26 April 2024

Jacques Burrowes
Horsham District Council
Parkside,
Chart Way,
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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 Jacques

Application: **DC/24/0347**
Location: **Lawsons Farm Two Mile Ash Horsham West Sussex RH13 0PG**
Proposal: **Extension with replacement of windows to the existing house (Householder Application).**

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

a) No ecological harm/No objection	
b) Requires further information on European Protected Species (bats) and protected and Priority species and habitats	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	
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 Preliminary Ecological Appraisal and Bat Roost Report (JWK Wildlife Surveys, September 2022), 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 of this application as we note that the Preliminary Ecological Appraisal and Bat Roost Report (JWK Wildlife Surveys, September 2022), is over eighteen months. According to the Chartered Institute for Ecology and Environmental Management (CIEEM) Advice Note 'On the Lifespan of Ecological Reports and Surveys' (April 2019), for reports between 18 months and 3 years old, a professional ecologist will need to undertake a site visit and may also need to update desk study information (effectively updating the Preliminary Ecological Appraisal) and then review the validity of the report.

In particular, we note that the Preliminary Ecological Appraisal and Bat Roost Report (JWK Wildlife Surveys, September 2022) confirmed the presence of Common Pipistrelle and myotis species bat day roosts within the dwelling. Therefore, a mitigation licence for bats will be required and the application must be supported by up to date information on the bat species present, including the numbers of individuals and their locations, as well as outlined details of mitigation measures.

In addition, the site lies approximately 10.5km east of The Mens Special Area of Conservation (SAC) for which one of the the qualifying features is Barbastelle bats. Therefore the site lies within the 12km Wider Conservation Area for the SAC (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol and is within the range of foraging areas required by these bats. 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.

Therefore, we recommend a suitability qualified ecologist should submit an updated report or an addendum following a site visit with any further mitigation measures or surveys which are required.

The results of the above surveys for bats and assessments for protected and Priority species and habitats 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 further information is therefore required to provide the LPA with certainty of impacts on legally protected species and habitats and enable it to demonstrate compliance with its statutory duties, including its biodiversity duty under s40 NERC Act 2006 (as amended).

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.