

Our ref: 11934
Date: 16 January 2026

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.

Thank you for consulting Place Services on the above application.

No ecological objection	<input type="checkbox"/>
Recommend approval subject to attached conditions	<input type="checkbox"/>
Further information required/Temporary holding objection Insufficient Ecological Information on <ul style="list-style-type: none"> European Protected Species (bats) █ ████████████████	<input checked="" type="checkbox"/>
Recommend Refusal	<input type="checkbox"/>
Subject to Natural England's formal comments on the conclusion of the LPA's Appropriate Assessment	<input type="checkbox"/>

Please refer to Horsham District Councils advice regarding Water Neutrality requirements following [Natural England's Withdrawal Statement \(31st October 2025\)](#).

Summary

We have reviewed the following supplied by the applicant, relating to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate mitigation. Please note that comments on Biodiversity Net Gain are provided by Horsham District Council in-house. Additionally, we have commented on all other ecological matters excluding Great Crested Newt as we have been instructed to leave comments on this European Protected Species to the [NatureSpace Partnership](#).

- Location Plan (ECE Architecture, March 2022)
- Proposed Site Layout (ECE Architecture, November 2022)
- Lighting Strategy (DFL, August 2024)
- Horizontal Illuminance Lux Plan (DFL, October 2024)
- Reptile Survey Report (Ecology Partnership, October 2024)
- Breeding Bird Survey Report (Ecology Partnership, October 2024)
- Bat Activity Survey (Ecology Partnership, October 2024)
- Technical Response – Place Services Ref 13th January 2025 (Ecology Partnership, January 2025)

We would like to highlight that is a resubmission of application DC/24/1699 which was refused and dismissed at appeal. The application was not refused in relation to matters relating to ecology. The above documents are the same as was submitted with the previous application.

We are not satisfied that there is sufficient ecological information available for determination of this application. The reasons for this are outlined below:

Europea Protected Species (bats) [REDACTED]

No details of an updated ecological site walkover or ecological report have been provided to support this new application. We note the Ecological Impact Assessment (EclA) (The Ecology Partnership, October 2024) which was submitted with DC/24/1699 has not been submitted with this application. The results of the previous site walkovers are over 12 months old¹. It is considered possible that new Potential Roost Features (PRF's) on trees could have formed within that time [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] We note we previously recommended the mitigation measures within the EclA were recommended to be

¹ CIEEM (2019) Advice note on the Lifespan of Ecological Reports and Surveys - <https://cieem.net/wp-content/uploads/2019/04/Advice-Note.pdf>

secured by a condition of any consent, if the applicant's ecologist still considers the results within the Ecological Impact Assessment (EclA) (The Ecology Partnership, October 2024) to be valid following the updated site walkover, this document will need to be submitted so that it can be secured for compliance.

As a result, we recommend that the applicant's ecologist provides an ecological addendum or an updated ecological report to support this application, which should require an additional site visit and may require updated desk study information. The ecologist will be required to provide appropriate justification, on:

- The validity of the initial report;
- Which, if any, of the surveys need to be updated; and
- The appropriate scope, timing and methods for the update survey(s).

If additional impacts to protected species are identified as a result of the additional ecological assessment, then any necessary further surveys for protected species should also be provided prior to determination. This is necessary as the Government Circular 06/2005 identifies 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. Therefore, it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed application, is established before planning permission is granted.

To fully assess the impacts of the proposal the LPA needs ecological information for the site, particularly for bats, European Protected Species [REDACTED]. These surveys are required prior to determination because Government Standing Advice indicates that you should *"Survey for bats if the area includes buildings or other structures that bats tend to use or there are trees with features that bats tend to use nearby"* [REDACTED].

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, if 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).

We look forward to working with the LPA and the applicant to receive the additional information required to support a lawful decision and overcome our holding objection.

Additional Comments

We note the landscape and Arboricultural consultants have commented on the mitigation measures for the onsite Veteran tree, which is an irreplaceable habitat. We are in agreement with their comments, that the buffer zone should not be encroached.

We note we are still satisfied the mitigation measures for Dormouse, reptiles and breeding birds, as submitted with the previous application and again for this application are still appropriate.

Please contact us if you have any queries in relation to this advice.

Hayley Dean MCIEEM MSc BSc (Hons)

Senior Ecological Consultant

Place Services at Essex County Council



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.

We are unable to respond directly to applicants/agents or other interested parties. Any additional information, queries or comments on this advice that the applicant/agent or other interested parties may have, must be directed to the Planning Officer at the relevant LPA, who will seek further advice from us where appropriate.