



Date: 11 August 2026

Our ref: 20562

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

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.

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, and land for a scout hut and associated parking.

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

No ecological objection	☐
No ecological objection subject to attached conditions	☐
Further information required/Temporary holding objection: • European Protected Species (bats)	☒
Recommend Refusal	☐
Subject to Natural England's formal comments on the conclusion of the LPA's Appropriate Assessment	☐

[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 Reptile Mitigation Report (EcoSupport Ltd., May 2026), Ground Level Tree Assessment (EcoSupport Ltd., March 2026) and 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 still not satisfied that there is sufficient ecological information available for determination of this application and recommend that further information with regard to bats is provided prior to determination. The reasons for this are outlined below:

European Protected Species: bats

We note from the Ground Level Tree Assessment (EcoSupport Ltd., March 2026) that tree T64 (Common Oak) requires further assessment (FAR) for bat roost potential by aerial survey / climbing. This is in accordance with Table 4.2 of 4th Ed. Bat Surveys for Professional Ecologists Bat Conservation Trust (Collins ed., 2023) and [Government Standing Advice](#). The results of this assessment, together with any necessary mitigation measures, need to be submitted to the LPA prior to determination. Alternatively, if the tree is to be retained and protected from any impacts, this should be clearly indicated.

The survey information for bats 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 note from the Ground Level Tree Assessment (EcoSupport Ltd., March 2026) that the following trees (all Common Oak) have Potential Roost Features for individual bats (PRFs-I): G6.5, G6.6, G6.7, G6.8, G6.9, G6.10, G6.12, G6.13, G6.14, G6.15, G6.17, G6.19, G6.20 and G6.21. We highlight that, for these trees, 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).

We also note from the Reptile Mitigation Report (EcoSupport Ltd., May 2026) that seven reptile surveys, undertaken in April and May 2026, confirmed the presence of low populations of Common Lizard and Slow Worm on the site. We support the mitigation, compensation and enhancement measures in the Reptile Mitigation Report (EcoSupport Ltd., May 2026) which will retain reptiles in the open space areas of the development. This needs to be secured by a condition of any consent and implemented in full.

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.*