



Date: 4 June 2025

Our ref: 04729

Alice Johnson
Horsham District Council
Parkside
Horsham
West Sussex
RH12 1RL

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/25/0486
Location: Oakhurst Centre West Chilmington Lane Coneyhurst West Sussex RH14 9DN
Proposal: Outline application for the demolition of existing buildings and erection of 9No self-build / custom build dwellings with all matters reserved.

Thank you for consulting Place Services on the above outline application.

No ecological objection	<input type="checkbox"/>
Recommend approval subject to attached conditions	<input type="checkbox"/>
Requires further information on European Protected Species (bats and Hazel Dormouse) and protected species (reptiles)	<input checked="" type="checkbox"/>
Recommend Refusal	<input type="checkbox"/>
Subject to Natural England's formal comments on the conclusion of the Water Neutrality Appropriate Assessment	<input checked="" type="checkbox"/>
Subject to Natural England's formal comments on the conclusion of the Bat Appropriate Assessment	<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 Bat Survey Report and Swift Mitigation Strategy (Sylvatica Ecology, August 2024) and Preliminary Ecological Assessment (Sylvatica Ecology Ltd., February 2024), relating to the likely impacts of development on designated sites, protected and Priority species and habitats and the identification of proportionate mitigation. 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 on protected species available for determination of this application. We recommend that further information on protected species is provided prior to determination. The reasons for this are outlined below:

European Protected Species: bats

We understand from the Preliminary Ecological Assessment (Sylvatica Ecology Ltd., February 2024) that further surveys for trees with Potential Roost Features for multiple bats (PRFs-M) will be required if the group of eight Ash trees on the western edge of the site will be impacted by the works. As it appears that at the time of the Preliminary Ecological Assessment (Sylvatica Ecology Ltd., February 2024) the full plans for the development were not available, we request clarification as to whether these trees will be impacted and therefore whether further surveys for bats are required. This is in accordance with [Government Standing Advice](#).

We also request clarification as to whether any buildings onsite (excluding Buildings A and B) will be demolished or impacted by the development. Section 4 mentions the presence of working stables and commercial works units.

Hazel Dormouse

We also request clarification as to whether there will be any vegetation removal within the hedgerows, scrub and deciduous woodland. This is because there are 22 records for Hazel Dormouse within 2km of the site and there is suitable habitat for this species in the scrub and hedgerows around the boundaries of the site, as well as scrub and deciduous woodland to the north of the horse grazed field (Preliminary Ecological Assessment (Sylvatica Ecology Ltd., February 2024)). We therefore support the recommendation in Section 6.25 of the Preliminary Ecological Assessment (Sylvatica Ecology Ltd., February 2024) that further survey for Hazel Dormouse should be undertaken if there will be removal of vegetation from these habitats. [Government Standing Advice](#) states that you should ask for a survey if either of these apply:

- distribution and historical records suggest hazel dormice may be present
- the development proposal will affect an area of woodland (including deciduous, conifer or mixed woodland), hedgerow or scrub

In addition, Section 6.20 mentions ancient woodland habitat in connection to Hazel Dormouse, but it is not clear where this habitat is located and we therefore request clarification of this location.

Protected species - reptiles

As above, we also request clarification as to whether the grassland and scrub in the northern part of the site will be impacted by the development. This is because there are 24 records of Slow Worm, 11 records for Grass Snake and two records of Adder within 2km of the site and

the area provides suitable habitat for reptiles. [Government Standing Advice](#) states that you should ask for a survey if:

- distribution and historical records suggest reptiles may be present
- the development proposal is likely to lead to harm to individual reptiles or their habitats
- suitable habitat is present at the development site that could support reptiles

The clarification of whether there will be impacts to habitats with the potential to support bats, Hazel Dormouse and reptiles 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.

Additional comments

We note from the Bat Survey Report and Swift Mitigation Strategy (Sylvatica Ecology, August 2024) that that a licence for bats will be required before commencement of any works and recommend that a copy of this is secured by a condition of any consent. This is because the emergence surveys for bats undertaken on Building A (northern garage unit) in June and July 2024 confirmed the presence of a day/transitional roost for Soprano Pipistrelle. We support the Mitigation Licencing Strategy in Sections 5.6 to 5.9 of the Bat Survey Report and Swift Mitigation Strategy (Sylvatica Ecology, August 2024). We also note that no bats were observed emerging from Building B on the south western edge of the works area. We understand that the applicant intends to use a registered bat consultant under a Bat Mitigation Class Licence and therefore, post consent, evidence of the site registration under a Bat Mitigation Class Licence for Bats will need to be submitted to the LPA.

The site lies approximately 7.3km east of The Mens Special Area of Conservation (SAC) and 7.0km east of Ebernoe Common SAC. It therefore lies within the 12km Wider Conservation Area for both of these SACs, for which significant impacts or severance to flightlines must be considered (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol). The qualifying feature for the SACs is Barbastelle bat, and there are no records for this species within 2km of the site (SxBRC). There are approximately 27 other records for bats within 2km of the site, comprising Common and Soprano Pipistrelle, Brown Long-eared and Noctule species (SxBRC). No European Protected Species Mitigation Licences (EPSML) have been granted within 2km of the site ([MAGIC maps](#)).

The site lies approximately 8.1km northeast of Arun Valley SAC, SPA and Ramsar site.

As there is evidence of Swift nesting within the stable unit at the southeastern corner of the site, we support the Construction phase mitigation measures in Sections 6.5 to 6.8 and the Post development mitigation measures in Section 6.9 to 6.10 of the Bat Survey Report and

Swift Mitigation Strategy (Sylvatica Ecology, August 2024). These should be secured by a condition of any consent and implemented in full.

We support the Precautionary Method Statement for mobile protected species (including Hedgehog, which is a Priority and threatened species) in Section 6.18 of the Preliminary Ecological Assessment (Sylvatica Ecology Ltd., February 2024). This needs to be secured by a condition of any consent and implemented in full.

We also support the implementation of a Construction Environmental Management Plan (CEMP) for this application, as recommended in Section 6.3 of the Preliminary Ecological Assessment (Sylvatica Ecology Ltd., February 2024). This needs to be secured by a condition of any consent and implemented in full.

We support the proposed reasonable biodiversity enhancements, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 180d and 186d of the National Planning Policy Framework (December 2023). The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Layout 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 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.