Place Services
Essex County Council
County Hall, Chelmsford
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www.placeservices.co.uk

Date: 30 May 2025 Our ref: 04556

Nicola Pettifer
Horsham District Council
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By email only: Planning Department, planning@horsham.gov.uk

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.*

Application: DISC/25/0106
Location: Sussexdown Washington Road Storrington West Sussex RH20 4DA
Proposal: Approval of details reserved by condition 5 to approved application DC/24/0543

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

Conditions
Condition 5: A non-material amendment is necessary

Pre-Commencement Condition: No relevant development which will impact bat roosts, shall 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 /development to go ahead; or*
b) *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 and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 33 of the Horsham District Planning Framework and Policies 14 and 15 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

Comments

Condition 5

We have reviewed the Bat Mitigation Class Licence Return WML-CL21 (Natural England, April 2025) which has been submitted in order to discharge Condition 5.

We recommend that a non-material amendment of Condition should be submitted by the applicant as the Natural England Licence is for a Bat Mitigation Class Licence, not a full European Protected Species Mitigation Licence. Our response dated 23rd June 2023 recommended the following condition:

2. PRIOR TO COMMENCEMENT OF ANY WORKS WHICH WILL IMPACT THE BREEDING / RESTING PLACE OF BATS

"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 supplied 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."

Unfortunately, item b) above was omitted from Condition 5 in the Decision Notice for full application DC/22/2372 (subsequently varied under approved application DC/24/0543).

Recommendation

We are unable to discharge Condition 5 until the condition has been amended to allow for a Bat Mitigation Class Licence. We would support discharge under the amended condition.

Please do not hesitate to contact us if you have any queries in relation to this advice.

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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.