04 November 2024

Alice Johnson
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 Alice,

Application: **DC/24/0907**
Location: **South House Farm Marringdean Road Billingshurst West Sussex RH14 9HH**
Proposal: **Conversion of barns and Old Stable Cottage to form a single dwelling (Full Application)**

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

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 note that the NatureSpace Partnership (July 2024) recommend Reasonable Avoidance Measures for Great Crested Newt (GCN) as there is a pond on site, the site lies within an amber impact zone with suitable habitat for this species surrounding the site and there are twelve ponds with 500m of the site. We note from Section 6.19 of the Extended Phase 1 Habitat Survey (AEWC, October 2024) that eDNA surveys on the onsite pond confirmed the absence of GCN. We therefore support the implementation of the non-licensed Precautionary Method Statement for GCN in Sections 6.20 to 6.26 of the Extended Phase 1 Habitat Survey (AEWC, October 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 15th 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 Ltd., September 2024) and Extended Phase 1 Habitat Survey (AEWC, October 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 Great Crested Newt in Sections 6.20 to 6.26 of the Extended Phase 1 Habitat Survey (AEWC, October 2024), which 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 COMMENCEMENT: PRECAUTIONARY METHOD STATEMENT FOR MOBILE PRIORITY SPECIES**
   "A Precautionary Method Statement for mobile Priority species (such as Common Toad and Hedgehog) shall be submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to reduce potential impacts to mobile Priority species during the construction phase.

   The measures and/works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter."

   Reason*:* To conserve 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).

4. **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 Biodiversity Net Gain Assessment (AEWC, May 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

5. **PRIOR TO OCCUPATION: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME**
   "*A lighting design scheme for biodiversity based on GN: 08/23 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

Genevieve Broad MCIEEM MSc BSc (Hons)
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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.