



Date: 26 March 2026

Our ref: 14983

Halima Chowdhury
Horsham District Council
Parkside,
Chart Way,
Horsham,
West Sussex
RH12 1RL

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/26/0248
Location: Shermanbury Place Brighton Road Shermanbury West Sussex
RH13 8HF
Proposal: Installation of solar PV array to concealed south and east facing inner
roof slopes.

Thank you for consulting Place Services on the above householder 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 Phase 1 Bat Survey (Batscan Ltd., April 2024) and European Protected Species Mitigation Licence Reference 2024-69984-EPS-MIT (Natural England, February 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 details of survey results, mitigation and enhancement measures are required to make this proposal acceptable. The reasons for this are outlined below:

European Protected Species – bats

Following correspondence with the case officer we have been provided with the Phase 1 Bat Survey (Batscan Ltd., April 2024). We note from the Phase 1 Bat Survey (Batscan Ltd., April 2024) that the dwelling has 'low' bat roost potential, and we therefore agree that a single bat emergence survey is required, as recommended within the report. This is in accordance with [Government Standing Advice](#). If these surveys have already been undertaken the survey results are required to inform the LPA of the likely impacts.

Additionally, a copy of a European Protected Species Mitigation Licence Reference 2024-69984-EPS-MIT (Natural England, February 2025) has been submitted, which covers the loss of a Soprano Pipistrelle maternity roost and a Common Pipistrelle day roost. Further clarity is required regarding whether this EPS Mitigation licence is relevant to these proposals is required. Natural England only issue licences once planning permission has been obtained, as such, more detail is required to ensure this licence covers activities concerning this application.

The results of this survey 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.

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 also recommend that reasonable biodiversity enhancements for protected, Priority and threatened species should be identified by a suitably qualified ecologist and implemented 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 need to be outlined within a separate Biodiversity Enhancement Strategy and 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)

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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.*