



Date: 1 July 2025

Our ref: 05692

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By email only: Planning Department, planning@horsham.gov.uk

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.

Application: DC/25/0803
Location: Units 4 To 5 Redkiln Close Horsham West Sussex RH13 5QL
Proposal: Demolition of warehouse building and associated structures. Construction of two no self-contained warehouse units for storage (Class B8).

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 pending further information on European Protected Species (bats)	<input checked="" type="checkbox"/>
Recommend Refusal	<input type="checkbox"/>
Subject to Natural England's comments on the conclusion of the Water Neutrality AA	<input checked="" 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 documents supplied by the applicant, relating to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate

mitigation, but unfortunately no information has been submitted in relation to ecology. 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 from the Section 3.2.1 of the Design & Access Statement that the existing warehouse is to be demolished and therefore a Preliminary Roost Assessment for bats is required to assess whether further surveys are needed, together with any mitigation measures. This is in accordance with [Government Standing Advice](#) which says you should ask for a survey if:

- distribution and historical records suggest bats may be present
- the development site includes or is close to any built structures, on or underground, that provide commuting, foraging or roosting opportunities for bats
- the development proposal includes lighting of buildings or green spaces close to habitats that bats tend to use

We also note from the Arboricultural Impact Assessment, Method Statement and Tree Protection Plan (PJC Consultancy Ltd., May 2025) that trees T1 Silver Birch, T2 Silver Birch and T7 Ash are to be removed and tree T3 Oak and trees in G1 (Hazel, Alder and Field Maple) are to have the crowns reduced. Therefore, these trees should be subject to a Ground Level Tree Assessment for bats in accordance with 4th Ed. Bat Surveys for Professional Ecologists Bat Conservation Trust (Collins ed., 2023) prior to determination in order to inform any mitigation requirements or the need for further surveys. If only PRF-Is are present, then no surveys are needed. However, appropriate compensation will be required in advance of works which will need to be undertaken under a Precautionary Working Method Statement for bats which means that any PRF is inspected by a suitably qualified ecologist immediately before felling. This is in accordance with [Government Standing Advice](#), which says you should “Survey for bats if there are trees with features that bats tend to use nearby.”

The results of these assessments are 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.

See Appeal Decisions Ref: APP/P1560/W/24/3344547 at The Oaks, Clacton Road Weeley Essex CO16 9EF and APP/W3520/W/17/3174638 Pooles Farm, Thorney Green Road, Stowupland IP14 4AJ, where the appeals were dismissed as one of the main issues was the effect of the proposal on protected species. The Inspector could not be sure that there would be no adverse effect on protected species in the absence of ecological information. We also highlight that this information is also requested by the Inspector even where ecology has not been a reason for refusal.

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 also recommend that reasonable biodiversity enhancements for protected, Priority and threatened species should be identified and implemented 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 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](#).

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.

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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.

