



Date: 24 October 2025

Our ref: 08819

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

Thank you for requesting advice on this outline 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/25/1269

Location:

Land North of Guildford Road Bucks Green Rudgwick West Sussex

Proposal:

Outline Planning Application for up to 90 no. residential dwellings (including 40% affordable) all matters to be reserved apart from access.

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"/>
Further information required/Temporary holding objection. Insufficient Ecological Information on: <ul style="list-style-type: none">• European Protected Species (bats)• 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"/>

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. Please note that comments on mandatory Biodiversity Net Gain are provided by Horsham District Council in-house. Additionally, we have been instructed to leave comments on this European Protected Species to the [NatureSpace Partnership](#).

The reviewed documents as of 24th October 2025 include:

- Landscape Masterplan (Scarp, August 2025)
- Preliminary Ecological Appraisal (Ecology Partnership, October 2025)
- Ecological Technical Note (Ecology Partnership, October 2025)
- Bat Activity Survey (Ecology Partnership, December 2024)
- Breeding Bird Surveys 2024 (Ecology Partnership, December 2024)
- Dormouse Survey Report (Ecology Partnership, December 2024)
- Ecological Impact Assessment (EclIA) (Ecology Partnership, June 2025)
- Arboricultural Impact Assessment (Aspect July 2025)

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

European Protected Species: bats

The site lies approximately 7.8km southwest of The Mens Special Area of Conservation (SAC) and therefore lies within the 12km Wider Conservation Area for the SAC (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol). The qualifying feature for the SAC is Barbastelle bats, the Bat Activity Survey (Ecology Partnership, December 2024) recorded low levels of this species with static bat detectors. We note the document states "*Bats were almost exclusively recorded utilising the linear boundary features for commuting, with the central treeline being by far the most frequently used commuting and foraging feature*". Our available records from Sussex Biodiversity Records Centre (SxBRC) accessed under licence returned no records of this species within 2 kilometres of the site. [MAGIC maps](#) returned one European Protected Species Mitigation Licenses (EPSML) granted within 2km of the site: a) 1.4km to the northwest of the site in 2017 for Common Pipistrelle. There are over 200 records for bats within 2km of the site, including Bechstein's bat, Brown Long-eared bat, Common Pipistrelle, Whiskered/Brandt's bat, Noctule/Serotine, Soprano Pipistrelle and Serotine bat have also been recorded within 2km of the site (SxBRC – accessed under licence). The site lies approximately 10.5km northeast of Ebernoe Common SAC and is therefore within the Wider Conservation Area for the SAC. The site lies approximately 15.92km north of the Arun Valley SAC, SPA and Ramsar site.

The Preliminary Ecological Appraisal (Ecology Partnership, October 2025) has undertaken a Ground Level Tree Assessment of the onsite trees, identifying several as PRF-I and several as PRF-M. Two of the PRF-M trees are shown on the Arboricultural Impact Assessment (Aspect July 2025) and Landscape Masterplan (Scarp, August 2025) are proposed to be removed or impacted indirectly. These are tree 4 (an Oak tree) and tree 5 (an Ash). However, the ecological reports conflictingly say these trees will be retained. As indicated within the ecological reports any trees identified as PRF-M which will be impacted require further surveys, which can include emergence surveys, to be undertaken prior to determination. The results of these surveys are required prior to determination.

Additionally, we are not satisfied sufficient certainty of the impacts upon the integrity of the Mens SAC and its qualifying species (Barbastelle) has been provided to support the LPA with their project level HRA. The proposals include the removal of a section of mature tree line located centrally within the site, which the activity surveys identified as a the most used feature by commuting and foraging bats. Aerial imagery shows this linear feature connecting to woodland habitat in the wider area. We recommend the need for information to support Habitats Regulations Assessment, which fully considers the impacts of the proposals, particularly from increased lighting and severance of flight lines and mitigation to avoid. The Information to support HRA should consider in combination impacts as well as impacts from the development alone. This information is required prior to determination to aid the LPA with their project level HRA.

To fully assess the impacts of the proposal the LPA needs ecological information for the site, particularly for bats, European Protected Species. 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”.

Protected Species: reptiles

The site is a large area of arable pasture, which is stated to be regularly grazed. The site is intersected by a mature tree line and patches of dense scrub. The ecological report has ruled out the need for further reptile surveys, stating the available records for Grass Snake are separated from the site by road and the site is unsuitable for use by reptiles due to grazing. A desktop search of records on NBN Atlas included records for Common Lizard and Grass Snake within the site to the east of this site. Additionally, grazing is not considered a deterrent for site use by reptiles. The site habitats offer a range of niches from the scrub and grassland edges which would provide suitable habitat for use by reptile species and are proposed to be removed.

As such we are satisfied with the justification to not undertake reptile surveys to inform the impact assessment and mitigation strategy. As per Government Advice surveys should be undertaken if:

- *“distribution and historical records suggest reptiles may be present - you can search the National Biodiversity Network Atlas by species and location”*
- *“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”*

To fully assess the impacts of the proposal the LPA needs ecological information for the site, particularly for reptiles, Protected Species.

The results of these surveys 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.

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 are satisfied sufficient information relating to Dormouse, breeding birds and other protected and Priority species has been provided.

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

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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.