



2 March 2023

Stephen Astles
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Parkside,
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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 Stephen

Application: DC/23/0057

Location: Plot 1 Steel Framed Barn Oaklands Coltstaple Lane Horsham West Sussex RH13 9BB

Proposal: Demolition of 1no. agricultural building and the erection of 2no. dwellings with associated works.

Thank you for consulting Place Services on the above application.

Temporary Holding Objection pending further information on European Protected Species (Great Crested Newt)	Yes
No ecological objections	
Recommended Approval subject to attached conditions	
Recommended Discharge of condition	

Summary

We have reviewed the Protected Species Walkover, Bat and Barn Owl Assessment (AEWC Ltd., November 2022), Tree Survey & Arboricultural Impact Assessment V2 (Hellis Solutions Limited, November 2022) and Site Location Plan Drawing Number 90_100 (Simon Harvey Designs Ltd., October 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 as Section 5.4 of the Protected Species Walkover, Bat and Barn Owl Assessment (AEWC Ltd., November 2022) considers there is some potential to support terrestrial Great Crested Newt (GCN) within rubble piles and boundary scrub. In addition, although there are no ponds on site, Section 5.6 concludes three ponds occur to the north and west of the site at unspecified distances (Protected Species Walkover, Bat and Barn Owl Assessment (AEWC Ltd., November 2022)).

Therefore, current proposals may impact this European Protected Species and so we recommend further surveys for presence / absence of GCN to inform a mitigation strategy and, if appropriate, a European Protected Species Mitigation Licence application. We note that the NatureSpace District Licensing for Great Crested Newts will be available in Horsham in the near future, but is not in place yet. Until then, unless the applicant's ecologists consider that a precautionary non-licensed method statement would avoid any offence, surveys will need to be scheduled for the 2023 season.

The results of the above surveys for Great Crested Newt 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 and prevent wildlife crime under s17 Crime and Disorder Act 1998.

We note that the farm building has negligible potential for roosting bats (Protected Species Walkover, Bat and Barn Owl Assessment (AEWC Ltd., November 2022)) and that no trees are due to be removed during the development (Tree Survey & Arboricultural Impact Assessment V2 (Hellis Solutions Limited, November 2022)). Therefore, we agree that no further surveys are required for bats.

The adjacent woodland to the south (Upper Blunt's Copse) is classified as Ancient Woodland (MAGIC maps <https://magic.defra.gov.uk/MagicMap.aspx>). Ancient Woodland is irreplaceable habitat and so, although none of the Ancient Woodland will be lost to development (Protected Species Walkover, Bat and Barn Owl Assessment (AEWC Ltd., November 2022), Tree Survey & Arboricultural Impact Assessment V2 (Hellis Solutions Limited, November 2022)), a 15m buffer will be required between any works and the woodland in line with [Government Standing Advice](#).

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

Place Services at Essex County Council

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.