18 July 2024

Nicola Pettifer
Horsham District Council
Parkside,
Chart Way,
Horsham,
West Sussex
RH12 1RL

By email only

Thank you for requesting advice on this discharge of condition 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 Nicola

Application: **DISC/24/0121**
Location: **Chanctonbury Nurseries Rectory Lane Ashington Pulborough West Sussex RH20 3AS**
Proposal: **Application for Approval of Details Reserved by Condition 5, 11 and 16 to approved application DC/22/0372**

Thank you for consulting Place Services on the above discharge of conditions application.

a) No ecological harm/No objection	
b) Requires further information	
c) Recommend grant permission subject to conditions	
d) Recommend refusal	
e) Discharge of conditions	Yes

Conditions

Condition 5: Recommend discharge

Pre-Commencement Condition: No development shall commence until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following;
a) Risk assessment of potentially damaging construction activities.
b) Identification of "biodiversity protection zones".
c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
d) The location and timing of sensitive works to avoid harm to biodiversity features.
e) The times during construction when specialist ecologists need to be present on site to oversee works.
f) Responsible persons and lines of communication.

g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

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 (Priority habitats & species).

Condition 11: Recommend discharge
Pre-Commencement (Slab Level) Condition: No development above ground floor slab level of any part of the development hereby permitted shall take place until a Biodiversity Enhancement Strategy for Protected and Priority species 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 to achieve stated objectives;
c) locations of proposed enhancement measures by appropriate maps and plans;
d) persons responsible for implementing the enhancement measures;
e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.

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, and in in accordance with Policy 31 of the Horsham District Planning Framework (2015).

Condition 16: Recommend discharge
Pre-Occupation Condition: part of the development hereby permitted shall be occupied until a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to commencement of the development. The content of the LEMP shall include the following:
a) Description and evaluation of features to be managed.
b) Ecological trends and constraints on site that might influence management.
c) Aims and objectives of management.
d) Appropriate management options for achieving aims and objectives.
e) Prescriptions for management actions.
f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
g) Details of the body or organisation responsible for implementation of the plan.
h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the longterm implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that

conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

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 (Priority habitats & species).

Comments

Condition 5

We have reviewed the Construction Environmental Management Plan (CEMP) (Ecosupport Ltd., May 2024) which has been submitted in order to discharge Condition 5.

We are satisfied that the submitted information includes the detail required by this condition.

Condition 11

We have reviewed the Biodiversity Enhancement Strategy / Landscape and Ecological Management Plan (Ecosupport Ltd., May 2024) which has been submitted in order to discharge Condition 11.

We are satisfied that the submitted information includes the detail required by this condition.

Condition 16

We have reviewed the Biodiversity Enhancement Strategy / Landscape and Ecological Management Plan (Ecosupport Ltd., May 2024) which has been submitted in order to discharge Condition 16.

Recommendation

Subject to implementation in full of the submitted details, we recommend discharge of Conditions 5, 11 and 16.

Please contact us with any queries.

Yours sincerely,

Genevieve Broad MCIEEM MSc BSc (Hons)
Ecological Consultant
Place Services at Essex County Council
placeservicesecology@essex.gov.uk

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.