28 October 2024

Hannah Darley
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.

Dear Hannah

Application: **DC/24/1348**
Location: **Little Frylands Wineham Lane Wineham West Sussex BN5 9AW**
Proposal: **Demolition of existing buildings on site. Erection of 2No. two storey dwellings.**

Thank you for consulting Place Services on the above application.

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.

Summary

We have reviewed the Bat Roost Potential Report (Sylvatica Ecology, August 2022), supplied by the applicant, relating to the likely impacts of development on protected & Priority species and habitats, and identification of proportionate mitigation. Please note that comments on Biodiversity Net Gain are provided by Horsham District Council's in-house ecologist.

We are not satisfied that there is sufficient ecological information available for determination of this application as we note that the Bat Roost Potential Report (Sylvatica Ecology, August 2022), is over eighteen months old. According to the Chartered Institute for Ecology and Environmental Management (CIEEM) Advice Note 'On the Lifespan of Ecological Reports and Surveys' (April 2019), reports between eighteen months and three years old must be updated by a professional ecologist following a site visit.

All bat species are designated and protected as European Protected Species (EPS). EPS are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). This means that it is an offence to deliberately kill, injure, disturb or capture bats; or to damage or destroy bat breeding sites and resting places (even when bats are not present).

Therefore, we recommend a suitability qualified ecologist should submit an updated report on Protected & Priority species and habitats following a site visit with any further mitigation measures or surveys which are required.

This information is necessary, prior to determination, as 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*."

Without this information we are currently unable to provide full comments on this planning application.

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 support a lawful decision and overcome our temporary 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.