31 October 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/24/0259**
Location: **Chanctonbury Nurseries Rectory Lane Ashington Pulborough West Sussex RH20 3AS**
Proposal: **Application for approval of details reserved by conditions 10 and 12 to approved application DC/24/0977**

Thank you for consulting Place Services on the above discharge of condition 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 10 and 11		Yes

Condition 10: Recommend discharge
Pre-Commencement Condition: No development, which has the potential to impact on the breeding / resting place of Hazel Dormouse and Bats, shall commence until 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) 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, and in in accordance with Policy 31 of the Horsham District Planning Framework (2015).

Condition 11: This is a compliance (regulatory) condition
Pre-Commencement (Slab Level) Condition: The development hereby approved shall be carried out strictly in accordance with the approved Biodiversity Enhancement Strategy for Protected and Priority species, under DISC/24/0121 (as approved on 22.07.2024). The approved Biodiversity Enhancement Strategy for Protected and Priority species shall be adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the local planning authority.

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).

Comments
Condition 10
We have reviewed the Licence – Mitigation Natural England Reference 2024-69099-EPS-MIT, valid from 07/10/2024, Expiry date 31/12/2027, signed by Natural England on 7th October 2024 and the WML-A35a-E5a&B – Work Schedule for Hazel Dormouse Licence (Natural England, dated 8th August 2024) which have been submitted in order to discharge Condition 11.

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

Condition 11
We note that condition 11 requires compliance with the Biodiversity Enhancement Strategy / Landscape and Ecological Management Plan (Ecosupport Ltd., May 2024). Unless the LPA receives information to the contrary it should be assumed that all works will be carried out in accordance with the approved document (discharged under Condition 11 under DISC/24/0121, approved 22nd July 2024).

Recommendations
Subject to implementation in full of the submitted details, we recommend discharge of Condition 10.

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.