



Date: 14 August 2026

Our ref: 20560

Alice Johnson
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/26/0913
Location: Land East of Oaklands Henfield Road Cowfold West Sussex
Proposal: Outline planning application for a phased development of approximately 40 residential dwellings, vehicular access, car parking, landscaping, open space and other associated works and infrastructure. All matters reserved except for 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) • European Protected Species (Hazel Dormouse)	☒
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 Ecological Appraisal and Survey Report (AEWC Ltd., February 2026) and Reptile Survey Report (AEWC Ltd., June 2026) (both contained within the Preliminary Ecological Appraisal and Survey Report (Landacre, January and June 2026), 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 Hazel Dormouse is provided prior to determination. The reasons for this are outlined below:

European Protected Species: bats

We note from the Preliminary Ecological Appraisal and Survey Report (AEWC Ltd., February 2026) that a Ground Level Tree Assessment (GLTA) has not yet been undertaken as it was not known at the time of the survey which trees would be impacted. We therefore recommend that a GLTA should be undertaken and highlight that appropriate compensation for any trees with Potential Roost Features for individual bats (PRFs-I) would 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). We also highlight that a non-licensed Precautionary Working Method Statement for bats would be required for trees with PRFs-I, 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). Any trees with PRFs for multiple bats would require further assessment. This is in accordance with [Government Standing Advice](#) which states 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*
- *the development proposal includes lighting of buildings or green spaces close to habitats that bats tend to use*

We also support the recommendation in the Preliminary Ecological Appraisal and Survey Report (AEWC Ltd., February 2026) that a bat activity survey using static detectors over five nights should be undertaken between April and October.

The results of the GLTA assessment and the bat activity survey, together with any necessary mitigation measures, need to be submitted to the LPA prior to determination.

European Protected Species: Hazel Dormouse

We support the recommendation in the Preliminary Ecological Appraisal and Survey Report (AEWC Ltd., February 2026) for a Hazel Dormouse survey to be undertaken between April and November. This is because the on-site boundary hedgerows and scrub, which will be removed, provide suitable habitat for Hazel Dormouse. This is in accordance [Government Standing Advice](#) which says you should ask for a survey if:

- *distribution and historical records suggest hazel dormice may be present*
- *the development proposal will affect an area of woodland (including deciduous, conifer or mixed woodland), hedgerow or scrub*

The survey information for bats and Hazel Dormouse 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 Preliminary Ecological Appraisal and Survey Report (AEWC Ltd., February 2026) that the two field shelters on site have negligible bat roost potential and we therefore agree that no further bat surveys for these structures are required.

We note from the Reptile Survey Report (AEWC Ltd., June 2026) that seven reptile surveys undertaken during April and May 2026 confirmed the presence of a low population of Grass Snake on site. We support the recommendation in the Reptile Survey Report (AEWC Ltd., June 2026) to retain the reptiles on site with in-situ mitigation under a Reptile Mitigation Strategy and Method Statement. This needs to be secured by a condition of any consent and implemented in full.

We support the implementation of the Precautionary Method Statement for mobile protected and Priority species (including Hedgehog, which is a threatened and Priority species) in Sections 6.17 and 6.19 of the Preliminary Ecological Appraisal and Survey Report (AEWC Ltd., February 2026). This needs to be secured by a condition of any consent and implemented in full.

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)
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.*