04 November 2024

Alice Johnson
Horsham District Council
Parkside,
Chart Way,
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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 Alice

Application: **DC/24/0862**
Location: **South House Farm Marringdean Road Billingshurst RH14 9HH**
Proposal: **Erection of 1No. dwelling (in the alternative to permission granted under DC/22/0435 - Prior Notification for the change of use of an agricultural building to residential (Class C3) to form 1no. dwellinghouse).**

Thank you for further re-consulting Place Services on the above application with regard to measures for Great Crested Newt.

Temporary Holding Objection pending further information	
No ecological objections	
Recommended Approval subject to attached conditions	Yes
Recommended Discharge of condition	
Subject to Natural England's formal comments on the conclusion of the Water Neutrality Appropriate Assessment	Yes
Subject to Natural England's formal comments on the conclusion of the Bat Appropriate Assessment	Yes

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 note that the NatureSpace Partnership (July 2024) recommend Reasonable Avoidance Measures for Great Crested Newt (GCN) as the site lies within an amber impact zone with suitable habitat for this species surrounding the site and the presence of twelve ponds with 500m of the site. We therefore support the implementation of the non-licensed Precautionary Method Statement for GCN in Section 6.16 of the Preliminary Ecological Appraisal (Sylvatica Ecology, July 2024). This should be secured by a condition of any consent and implemented in full.

We have no other comments in addition to our response dated 9th October 2024 and are still satisfied that there is sufficient ecological information available for determination. 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.

As previously advised, 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 compensation measures and/or works shall be carried out in accordance with the details contained in the Bat Emergence Survey Report (Sylvatica Ecology, September 2024) and Preliminary Ecological Assessment (Sylvatica Ecology, 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 Hazel Dormouse in Section 6.12 and the Non-licensed Precautionary Method Statement for Great Crested Newt in Section 6.16 of the Preliminary Ecological Assessment (Sylvatica Ecology, July 2024). This avoids impacts on European 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).

2. **PRIOR TO COMMENCEMENT OF ANY WORKS WHICH WILL IMPACT THE BREEDING / RESTING PLACE OF BATS: SUBMISSION OF A COPY OF EPS MITIGATION LICENCE FOR BATS OR EVIDENCE OF SITE REGISTRATION UNDER A BAT MITIGATION CLASS LICENCE**
   "Any works which will impact the breeding / resting place of bats, shall not in in any circumstances commence *unless the local planning authority has been provided with either:*

a) *a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or*
b) *evidence of site registration by an individual registered to use a Bat Mitigation Class Licence; or*
c) *a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence."*

Reason: To conserve protected 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 s17 Crime & Disorder Act 1998.

3. PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY

"A Biodiversity Enhancement Strategy for protected and Priority species prepared by a suitably qualified ecologist shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:
a) *Purpose and conservation objectives for the proposed enhancement measures;*
b) *detailed designs or product descriptions to achieve stated objectives;*
c) *locations, orientations and heights of proposed enhancement measures by appropriate maps and plans (where relevant);*
d) *persons responsible for implementing the enhancement measures; and*
e) *details of initial aftercare and long-term maintenance (where relevant).*

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter."

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2023 and s40 of the NERC Act 2006 (as amended).

4. 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).

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.