



31<sup>st</sup> May 2023

Amanda Wilkes  
Horsham District Council

By email only

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*Thank you for requesting advice on this outline 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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**Application:** DC/23/0189

**Location:** Sandgate Nursery West End Lane Henfield West Sussex BN5 9RD

**Proposal:** Outline application for erection of a continuing care retirement community of up to 72 units of accommodation (Use Class C2) and up to 10 starter homes (Use Class C3) with associated community facilities including medical centre and on-site laundry and catering facilities, with access, infrastructure, open space, landscaping and associated works (all matters reserved except for access)

Dear Amanda,

Thank you for consulting Place Services on the above outline application.

|                                                                                                               |     |
|---------------------------------------------------------------------------------------------------------------|-----|
| Temporary Holding Objection (Insufficient information on Great crested newt)                                  | Yes |
| No ecological objections                                                                                      |     |
| Recommended Approval subject to attached conditions                                                           |     |
| Recommended Discharge of condition                                                                            |     |
| Subject to Natural England's formal comments on the conclusion of the Water Neutrality Appropriate Assessment | Yes |

We have reviewed the Preliminary Ecological Appraisal (The Ecology Partnership, December 2022), Bat Activity Surveys 2022 (The Ecology Partnership, December 2022), Reptile Survey Report 2022 (The Ecology Partnership, December 2022) and Ecological Impact Assessment (The Ecology Partnership, January 2023), supplied by the applicant, relating to the likely impacts of development on protected & Priority species and habitats, and identification of proportionate mitigation.

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

We note in Paragraph 4.11 of the EcIA (The Ecology Partnership, January 2023) that GCN presence/absence surveys were recommended and it states that "No GCN surveys were carried out in 2022 but are planned for spring 2023." Either the survey results and details of any mitigation measures need to be submitted or the applicant chooses to remove the risks by using the [NatureSpace District Licensing Scheme for GCN](#) which is now available in Horsham District.



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 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 and prevent wildlife crime under s17 Crime and Disorder Act 1998.

We are satisfied with the information provided on other protected species. 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,

**Sue Hooton CEnv MCIEEM BSc (Hons)**

Principal Ecological Consultant

Place Services at Essex County Council

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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.