



Date: 21 July 2026

Our ref: 19466

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/26/0826

Location: Toat Cafe Stane Street North Heath West Sussex RH20 1DN

Proposal: Outline Planning Application for up to 93 residential dwellings (including 35% affordable), pharmacy, shop/cafe and open space, all matters reserved except access.

Thank you for 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) • Protected species information (reptiles)	☒
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 Preliminary Roost Assessment Report, Daytime Bat Walkover and Ground Level Tree Assessment Version 4 (ROAVR Group, December 2025) and Preliminary Ecological Appraisal Report (Enims Ltd., June 2025), relating to the likely impacts of development on designated sites, protected and Priority species and habitats and the identification of proportionate mitigation. 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 and recommend that additional information is provided prior to determination.

European Protected Species: bats

We note from the Preliminary Roost Assessment Report, Daytime Bat Walkover and Ground Level Tree Assessment Version 4 (ROAVR Group, December 2025) that Building B1 (modern red brick house) is a confirmed bat roost. As it appears from the submitted documents that this building will be demolished, a licence for bats will be required before commencement of any works. This is because the Preliminary Roost Assessment (PRA) undertaken on 10th December 2025 confirmed the presence of roosting bats. However, further assessment, including three emergence surveys between May and September, will be required to determine the species of bat and usage of the roost. We highlight that the outline mitigation measures to support the licence will also be required prior to determination of this application.

In addition, we note from the Preliminary Roost Assessment Report, Daytime Bat Walkover and Ground Level Tree Assessment Version 4 (ROAVR Group, December 2025) that Building B6 (toilet block) has low bat roost potential. Therefore, one dusk emergence or dawn re-entry survey will be required between May and September as stated in Table 7.3 of 4th Ed. Bat Surveys for Professional Ecologists Bat Conservation Trust (Collins ed., 2023) and the results submitted to the LPA prior to determination of this application.

We also note from the Preliminary Roost Assessment Report, Daytime Bat Walkover and Ground Level Tree Assessment Version 4 (ROAVR Group, December 2025) that the following trees have Potential Roost Features for multiple bats (PRF-Ms): T3 (Crack Willow), T4 (dead Oak), Group G3, T26 (English Oak), T31 (English Oak), T34 (dead Oak) and T51 (dead Oak). Therefore, further assessment for impacts to roosting bats using climbing or aerial survey methods will be required (Table 7.1 of 4th Ed. Bat Surveys for Professional Ecologists Bat Conservation Trust (Collins ed., 2023)) and the results submitted to the LPA prior to determination of this application.

We also support the recommendation in Section 5.4 of the Preliminary Roost Assessment Report, Daytime Bat Walkover and Ground Level Tree Assessment Version 4 (ROAVR

Group, December 2025) that further bat activity surveys should be undertaken between May and October using static detectors to assess the use of the site by foraging and commuting bats. The results of these surveys should be submitted to the LPA prior to determination.

Protected species (reptiles)

We note from the Preliminary Ecological Appraisal Report (Enims Ltd., June 2025) that there is significant suitable habitat on site for reptiles with scrub and grassland present. Therefore, we support the recommendation for reptile surveys (Section 5.2.3 Preliminary Ecological Appraisal Report (Enims Ltd., June 2025)). The results of the surveys need to be submitted to the LPA prior to determination.

Protected species Information

We note that Figure 2 Site boundary (red line) in the Preliminary Ecological Appraisal Report (Enims Ltd., June 2025) does not match the red line boundary on the Horsham District Council planning portal as the northeast section is missing. We also note that Figure 1 of the Preliminary Roost Assessment Report, Daytime Bat Walkover and Ground Level Tree Assessment Version 4 (ROAVR Group, December 2025) is missing the northeast area of the red line boundary, while Figure A2.2 indicates a red line boundary including the northeast section. We recommend that the missing section is subject to an ecological walkover survey and the results submitted to the LPA as an addendum to the existing report or a new ecological report is issued. We also request clarification of the extent of the coverage for the Preliminary Roost Assessment Report, Daytime Bat Walkover and Ground Level Tree Assessment (ROAVR Group, December 2025).

To fully assess the impacts of the proposal the LPA needs ecological information for the site, particularly for bats, which are European Protected Species, and for protected species. This information is required prior to determination ([Government Standing Advice](#)).

The 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.

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 including the Favourable Conservation Status licensing test 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 Preliminary Roost Assessment Report, Daytime Bat Walkover and Ground Level Tree Assessment Version 4 (ROAVR Group, December 2025) that the following buildings have negligible bat roost potential: B2 (wooden garage), B3-B5 (static caravans), B7 (Toat café and car wash), B8 (outbuilding) and B9 (caravans). Therefore, we agree that no further surveys for bats are required for these buildings.

The site lies approximately 3.9km southeast of The Mens Special Area of Conservation (SAC) and 9.0km east of Ebernoe Common SAC. The site therefore lies within the 6.5km Key Conservation Area for The Mens SAC, within which all impacts must be assessed, and within the 12km Wider Conservation Area for Ebernoe Common SAC, within which significant impacts or severance to flightlines must be assessed, (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol). The qualifying feature of the SAC is Barbastelle bat, with there being two records of this species from approximately 1.7km from the site, recorded in 2009 and 2010 from the same site. One European Protected Species Mitigation Licence has been granted at 2.0km to the east in 2018 for Natterer's bat ([MAGIC maps](#)). There are 27 records of bats within 2km of the site, including Serotine, Common Pipistrelle and Brown Long-eared Bat (Sussex Biodiversity Record Centre – accessed under licence). The site lies approximately 3.1km north of Arun Valley SAC, SPA and Ramsar site.

We note the Preliminary Roost Assessment Report, Daytime Bat Walkover and Ground Level Tree Assessment (ROAVR Group, December 2025) indicates that Fifteen EPSM licences have been granted within 2km of the site for Brown Long-eared Bat (*Plecotus auritus*), Soprano Pipistrelle (*Pipistrellus pipistrellus*) bats, common pipistrelle (*Pipistrellus pipistrellus*), Daubenton's (*Myotis daubentonii*), serotine bat (*Eptesicus serotinus*), Natterer's bat (*Myotis nattereri*) and whiskered bat is (*Myotis mystacinus*). It is not clear where this information is coming from, as we cannot see such records from Sussex Biodiversity Record Centre – accessed under licence or MAGIC.

We understand from the submitted documents that the site comprises extensive open grassland bordered by mature, native trees, including English Oak, Grey Willow, Field Maple, Blackthorn and Bramble with nine buildings/structures. There are lines of conifers on the site boundaries.

We support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Preliminary Ecological Appraisal Report (Enims Ltd., June 2025) 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 in the Preliminary Ecological Appraisal Report (Enims Ltd., June 2025) 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 need to 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.

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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.

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.