2nd December 2024

Halima Chowdhury
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/24/1466**
Location: **Chantry Mill Chantry Lane Storrington West Sussex RH20 4AB**
Proposal: **Conversion of small existing brick stable building into Ancillary accommodation. Installation of new windows and doors and rainwater goods. Installation of water source heat pump. Repairs to roof and installation of 6 no. roof lights and photovoltaic panels to the roof of the stables. Installation of below ground rainwater harvesting tank and sewage treatment plant. (Householder Application).**

Dear Halima

Thank you for re-consulting Place Services on the above householder application.

a) No ecological harm/No objection	
b) Requires further information	
c) Recommend grant permission subject to conditions	Yes
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	Yes
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.

Summary

We have reviewed the Ecology email (Phlorum Limited, 15th November 2024), Bat Emergence Activity Report (Phlorum Limited, August 2024) and the Preliminary Ecological Appraisal (Phlorum Limited, July 2024) supplied by the applicant, relating to the likely impacts of development on 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 support the implementation of the non-licensed Precautionary Method Statement for bats recommended in the Bat Emergence Activity Report (Phlorum Limited, August 2024) following a dusk emergence survey for Building B1 (small outbuilding) in July 2024. This is because no bats were recorded emerging during the survey, but there are points of ingress/egress across the roof of Building B1. Therefore, we support the outline mitigation measures in Sections 4.6 to 4.11 of the Bat Emergence Activity Report (Phlorum Limited, August 2024). This should be secured by a condition of any consent.

We note that Building B2 (small outbuilding) has negligible bat roost potential (Bat Emergence Activity Report (Phlorum Limited, August 2024)) and therefore agree that no further surveys for bats are required for this building.

The site lies approximately 11.1km southeast of The Mens Special Area of Conservation (SAC) and is therefore within the 12.0km Wider Conservation Area (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol) and one of the qualifying features for the SACs is Barbastelle bat. In the Wider Conservation Area significant impacts or severance to flightlines must be considered (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol). Four European Protected Species Mitigation Licence (EPSML) have been granted within 2km of the site: a) 887m to the southeast in 2015 for Barbastelle bat, Brandt's bat, Brown Long-eared bat, Common Pipistrelle and Whiskered bat; b) 1.5km to the southeast in 2013 for Whiskered bat, Daubenton's bat and Natterer's bat; c) 1.2km to the northeast in 2015 for Soprano Pipistrelle; and d) 1.4km to the west in 2015 for Brown Long-eared bat, Common Pipistrelle and Serotine bat. The site lies approximately 16.8km southeast of Ebernoe Common SAC and therefore lies outside the Wider Conservation Area for this SAC. The site also lies approximately 4.6km southeast of the Arun Valley SAC, SPA and Ramsar site.

We understand from the submitted documents that the site comprises buildings, hardstanding, modified grassland, hedgerows, domestic shrub and gardens, trees and water bodies and that the trees and hedgerows will be retained. Therefore, there will be no severance to the flight lines of foraging or commuting bats from the SAC and habitat connectivity within the site will be maintained.

We therefore believe there will therefore be no Adverse Effect on Integrity of the bat SAC. We advise the LPA to prepare a project level HRA Screening Report to record its decision and retain on file.

We support the outline mitigation measures in the Ecology email (Phlorum Limited, 15th November 2024) for the Non-licensed Precautionary Method Statement for Hazel Dormouse recommended in Section 5.24 of the Preliminary Ecological Appraisal (Phlorum Limited, July 2024). This is because there is suitable habitat for Hazel Dormouse in the adjacent borders, although Hazel Dormouse are not expected to enter the site. The Precautionary Method Statement for Hazel Dormouse should be secured by a condition of any consent and implemented in full.

However, we highlight that if the plans change to involve the clearance of trees or scrub (bullet point 7 of the Ecology email (Phlorum Limited, 15th November 2024)), then further assessment will be 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 (as amended) and prevent wildlife crime under s17 Crime and Disorder Act 1998.

Water voles are protected under Schedule 5 of the Wildlife and Countryside Act 1981 and it is an offence to kill or injure water voles, to disturb them or to damage or destroy a structure or place used for shelter or protection (Government's Standing Advice). We note that there is some suitable habitat for Water Vole on site and we therefore support the implementation of the Precautionary Method Statement in Section 5.27 of the Preliminary Ecological Appraisal (Phlorum Limited, July 2024). This should be secured by a condition of any consent alongside measures for other mobile species.

As there are records for mobile protected species, such as Slow Worm, Grass Snake, Adder, Common Lizard, Common Toad and Hedgehog, within 2 km of the site and the site contains habitat suitable for mobile species, we support the implementation of the Precautionary Method Statement for mobile species in Sections 5.18, 5.20, 5.22, 5.27 and 5.28 of the Preliminary Ecological Appraisal (Phlorum Limited, July 2024). This should be secured by a condition of any consent.

We are now satisfied that there is sufficient ecological information available to support determination of this application. Please note we have no objections on ecological matters excluding 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 Ecology email (Phlorum Limited, 15th November 2024), Bat Emergence Activity Report (Phlorum Limited, August 2024) and Preliminary Ecological Appraisal (Phlorum Limited, July 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.

If external lighting is required, we support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Bat Emergence Activity Report (Phlorum Limited, August 2024) 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 is often far less than anticipated and so should not be relied upon solely.

We also support the proposed reasonable biodiversity enhancements for protected and Priority species, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 180d and 186dof the National Planning Policy Framework (December 2023). The reasonable biodiversity enhancement measures should be outlined within a separate Biodiversity Enhancement Layout and secured by a condition of any consent.

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 Ecology email (Phlorum Limited, 15th November 2024), Bat Emergence Activity Report (Phlorum Limited, August 2024) and Preliminary Ecological Appraisal (Phlorum Limited, July 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 bats in the Bat Emergence Activity Report (Phlorum Limited, August 2024), the Non-licensed Precautionary Method Statement for Hazel Dormouse in the Ecology email (Phlorum Limited, 15th November 2024) and in Section 5.24 of the Preliminary Ecological Appraisal (Phlorum Limited, July 2024) and the Precautionary Method Statement for mobile protected species in Sections 5.18, 5.20, 5.22, 5.27 and 5.28 of the Preliminary Ecological Appraisal (Phlorum Limited, July 2024). 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 ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT LAYOUT**
"A Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal (Phlorum Limited, July 2024) shall be submitted to and approved in writing by the local planning authority.

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 and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (as amended).

If external lighting is required

3. **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

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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.