



Date: 30 May 2025

Our ref: 04588

Giles Holbrook  
Horsham District Council  
Parkside  
Horsham  
West Sussex  
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By email only: Planning Department, [planning@horsham.gov.uk](mailto:planning@horsham.gov.uk)

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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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<b>Application:</b>	DC/25/0523
<b>Location:</b>	Land North of East Street Rusper West Sussex
<b>Proposal:</b>	Erection of 18no. 2, 3 and 4 bedroom dwellings, (including 6no. affordable housing units), together with access from East Street, vehicle and cycle parking, landscaping and open space, and sustainable drainage.

Thank you for consulting Place Services on the above application.

Recommended Refusal	<input type="checkbox"/>
No ecological objections	<input type="checkbox"/>
Recommended Approval subject to attached conditions	<input checked="" type="checkbox"/>
Subject to Natural England's comments on the conclusion of the Water Neutrality AA	<input checked="" type="checkbox"/>
Subject to Natural England's comments on the conclusion of the bat AA	<input type="checkbox"/>
Further information required	<input type="checkbox"/>
Recommended Discharge of condition	<input type="checkbox"/>

**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 following documents 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.

- Arboricultural Method Statement (David Archer Associates, November 2024);
- Preliminary Ecological Appraisal (Ecology Partnership, January 2025); and
- Site Layout (ECE Architecture, November 2024).

We are satisfied that there is sufficient ecological information available for determination. Please note that 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](#).

A single tree was assessed as having bat roost potential, the tree is to be retained and as such no further surveys have been recommended. We are satisfied with this assessment and the detailed avoidance measures. Should the proposals change, and this tree be impacted, further surveys prior to determination will be required.

An increase in artificial light would negatively impact foraging bats. We recommend lighting details are outlined within a wildlife sensitive lighting scheme, in line with best practice guidance GN:08/23 from the Institute of Lighting Professionals<sup>1</sup> and secured by a condition of any consent.

This provides certainty for the LPA of the likely impacts on protected and Priority species and, with appropriate mitigation measures secured, the development can be made acceptable.

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

The mitigation measures identified in the Preliminary Ecological Appraisal (Ecology Partnership, January 2025) should be secured and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly bats, breeding birds, reptiles and Hedgehog.

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.

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<sup>1</sup> <https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/>

Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013. In terms of biodiversity net gain, the enhancements proposed will contribute to this aim.

Submission for approval and implementation of the details below should be a condition of any planning consent:

### **Recommended conditions**

#### **1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS**

*“All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Ecology Partnership, January 2025) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.*

*This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.”*

**Reason:** To conserve and enhance Protected and Priority 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 s40 of the NERC Act 2006 (as amended) and Policy 31 of the Horsham Development Framework.

#### **2. PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY**

*“Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Preliminary Ecological Appraisal (Ecology Partnership, January 2025), shall be submitted to and approved in writing by the local planning authority.*

*The content of the Biodiversity Enhancement Strategy shall include the following:*

- a) Purpose and conservation objectives for the proposed enhancement measures;*
- a) detailed designs to achieve stated objectives;*
- b) locations of proposed enhancement measures by appropriate maps and plans;*
- c) persons responsible for implementing the enhancement measures;*
- d) details of initial aftercare and long-term maintenance (where relevant).*

*The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.”*

**Reason:** To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended).

### 3. PRIOR TO OCCUPATION: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

*“A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.”*

*All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.”*

**Reason:** To 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 s40 of the NERC Act 2006 (as amended) and Policy 31 of the Horsham Development Framework.

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

**Hayley Dean 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.*