Place Services
Essex County Council
County Hall, Chelmsford
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Date: 18 December 2025 Our ref: 11748

Kate Turner
Horsham District Council
Parkside
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By email only: Planning Department, planning@horsham.gov.uk

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.

Application: DC/25/1081
Location: Lot 1 Delspride Kent Street Cowfold Horsham West Sussex RH13 8BB
Proposal: Erection of 2No detached dwellings.

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

No ecological objection	☐
Recommend approval subject to attached conditions	☐
Further information required/Temporary holding objection **Insufficient Ecological Information on:** - **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 previously reviewed the Preliminary Ecological Appraisal (The Ecology Co-op, March 2023), supplied by the applicant, relating to the likely impacts of development on designated sites, protected & Priority species and habitats, and identification of proportionate mitigation. We have now also reviewed the Preliminary Ecological Appraisal (The Ecology Co-Op, November 2025). 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 details of survey results, mitigation and enhancement measures are required prior to determination. The reasons for this are outlined below:

European Protected Species: Bats

The Preliminary Ecological Appraisal (The Ecology Co-Op, November 2025) has assessed three of the five buildings as having low bat roost potential and has recommended the need for a single emergence survey. Additionally, the site is adjacent to a Priority habitat woodland. Therefore, under 4th Ed. Bat Surveys for Professional Ecologists guidance a single emergence survey is required or justification from a suitably licenced ecologist including professional judgement why the further surveys are not required. The results of the surveys or further justification are required prior to determination. Given that a complete inspection of the interior of the chicken barn was not possible due to health & safety reasons, we would be willing to discuss the evidence with the applicant's ecologist to ensure proportionality has been considered in line with paragraph 5.2.44 of the above survey guidelines.

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).

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

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.