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Attn.: Mr J Hawkes - Case Officer

Horsham District Council
Parkside
Chart Way
Horsham
West Sussex
RH12 1RL

17 February 2021

Dear Mr Hawkes,

Representation submitted for and on behalf of CPRE Sussex objecting to:

DC/21/0066

Land North of Horsham RM Area 2 Old Holbrook Horsham West Sussex

Reserved matters application for the erection of 197 residential dwellings with associated parking, landscaping and open space following approval of outline application DC/16/1677, relating to layout, scale, appearance and landscaping

CPRE Sussex objects to this application for the reasons explained below under the headings: Affordable Homes, Climate Change: Energy and Sustainability, Landscape, and Biodiversity and Ecology.

Affordable Homes

1. DC/21/0066 should deliver 35% affordable housing, not 12.6%.

1.1 Contrary to HDPF Policy 16 (3.a), which stipulates that “on sites providing 15 or more dwellings, or on sites over 0.5 hectares, the Council will require 35% of dwellings to be affordable”, only 25 (12.6%) of the proposed scheme’s 197 residential dwellings will be ‘affordable (the application’s Planning Statement, paragraphs 3.2 and 6.8).

1.2 35% of 197 residential dwellings = 69, and this application should therefore deliver 69 affordable homes, not 25.

1.3 The shortfall of 44 affordable (69 – 25) is substantial, especially in view of the district’s urgent need for affordable housing.

1.4 Responding to a letter in the West Sussex County Times, 11 February 2021 HDC states that “The council is required to provide affordable homes for its residents in an area of high property prices. The greatest need is in and around Horsham town.”

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President: Lord Egremont

Campaign to Protect Rural England Sussex Branch CIO | Registered charity number: 1156568

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1.5 The Horsham District Council Authority Monitoring Report 2019/20, Chapter 3: Housing states:

“It is acknowledged that it has become increasingly difficult for people, especially the young, to move onto the property ladder within the district, even those on reasonable incomes” (paragraph 3.49).

“The SHMA Update (2019) highlighted that the estimated net need for affordable rented properties in Horsham District is 344 dwellings per annum. The estimated net need for affordable homes to buy is 159 per annum” (paragraph 3.50).

“As of 1 April 2020 there were 675 households on the Council’s housing register” (paragraph 3.48).

Table 7 shows *“there were 222 gross affordable housing completions for social/affordable rent and intermediate housing during 2019/20”* (paragraph 3.47).

Clearly, the district’s need for affordable housing is not being met. Accordingly, DC/21/0066 should deliver 35% affordable housing, not 12.6%.

Climate Change: Energy and Sustainability

2. The proposed scheme is not compliant with HDPF Policy 37 Sustainable Construction, which stipulates that

“Proposals must seek to improve the sustainability of development” and identifies the measures that development should incorporate ***“to deliver sustainable design”***, including the requirement to ***“Maximise energy efficiency and integrate the use of decentralised, renewable and low carbon energy”***.

2.0.1 The scheme does not meet the HDPF stipulation that ***“The development of renewable and low carbon energy is a key means of reducing the district’s contribution to climate change”*** (Paragraph 10.6).

2.1 Contrary to the applicant’s view that *“provision of renewable energy systems is not required as the site already meets its energy requirement through fabric measures alone”* (Design and Access Statement, section 8.1; Energy and Sustainability Statement 10.3, 10.4), Solar Photovoltaic systems should be provided for each home - to supply the electricity needed for lighting, heating, household appliances and devices, and the charging of electric vehicles.

2.2 Note that the applicant’s Energy and Sustainability Statement advises that

“Solar PV systems offset the high carbon content of grid -supplied electricity and constitute a proven and mature technology that can be easily integrated into the design and construction of the buildings, if required to meet planning requirements” (paragraph 8.8).

2.3 The development’s need for solar panels is reinforced by the site’s *“limited available electrical capacity”* (Design and Access Statement, section 5.7).

2.4 Note, too, that the Government is committed to an emissions-reduction target of net zero by 2050, and the Committee on Climate has advised in its 'Reducing UK Emissions 2019 Progress Report to Parliament', July 2019, that "*As the existing carbon budgets were set on a cost-effective path to achieving an 80% reduction in UK greenhouse gas emissions by 2050, a more ambitious long-term target is likely to require outperformance of the carbon budgets legislated to date*".

3. Without solar photovoltaic systems 197 new homes could increase annual carbon emissions by more than 197 tonnes, the equivalent of driving 'around' 197 x 5000 miles in a medium-sized modern car, therefore 'around' 985,000 miles per year.

3.1 West Sussex County Council is enabling residents across the county to install high-quality, roof-mounted solar panels at a competitive price to enable them to run on cheap, clean electricity. And that with solar panels the average home "*can expect to reduce their annual carbon emissions by more than a tonne, which is the equivalent of driving around 5000 miles in a medium - sized modern car*" (WSCT 28/01/21).

4. The scheme's need for solar photovoltaic systems is reinforced by the site's 'limited available electrical capacity', which, according to the Design and Access Statement, is a constraint on the provision of charging points for the scheme.

4.1 The Design and Access Statement (section 5.7) states "*L&G Strategic have secured a limited number of commercial charging points, due to the limited available electrical capacity site-wide*".

Landscape

5. Whether the proposed scheme would protect and enhance or be detrimental to the area's landscape and landscape character should be an important consideration in the deciding of this application.

5.1 HDPF Policy 2 Strategic Policy: Strategic Development stipulates what the spatial strategy to 2031 is to do in order "*To maintain the district's unique rural character whilst ensuring that the needs of the community are met through sustainable growth and suitable access to services and local employment*". Policy 2 (12) stipulates that "*the spatial strategy is to*

"Retain and enhance natural environmental resources, including landscapes and landscape character, biodiversity, and retaining and enhancing environmental quality including air, minimises energy and resource use and provides flood mitigation

5.2 HDPF Policy 25 Strategic Policy: The Natural Environment and Landscape and Character states that "*The Natural Environment and landscape character of the District, including the landscape, landform and development pattern, together with protected landscapes and habitats will be protected against inappropriate development*", and specifies the development proposals which the Council will support, including Policy25 (1)

"Protects, conserves and enhances the landscape and townscape character, taking into account areas identified as being of landscape importance, the individual settlement characteristics, and maintains settlement separation".

5.3 The site does not form part of a designated valued/protected landscape. However, in the context of NPPF paragraph 170(a), paragraph 170(b) sets out the need to recognise the intrinsic character and beauty of the countryside.

5.4 In his interpretation of HDPF Policy 25 (1) and how it should be applied, the Planning Inspector who determined Appeal APP/Z3825/W/19/3227192 Land north of Sandy Lane, Henfield, West Sussex, BN5 (Decision date 7 October 2019) explained at paragraph 55 of the 'Decision' that NPPF paragraph 170(b)

“sets out the need to recognise the intrinsic character and beauty of the countryside. This is generally reflected within the relevant development plan policies (e.g., HDPF policies). I do not find the wording of policy 25(1) of the HDPF to be inconsistent with the Framework in this respect.

The level of protection required is not be as great as for a valued landscape. However, clearly the Framework would not set out to provide for no protection of areas of countryside, in terms of those area's character and appearance, that are not specifically designated.

The requirement of policy 25(1) does not seek to prevent development in the countryside but clearly requires that inappropriate development should normally be avoided. This is generally consistent with the wording of the Framework to recognise the intrinsic character and beauty of the countryside”.

5.5 How DC/21/0066 would impact on the landscape should therefore be an important consideration. The application bundle, however, does not include an assessment of how the proposed scheme would impact on the landscape. It should be assessed.

6. In the absence of an assessment, we question whether the applicant's 'design principles in respect of existing vegetation', (including designated Ancient Woodland, and hedgerows), and the related planting schedule proposed for the site would, as the application's Landscape Statement states:

“create a variety of natural landscape typologies to link and enhance existing landscape and vegetation typologies”, (Land North of Horsham Landscape Statement RM Area 2, section 1.3 Landscape Context, page 8)

and in so doing meet the requirements of HDPF Policy 2 (12) and HDPF Policy 25 (1).

6.1 This must be considered, because the species and variants of trees, shrubs and plants proposed for the site and listed in the application's Planting Schedule, are predominantly ornamental and as such cannot be considered 'natural' in the context of the locality (Land of North Horsham - Reserved Matters Area 2 L&G Homes Planting Schedule, Document ref: 1236-6-SH01).

6.2 For example, only nine tree species/variants are listed in the proposed Planting Schedule (page 11). Of these, three are found in woodland, including designated Ancient Woodland, and hedgerows in the locality, and can therefore be considered 'natural' to and characteristic of the area. These are *Acer campestre*, Field Maple; *Quercus robur*; Pedunculate Oak and *Tilia cordata*, Small-leaved Lime.

6.3 Tree species/variants omitted from the proposed planting schedule, which characterize woodland, including designated Ancient Woodland, and hedgerows in the area, include for example:

Alder (Alnus glutinosa), Ash (Fraxinus excelsior), Crab Apple (Malus sylvestris), Silver Birch (Betula pendula), Blackthorn (Prunus spinosa), Bullace (Prunus domestica)

subsp. *Insititia*), Elder (*Sambucus nigra*), Hawthorn (*Crataegus monogyna*), Hazel (*Corylus avellana*), Holly (*Ilex aquifolium*), Hornbeam, (*Carpinus betulus*), Sessile Oak (*Quercus petraea*), Pear (*Pyrus communis*), Spindle (*Euonymus europaeus*), Wild Service (*Sorbus torminalis*), Yew (*Taxus baccata*). This list is not exhaustive

6.4 Accordingly, whether the proposed planting scheme will create 'natural landscapes' and meet the requirements of HDPF Policy 2 (12) HDPF Policy 25 (1) should be considered – and questioned.

Biodiversity and Ecology

7. The application does not comply with WYG Ecology's advice and guidance to HDC, re the outline planning application DC/16/1677 Land North of Horsham, detailed in an email: Tamsin Clark CIEEM, Associate Ecologist, WYG, to HDC: David Lowin (Case Officer: DC/16/1677), 30 August 2016.

7.1 Horsham District Council (HDC) commissioned WYG Ecology to review

"the information provided within the Environmental Statement, associated appendices, and proposals for the site. And to review "responses received to date from Natural England, The Woodland Trust and the Campaign to Protect Rural England (CPRE)"

(email: WYG: Tamsin Clark CIEEM, Associate Ecologist, to HDC: David Lowin (Case Officer: DC/16/1677), 30 August 2016).

7.2 In their review, WYG Ecology validated, supported, and reinforced CPRE Sussex's concerns and findings in respect of the application's 'Environmental Statement' (July 2016) and related documents, presented and explained in our response to DC/16/1677, submitted August 2016, and included with this representation, below, as an appendix.

7.3 WYG Ecology's detailed response comprised: 1. Summary of consultation responses received to date; 2. Outstanding survey information required; 3. Additional information required regarding mitigation measures; 4. European Protected Species; 5. Ancient woodland; 6. Ecological networks; 7.

7.4 WYG Ecology's review and advice to HDC concluded with the stipulation that

"The following will be required to inform any future Reserved Matters applications:

· Up to date ecological surveys will be required to support Reserved Matters applications. These surveys should be completed by suitably qualified ecologist(s), recognised by a relevant professional body such as CIEEM, and in accordance with current survey guidelines. The aim of the surveys is to provide up to date information regarding the potential of the site to support protected and notable species at the time of the reserved matters application, and any measures that will be required to avoid, mitigate or compensate for impacts.

· A detailed Ecological Mitigation and Management Plan for the phase in question should be submitted and agreed in writing by the Local Planning Authority. This will be derived from the site wide Outline EMMP, and will include details of habitat protection for retained habitats (e.g. woodland, hedgerows etc.), and avoidance measures with regards to protected and notable species. The EMMP will build upon any new survey information, and information already provided to inform the outline application. Pre-works, during works and post-works measures (e.g. to allow ongoing management) should be included. Any such measures shall thereafter be

implemented in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

· A sensitive lighting strategy to reduce impacts on foraging and commuting bats should be prepared through consultation with the applicant's ecologist and be based on up-to-date survey information. This should be submitted to and approved in writing by the Local Planning Authority".

8. The application bundle for DC/21/006 does not include an ecological appraisal, up-to-date or otherwise, "regarding the potential of the site to support protected and notable species at the time of the reserved matters application, and any measures that will be required to avoid, mitigate or compensate for impacts".

8.1 The application is therefore contrary to Government Circular 06/2005: 'Biodiversity and Geological Conservation-Statutory Obligations and their impact within the planning system':

Paragraph 98: *"The presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat"*.

Paragraph 99: *"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted"*

8.2 This information is needed and should be provided to enable Horsham District Council to exercise its functions, as required by 'The Natural Environment and Rural Communities (NERC) Act 2006, Section 40, which stipulates that "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity".

9. "A sensitive lighting strategy to reduce impacts on foraging and commuting bats" appears not to have been provided for the scheme.

7.1 WYG Ecology stipulated that *"A sensitive lighting strategy to reduce impacts on foraging and commuting bats should be prepared through consultation with the applicant's ecologist and be based on up-to-date survey information. This should be submitted to and approved in writing by the Local Planning Authority"*. Unfortunately, this requirement seems not to have been met.

10. Only two bird boxes and five bat boxes will be provided for the scheme.

10.1 The applicant's DAS, states that *"a programme of ecological measures and enhancements have been developed, including bird boxes (for swift, house martin and house sparrow) and bat boxes installed throughout the site"* (page 31).

10.2 Details, however, of the programme given in the applicant's 'Landscape Statement RM Area 2', under the heading 'Ecological Enhancements', reveals only two bird boxes and five bat boxes will be provided for the development (page 13).

10.3 This is derisory and risible, to say the least, and most certainly does not constitute 'enhancement'.

11. Details and explanations of how the site's 'retained habitats and species' and 'Ancient Woodland copse' would be protected and enhanced, and what the 'new opportunities for local wildlife' would be, and which species and habitats (additional to the Ancient Woodland copse) would benefit are absent from the application bundle.

11.1 The DAS advises, at page 30, that the proposed ecological enhancements and measures will:

"Protect retained habitats and species".

"Create new opportunities for local wildlife on the site".

"Protect retained habitats of elevated ecological importance and create new opportunities for local wildlife on the site"

"Retain and enhance the Ancient Woodland copse which falls within the site boundaries".

11.2 However, details and explanations of how the 'retained habitats and species' and the 'Ancient Woodland copse' would be protected and enhanced, and what the new opportunities for local wildlife would be, and which species and habitats, including the Ancient Woodland copse, would benefit are absent from the application bundle.

11.3 Details and explanations should be provided by the applicant and included in the application bundle for scrutiny by HDC's decision-takers and the public.

12. An explicit commitment to achieving net gains for biodiversity seems also to be lacking.

13. CPRE Sussex examined and responded, August 2016, to DC/16/1677:

'Land North of Horsham, Horsham, West Sussex',

'Outline planning application with all matters reserved except access for a mixed-use strategic development to include housing (up to 2,750 dwellings), business park (up to 46,450 m2), retail, community centre, leisure facilities, education facilities, public open space, landscaping, and related infrastructure'.

13.1 Our findings in respect of Biodiversity and Ecology, given at paragraphs 7 to 10 of our response, are included below as an appendix to this representation.

13.2 We examined the 'Environmental Statement' (July 2016) and related documents submitted in the application in support of DC/16/1677. In consequence of the shortcomings found, particularly in relation to wild birds, we concluded

Paragraph 9. That *"the applicant's 'Environmental Statement' and the impact assessments therein relating to biodiversity and ecology of the site and its environs, including Sites of Special Scientific Interest outside of the development site, and the effectiveness of proposed mitigation need to be carefully examined and considered*

by Horsham District Council's decision takers and advisors on biodiversity and ecology, and further site surveys undertaken where necessary"

Paragraph 10. *"Whether this planning application would truly enhance as well as conserve the natural environment in compliance with NERC Act 2006 Section 40 and NPPF paragraph 17, seventh bullet and achieve net gains for nature as required by NPPF paragraph 9, second bullet, is doubtful, in light of the substantial shortcomings identified at paragraphs 8 to 8.6.1".*

13.3 Although as explained at paragraph 7.2 above, our concerns and findings were subsequently validated, supported, and reinforced by WYG Ecology, they are not addressed by the subsequent Reserved Matters application, DC/21/0066.

In conclusion, we ask that the application in its present form be refused, and the information that should have been provided to inform decision-taking, be provided.

Yours faithfully,

R F Smith DPhil, BA (Hons), FRGS
Trustee CPRE Sussex

Copy to Director CPRE Sussex

Appendix A: CPRE Sussex's response in respect of Biodiversity and Ecology (paragraphs 7 to 10) to outline application DC/16/1677: Land North of Horsham, submitted August 2016.

Appendix A



Campaign to Protect
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Attention: Mr David Lowin (Case Officer)

Horsham District Council
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18 August 2016

Dear Mr Lowin,

OBJECTION submitted for and on behalf of CPRE Sussex to:

Outline planning application with all matters reserved except access for a mixed use strategic development to include housing (up to 2,750 dwellings), business park (up to 46,450 m2), retail, community center, leisure facilities, education facilities, public open space, landscaping and related infrastructure

Land North of Horsham, Horsham, West Sussex.

Biodiversity and Ecology:

7. The applicant's 'Environment Statement' advises that *'there were no comments in respect of ecology'* either from Horsham District Council or West Sussex County Council in their responses to 'The Environmental Impact Assessment Scoping Report' produced by Liberty Property Trust in July 2014.

7.1. This omission matters greatly because the 'The Natural Environment and Rural Communities (NERC) Act 2006' Section 40: stipulates that *"Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity"*. And *'Conserving and enhancing the natural environment'* is one of the NPPF's 12 'Core Planning Principles'.

7.2. Government Circular 06/2005: 'Biodiversity and Geological Conservation-Statutory Obligations and their impact within the planning system' stipulates at:

Paragraph 98 that: *"The presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat"*.

Paragraph 99 that: *"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted"*.

7.3. The impact of the North of Horsham development on biodiversity and ecology, the effectiveness of measures proposed by the applicant to mitigate harmful effects, the quality of the information and impact assessments provided by the applicant and whether the application would really achieve net gains for nature, as well mitigating harmful effects, in compliance with NPPF paragraph 9 second bullet, are all important considerations in deciding this application.

8. The following is therefore cause for considerable concern.

8.1.1. According to the applicant's 'Environmental Statement' (July 2016) (repeated in the applicant's Design and Access Statement, July 2016), which should be informed by surveys made of the site's habitats, flora and fauna: *"The breeding bird assemblage was noted to be fairly typical and unremarkable in view of the habitats present.* (my underlining).

8.1.2. This statement conveys the impression, albeit a false impression, that the wild birds that breed within the area of the intended-development are of little or no consequence and that there is no need to take them into account when considering harmful impacts and the measures needed to mitigate harm.

8.1.3. However, the applicant's assertion is shown to be mistaken and misleading by the 'Breeding Bird Survey' report (May 2016), included in the application bundle, which "*presents the results of a breeding bird survey commissioned by the applicant and undertaken across the study area during the spring and early summer of 2014*".

8.2. Crucially, among the bird species recorded and listed in the report are bird species of 'Principal Importance', bird species of Conservation Concern (Red and Amber list species) and Schedule 1 bird species.

8.2.1. The applicant's assertion that the development-site's breeding bird assemblage is "*fairly typical and unremarkable*" is therefore the opposite of the reality. It is misleading.

8.2.2. As is clearly stated by Government Circular 06/2005: 'Biodiversity and Geological Conservation-Statutory Obligations and their impact within the planning system', at:

Paragraph 98: "The presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat". And at:

Paragraph 99: "It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted". (My underlining).

8.2.3. Accordingly, the impact that the application would have on these birds, and the extent that they, as well as other protected fauna on the site and its environs, may be affected by the application are significant material considerations in deciding this application.

8.3. Natural England's 'Standing advice for local planning authorities to assess the impacts of development on wild birds' states that

"Survey reports and mitigation plans are required for development projects that could affect protected species, as part of getting planning permission. Surveys need to show whether protected species are present in the area or nearby, and how they use the site. Mitigation plans show how you'll avoid, reduce or manage any negative effects to protected species" and

"Ecologists need to decide which survey and mitigation methods are right for the project being worked on. If this can't be followed, they'll have to include a statement with the planning application explaining why".

8.4. Whilst the site was surveyed over three days in 2014, on 23 April, 19 May and 10 June, specifically to identify bird species breeding across the study area, the area has not been subject to systematic surveys by ornithologists to determine how, where and which protected bird species use the site over the year, for example, during the winter months, as

required by Natural England's 'Standing advice'. The impact that the development would have on wintering birds has not been considered.

8.4.1. Contrary to Natural England's 'Standing advice' too, neither the 'Breeding Bird Survey' report nor the 'Habitat Survey' submitted by the applicant identify 'negative effects' of the application to protected species and their habitats, let alone advise how to avoid, reduce or manage negative effects.

8.5. Mitigation in respect of wild birds is however proposed in the applicant's 'Environmental Statement', (which does not acknowledge the presence on the site of bird species of 'Principal Importance', bird species of Conservation Concern (Red and Amber list species) and Schedule 1 bird species):

" in order to reduce the potential impact on nesting birds during the construction phase of the proposed development, in accordance with the protection afforded to nesting birds under Part 1 of the Wildlife and Countryside Act 1981 (as amended) together with " the provision of features such as bird boxes on retained trees and new buildings is also proposed. In particular, boxes intended to attract declining species of urban and suburban habitats, such as swift, house martin, house sparrow and starling will be incorporated into appropriate elements of new build".

8.5.1. No mitigation measures, however, are proposed for bullfinch, dunnock, linnet, marsh tit, reed bunting, skylark, song thrush and yellow hammer recorded as probably or possibly breeding within the development-area in the 'Breeding Bird Survey' even though they are all Schedule 1 species that are specially protected under Part 1 of the Wildlife and Countryside Act 1981 (as amended) and are all species of Conservation Concern.

8.5.2. This omission is unacceptable, not least because of the cumulative impact on bird populations of the building now underway on extensive areas of farmland around Horsham.

8.5.3. This is disturbing and cause for considerable concern because although the '*Potential effects in absence of mitigation*' identified by the 'Environmental Statement are quote:

"1) Permanent displacement of bird species associated with open arable (e.g. yellowhammer) land due to landtake for construction".

"2) Potential for localized permanent loss of breeding habitats associated with hedgerows and associated mature trees".

"3) Potential temporary disturbance to bird species using retained/adjoining habitats from construction activities".

And the '*Significance in absence of detailed mitigation*' for each of these three '*Potential effects*' is assessed by the authors of the 'Statement' as, quote:

"1) Effects significant at the immediate local (site) level as many displaced species (e.g. yellowhammer, skylark) are not likely to return. Impact unlikely to be significant at Parish level or above. Species associated with sub-urban environment (e.g. house sparrow) likely to increase".

"2) Not significant".

"3) Unlikely to have a significant effect above the site level".

The 'Detailed mitigation proposed' is, quote: *"None proposed"* for potential effects 1 and 2, and *"Not required"* for potential effect 2.

8.6. The applicant is therefore refusing 'detailed mitigation' in respect of identified harmful impacts to farmland bird species that are in decline.

8.6.1. This is contrary to the NPPF requirement that the *"The planning system should contribute to and enhance the natural and local environment by: "minimising impacts on biodiversity and providing net gains in biodiversity where possible"* (NPPF paragraph 109 third bullet).

9. The above shows that the applicant's 'Environmental Statement' and the impact assessments therein relating to biodiversity and ecology of the site and its environs, including Sites of Special Scientific Interest outside of the development site, and the effectiveness of proposed mitigation need to be carefully examined and considered by Horsham District Council's decision takers and advisors on biodiversity and ecology, and further site surveys undertaken where necessary.

10. Whether this planning application would truly enhance as well as conserve the natural environment in compliance with NERC Act 2006 Section 40 and NPPF paragraph 17, seventh bullet and achieve net gains for nature as required by NPPF paragraph 9, second bullet, is doubtful, in light of the substantial shortcomings identified at paragraphs 8 to 8.6.1 above.

To conclude, I ask that the application be refused.

Yours faithfully,

R F Smith DPhil, BA (Hons), FRGS
Trustee CPRE Sussex

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