



13<sup>th</sup> March 2025

Bethan Tinning  
Horsham District Council  
Parkside,  
Chart Way,  
Horsham,  
West Sussex  
RH12 1RL

By email only

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*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.*

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**Application:** DC/25/0115 |  
**Location:** The Hermitage Tower Hill Horsham West Sussex RH13 0JS  
**Proposal:** Construction of dwelling and detached garage/store building. Creation of new vehicle access from Parthings Lane.

Dear Bethan,

Thank you for consulting Place Services on the above application.

a) No ecological harm/No objection	
b) Requires further information on European Protected Species (bats)	Yes
c) Recommend grant permission subject to conditions	
d) Recommend refusal	
e) Subject to Natural England's formal comments on the conclusion of the Water Neutrality Appropriate Assessment	Yes
f) 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 have reviewed the Preliminary Ecological Appraisal (Ecology & Habitat Management Ltd., January 2025) relating to the likely impacts of development on designated sites, protected and Priority species & habitats and identification of appropriate mitigation measures. Please note that comments on Biodiversity Net Gain are provided by Horsham District Council in-house.

We are not satisfied that there is sufficient ecological information available for determination of this application and recommend that additional information on bats is provided prior to determination. The reasons for this are outlined below:

### European Protected Species - bats

We note that a few trees on site are of an age and structure appropriate for supporting Potential Roost Features (PRFs) for bats and that these are considered to have a low potential to support bat roosts (Preliminary Ecological Appraisal (Ecology & Habitat Management Ltd., January 2025)). We therefore request clarification as to whether any trees with PRFs will be removed during works. We highlight that the assessment should be undertaken in accordance with the 4<sup>th</sup> Ed. Bat Surveys for Professional Ecologists Bat Conservation Trust (Collins ed., 2023) as each Potential Roost Feature (PRF), not each tree, needs to be surveyed. We highlight that any tree may support a PRF suitable for multiple bats and if affected by the development proposal, these would need further assessment to inform mitigation measures. Appropriate compensation for all PRFs for individuals bats (PRF-Is) should also be provided in advance of impacts to avoid loss of roost resource. We also highlight that soft felling methods must be supervised by a suitably qualified ecologist under a non-licensed precautionary method statement (UK Bat Mitigation Guidelines CIEEM Version 1.1 (Reason and Wray, 2023)). This should be secured by a condition of any consent.

To fully assess the impacts of the proposal the LPA needs additional ecological information for the site, particularly for bats which are European Protected Species.

The clarification on bats and trees is required prior to determination because paragraph 99 of the ODPM Circular 06/2005 highlights 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."*

This information is therefore required to provide the LPA with certainty of likely impacts on legally protected species and be able to secure appropriate mitigation either by a mitigation licence from Natural England or a condition of any consent. This will enable the LPA to demonstrate compliance with its statutory duties, including its biodiversity duty under s40 NERC Act 2006 (as amended) and prevent wildlife crime under s17 Crime and Disorder Act 1998.

Furthermore, the Local Planning Authority, as a competent authority, should have regard to the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended) when reaching planning decisions and must not leave this until the licence application stage. Therefore, as a European Protected Species Mitigation Licence is required for this application, appropriate mitigation measures to support the provision of the licence must also be outlined prior to determination to allow certainty to the LPA that a licence will likely be granted.



This is needed to enable the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended).

#### **Additional comments**

We note from the Preliminary Ecological Appraisal (Ecology & Habitat Management Ltd., January 2025) that the shed on site has negligible bat roost potential. We therefore agree that no further surveys for bats and buildings are required.

We support the non-licensed Precautionary Method Statement for Hazel Dormouse in Section 4.4 of the Preliminary Ecological Appraisal (Ecology & Habitat Management Ltd., January 2025) as, although there are records of this species in the locality and there is scrub on site which is suitable for supporting Hazel Dormouse, no evidence of this species was found on site. This should be secured by a condition of any consent and implemented in full.

We also support the Precautionary Method Statement for reptiles and mobile protected species in Section 4.4 of the Preliminary Ecological Appraisal (Ecology & Habitat Management Ltd., January 2025) because the habitats on site are considered to have moderate potential to support reptiles and small mammals such as Hedgehog (which is a Priority and threatened species). This should be secured by a condition of any consent and implemented in full.

We support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Preliminary Ecological Assessment (Sylvatica Ecology, October 2024)) to avoid impacts from light disturbance. This should be secured by a condition of any consent and implemented in full. Therefore, technical specification should be submitted prior to occupation, which demonstrates measures to avoid lighting impacts to foraging / commuting bats, which are likely to be present within the local area. This should summarise the following measures recommended by [Guidance Note:08/23 \(Institute of Lighting Professionals\)](#) will be implemented:

- Do not provide excessive lighting. Light levels should be as low as possible as required to fulfil the lighting need.
- All luminaires should lack UV elements when manufactured. Metal halide, compact fluorescent sources should not be used.
- Warm White lights should be used at <2700k. This is necessary as lighting which emits an ultraviolet component or that has a blue spectral content has a high attraction effect on insects. This may lead in a reduction in prey availability for some light sensitive bat species.
- Where appropriate, external security lighting should be set on motion-sensors and set to as short a possible a timer as the risk assessment will allow.
- Luminaires should always be mounted horizontally, with no light output above 90° and/or no upward tilt.
- Only if all other options have been explored, accessories such as baffles, hoods or louvres can be used to reduce light spill and direct it only to where it is needed. However, due to the lensing and fine cut-off control of the beam inherent in modern LED luminaires, the effect of cowls and baffles is often far less than anticipated and so should not be relied upon solely.

We also support the proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended to secure net gains for biodiversity, as outlined under



Paragraph 187d and 193d of the National Planning Policy Framework (December 2024). The reasonable biodiversity enhancement measures should be outlined within a separate Biodiversity Enhancement Strategy and should be secured by a condition of any consent.

Please note we have no comments on Great Crested Newt as we have been instructed to leave comments on this European Protected Species to the [NatureSpace Partnership](#).

Please contact us with any queries.

Yours sincerely

**Genevieve Broad MCIEEM MSc BSc (Hons)**

Ecological Consultant

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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.