



Date: 6 August 2025

Our ref: 06428

Hannah Darley  
Horsham District Council  
Parkside  
Horsham  
West Sussex  
RH12 1RL

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/25/0986  
**Location:** Land Opposite Codmore Field House, Plot 3 Hill Farm Lane Codmore Hill West Sussex RH20 1BJ  
**Proposal:** Erection of 1no. detached self-build / custom-build dwelling.

Thank you for consulting Place Services on the above application.

<b>No ecological objection</b>	<input type="checkbox"/>
<b>Recommend approval subject to attached conditions</b>	<input type="checkbox"/>
<b>Further information required/Temporary holding objection:</b> <b>Insufficient Ecological Information:</b> <ul style="list-style-type: none"><li>• Designated Sites (The Mens SAC); and</li><li>• European Protected Species: Bats</li></ul>	<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</b>	<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 unless they can demonstrate water neutrality.**

### **Summary**

We have reviewed the Reptile presence/ absence surveys (Arbtech, June 2025), Preliminary Ecological Appraisal (Arbtech, November 2024), Arboricultural Survey (Arbtech, December 2024) and the relevant plans and 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.

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

The site lies approximately 3.5km southeast of The Mens Special Area of Conservation (SAC) and is therefore within the 6.5km Key Conservation Area (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol). One of the qualifying features for the SACs is Barbastelle bats, although this species has not been recorded within 2km of the site ([MAGIC maps](#)). In the Key Conservation Area all impacts must be considered as habitats within this zone are considered critical for sustaining the populations of bats within the SACs (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol). The site also lies approximately 8.9km southeast of Ebernoe Common SAC ([MAGIC maps](#)) and therefore lies within the Wider Conservation Area for this SAC. The LPA will need to prepare a project level Habitats Regulations Assessment (HRA) to assess the likely effects from this development on the bats of the Sussex bat SACs.

There are approximately 121 records for bats within 2km of the site, including Soprano Pipistrelle, Brown Long-eared bat, Whiskered bat, Daubenton's bat and Common Pipistrelle bat (Sussex Biodiversity Record Centre – accessed under licence). Three of the records are also for Barbastelle bat, with the nearest being 600 metres west. No European Protected Species mitigation licences for bats have been issued within a 2km radius of the site ([MAGIC maps](#)).

There six trees proposed to be removed to enable to proposals. The Preliminary Ecological Appraisal (Arbtech, November 2024) included a Ground Level Tree Assessment of the site's trees, all of which were assessed as having negligible bat roost potential. However, the Arboricultural Survey (Arbtech, December 2024) describes trees T02 and T03, which are proposed to be removed as follows:

- T02: 800mm length x 200mm diameter wound to stem 1m from ground level on northern aspect. Approximately 100mm thick callous wood concealing wound. 300mm of bark inclusion where stems bifurcate at 1m from ground level.
- T03: Branch tear out equal to the stem diameter at 2m from ground level on south eastern aspect. Approximately 60% of the bark has been removed exposing a 300mm diameter wound.

The above listed wounds are not detailed within the ecological report. We note lifted bark and features as described above can be optimal features for use by roosting Barbastelle bat. As

such we are not satisfied trees which are proposed to be removed have been sufficiently assessed in terms of their bat roost potential. We recommend an updated Preliminary Roost Assessment, which may require aerial assessment to fully inspect the features is carried out prior to determination.

Additionally, with regard to the Mens SAC and the potential severance of flight lines, which would impact foraging and commuting bats from the SAC, we are not satisfied this has been sufficiently assessed to support the LPA with their project level HRA. Further information regarding how the removal of trees along the southern boundary will impact flight lines is required prior to determination.

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”*.

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:**

Regarding buildings the Preliminary Ecological Appraisal (Arbtech, November 2024) has undertaken a Preliminary Roost Assessment of a small, densely Ivy clad building present on site. The document states internal access was not feasible due to the density of the Ivy growth, however, the document states this was not considered a significant constraint to the

appropriate assessment, and they have assessed the building as having negligible bat roost potential. We have reviewed the images of the building and whilst Ivy can provide niches suitable for use by roosting bats, we are in agreement with the assessment provided within the Preliminary Ecological Appraisal (Arbtech, November 2024). However, as internal access could not be achieved, should the LPA be minded to grant permission, we recommend the need for a Non-licenced Bat Method Statement, to ensure the Ivy is first searched by a suitably qualified ecologist and hand stripped. We recommend this is secured by a condition of any consent.

We note the Landscape design text states the following “*Lighting would be low level and have a low effect on dark skies.*” An increase in artificial light would negatively impact bats, particularly Barbastelle bats which may use the onsite habitat. We recommend any external 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](#) and secured by a condition of any consent. Therefore, technical specification should be submitted prior to beneficial use, 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.

The PEA recommended reptile presence/ likely absence surveys, which have now been completed and reported within the Reptile presence/ absence surveys (Arbtech, June 2025). The survey was conducted following appropriate methodology and identified no reptiles during the surveys. We are satisfied impacts upon reptiles has now been sufficiently considered. We are in agreement with comments within the Landscape design text and recommend suitable enhancements are provided, such as log piles.

We are satisfied that there is sufficient ecological information available to support determination of this application. We have no objections on ecological matters excluding Great Crested Newt as we have been instructed to leave comments on this European Protected Species to the [NatureSpace Partnership](#).

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.*