



Date: 28 January 2026

Our ref: 13108

Sam Whitehouse
Horsham District Council
Parkside,
Chart Way,
Horsham,
West Sussex
RH12 1RL

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/25/2006|

Location: Land East of 1 To 25 Hayes Lane Slinfold West Sussex

Proposal: Outline application with all matters to be reserved except for access and layout, for the erection of 38no. dwellings, (including 13no. on-site affordable housing units), together with access from Hayes Lane, vehicle and cycle parking, landscaping, open space and play provision, sustainable drainage, and re-alignment of Public Right of Way No.3782

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

No ecological objection	<input type="checkbox"/>
No ecological objection subject to attached conditions	<input type="checkbox"/>
Further information required/Temporary holding objection: <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 LPA's Appropriate Assessment	<input type="checkbox"/>

[Please refer to Horsham District Councils advice regarding Water Neutrality requirements following Natural England's Withdrawal Statement \(31st October 2025\).](#)

Summary

We have reviewed the Biodiversity Net Gain Baseline Report and Preliminary Ecological Appraisal (AiDASH Ltd., July 2025) 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 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 further information with regard to bats and reptiles is provided prior to determination. The reasons for this are outlined below:

We understand from the Biodiversity Net Gain Baseline Report and Preliminary Ecological Appraisal (AiDASH Ltd., July 2025) (Appendix R) that a Ground Level Tree Assessment for Potential Roost Features (PRFs) for bats is required on all trees which are proposed for removal. We highlight that if any trees have PRFs for Individual bats (PRFs-I), then appropriate compensation will be required in advance of works to avoid loss of roost resource (Reason and Wray (2023) *UK Bat Mitigation Guidelines: a guide to impact assessment, mitigation and compensation for developments affecting bats. Version 1.1.* Chartered Institute of Ecology and Environmental Management). In addition, a non-licensed Precautionary Working Method Statement for bats will be required, which includes inspection of any affected trees by endoscope on the day and felling under the supervision of a licensed bat ecologist, as required in Table 6.3 of 4th Ed. Bat Surveys for Professional Ecologists Bat Conservation Trust (Collins ed., 2023). If any trees have PRFs for Multiple bats (PRFs-M), then further assessment will be required. This survey is in accordance with [Government Standing Advice](#) which says that you should ask for a survey if:

- distribution and historical records suggest bats may be present
- the development site includes or is close to [trees](#), shrubs, rock formations, quarries, natural cliff faces or water bodies that provide commuting, foraging or roosting opportunities for bats

In addition, we note from the Biodiversity Net Gain Baseline Report and Preliminary Ecological Appraisal (AiDASH Ltd., July 2025) (Appendix R) that a reptile presence/absence survey is required between April-June and September. This is because there are habitats on site which are suitable to support reptiles, including mixed scrub, woodland and native hedgerows. However, we understand from the Biodiversity Net Gain Baseline Report and Preliminary Ecological Appraisal (AiDASH Ltd., July 2025) (Appendix R) that the scrub on site has recently been cleared and the grassland has been cut short. These surveys are in accordance with [Government Standing Advice](#) which 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 survey information for bats 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.

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).

Additional Comments

We support the Precautionary Method Statement for mobile protected and Priority species (including Hedgehog, which is a threatened and Priority species) in Section 4 Ecological Receptor table of the Biodiversity Net Gain Baseline Report and Preliminary Ecological Appraisal (AiDASH Ltd., July 2025) (Appendix R). This needs to be secured by a condition of any consent and implemented in full.

We also support the proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended in the Biodiversity Net Gain Baseline Report and Preliminary Ecological Appraisal (AiDASH Ltd., July 2025) (Appendix R) 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](#).

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.

Hayley Dean MCIEEM MSc BSc (Hons)
Senior Ecological Consultant
Place Services at Essex County Council
Email: PlaceServicesEcology@essex.gov.uk



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.*
- *We are unable to respond directly to applicants/agents or other interested parties.*
- *Any additional information, queries or comments on this advice that the applicant/agent or other interested parties may have, must be directed to the Planning Officer at the relevant LPA, who will seek further advice from us where appropriate.*