonstrates measures to avoid lighting impacts to foraging / commuting bats, which are likely to be present within the local area. This should summarise the following measures recommended by Guidance Note:08/23 (Institute of Lighting Professionals) will be implemented:

- 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.

We also support the proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended 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 separate Biodiversity Enhancement Layout and should be secured by a condition of any consent.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended).

Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013. We recommend that 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 Ecological Impact Assessment (The Ecology Partnership, January 2025), Ecological Impact Assessment (The Ecology Partnership, June 2024) and Preliminary Ecological Appraisal (The Ecology Partnership, May 2024), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the non-licensed Precautionary Method Statement for Hazel Dormouse in Section 5.10, the reptile mitigation strategy in Sections 5.14 to 5.19 and 7.4 and the Precautionary Method Statement for mobile protected species in Section 5.13 of the Ecological Impact Assessment (The Ecology Partnership, January 2025). This avoids impacts on European Protected Species and protected species.

   This will 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.

2. **PRIOR TO COMMENCEMENT: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN FOR BIODIVERSITY**
"A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall include the following.
   a) *Risk assessment of potentially damaging construction activities.*
   b) *Identification of "biodiversity protection zones".*
   c) *Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).*
   d) *The location and timing of sensitive works to avoid harm to biodiversity features.*
   e) *The times during construction when specialist ecologists need to be present on site to oversee works.*
   f) *Responsible persons and lines of communication.*
   g) *The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.*
   h) *Use of protective fences, exclusion barriers and warning signs.*
   i) *Containment, control and removal of any Invasive non-native species present on site*

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority"

Reason*:* To conserve 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).

3. **PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT LAYOUT**
"A Biodiversity Enhancement Layout for biodiversity enhancements listed in the Ecological Impact Assessment (The Ecology Partnership, January 2025) shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Layout shall include the following:
   a) *detailed designs or product descriptions for biodiversity enhancements; and*
   b) *locations, orientations and heights for biodiversity enhancements on appropriate drawings.*

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter."

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under paragraph 187d of the NPPF 2024 and s40 of the NERC Act 2006 (as amended).

4. **PRIOR TO OCCUPATION: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME**

"A lighting design scheme for biodiversity based on Guidance Note: 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority."

Reason: To 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)
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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.