



Date: 20 June 2025

Our ref: 05470

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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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**Application:** DC/25/0362  
**Location:** Menzies Wood Farm Okehurst Lane Billingshurst West Sussex RH14 9HR  
**Proposal:** Full planning permission for demolition of existing workshop, barn and offices and erection of a new barn and workshop building and office building and creation of open storage along with the full enclosure and refurbishment of existing barn for the continuation of uses on site falling within use classes B1(c) and B8, including the repair and maintenance of trailers and ancillary equipment; assembly of new trailers, horse boxes (including those with accommodation on board); trailer, motorhome and horse box conversions; pre sales work and customer collections; and the preparation and loading of trailers and horse boxes for export following grant of DC/18/0661.

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

<b>No ecological objection</b>	<input type="checkbox"/>
<b>Recommend approval subject to attached conditions</b>	<input type="checkbox"/>
<b>Further information required on European Protected Species (Hazel Dormouse) and protected species (reptiles)</b>	<input checked="" type="checkbox"/>
<b>Recommend Refusal</b>	<input type="checkbox"/>

<b>Subject to Natural England's formal comments on the conclusion of the LPA's Appropriate Assessment on water neutrality</b>	<input checked="" type="checkbox"/>
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**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 Ecological Appraisal Report (Wychwood Environmental, August 2024), and Natural England's comments (ref 515605 dated 13 June 2025), 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 mandatory 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 Hazel Dormouse and reptiles is provided prior to determination. The reasons for this are outlined below:

### **European Protected Species – Hazel Dormouse:**

It appears from Section 3.18 of the Ecological Appraisal Report (Wychwood Environmental, August 2024) that the native hedgerow comprising Oak trees, Hawthorn, Hazel, Blackthorn and Ash trees which fringes the site is to be retained. However, Section 5.2 of the Ecological Appraisal Report (Wychwood Environmental, August 2024) recommends moving the development to the north of the site to preserve the hedgerow as this habitat has the potential to support Hazel Dormouse. Government Standing Advice says you should ask for a survey if:

- 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.

### **Protected species - reptiles:**

In addition, Section 5.2 of the Ecological Appraisal Report (Wychwood Environmental, August 2024) recommends moving the development to the north to conserve the earth bank as this habitat has the potential to support reptiles. Government Standing Advice says 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 additional information 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.

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 Ecological Appraisal Report (Wychwood Environmental, August 2024) that the three buildings onsite (barn, workshop and Western open barn and adjoining office) all have negligible bat roost potential and we understand no trees are being removed. We therefore agree that no further surveys for bats are required.

The site lies approximately 4.8km northeast of The Mens Special Area of Conservation (SAC) and is therefore within the 6.0km Key Conservation Area for the SAC (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol). The site lies approximately 9.9km east of Ebernoe Common SAC and therefore lies within the 12km Wider Conservation Area for this SAC. The qualifying feature of the SAC is Barbastelle bat, but this species has not been recorded within 2km of the site. No European Protected Species Mitigation Licences have been granted within 2km of the site (MAGIC maps). There are approximately 24 records of bats within 2km of the site (Sussex Biodiversity Record Centre – accessed under licence). The site lies approximately 9.9km north of Arun Valley SAC, SPA and Ramsar site. We recommend that the LPA records its decision in a project level HRA that the development is not likely to result in any significant effect on the Sussex bat SACs.

As mobile protected species may be present on site, including Hedgehog (which is a Priority and threatened species), we support the implementation of the Precautionary Method Statement for mobile species in Section 6.4 of the Ecological Appraisal Report (Wychwood Environmental, August 2024). This should be secured by a condition of any consent

We support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Ecological Appraisal Report (Wychwood Environmental, August 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 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.

- a) Pre and post development habitat plans.
- b) Legal agreement(s)
- c) Biodiversity Gain Site Register reference numbers (if using off-site units).
- d) Proof of purchase (if buying statutory biodiversity credits at a last resort).

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.

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

**Sue Hooton CEnv MCIEEM BSc (Hons)**

**Principal Ecological Consultant**

Place Services at Essex County Council

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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.*