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Horsham District Council
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West Sussex
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Our ref: 17174
Date: 18 May 2026

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.

Application: DC/26/0220
Location: Coopers Nursery, Woodside Lodge Picts Lane Cowfold West Sussex
Proposal: "Demolition of existing dwelling and machinery store, and erection of a single storey replacement (self-build) dwelling."

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 • Protected species (reptiles)	☒
Recommend Refusal	☐
Subject to Natural England's formal comments on the conclusion of the LPA's Appropriate Assessment	☐

Please refer to Horsham District Council's advice regarding Water Neutrality requirements following Natural England's Withdrawal Statement (31st October 2025).

Summary

We have previously reviewed the Preliminary Ecological Appraisal (Arun Ecology Ltd., January 2026), 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 have now reviewed Revision 2 of the above document: Preliminary Ecological Appraisal (Arun Ecology Ltd., April 2026).

We are still not satisfied that there is sufficient ecological information available for determination of this application and recommend that details of survey results, mitigation & enhancement measures are required to make this proposal acceptable. The reasons for this are outlined below:

Protected species – reptiles

Revision 1 of the ecological appraisal recommended the need for further reptile surveys, of which we agreed with. The latest version, Revision 2 has removed this recommendation, with no explanation regarding the change in professional recommendation. Table 8 within the Preliminary Ecological Appraisal (Arun Ecology Ltd., April 2026) states *“The risk of harm to individual reptiles as a result of the development is considered to be low, due to only sub-optimal habitat being present within the main footprint of the proposed development (modified grassland with a short sward height and four conifer trees), with all other habitats with greater suitability for reptiles within the wider development boundary being retained in their entirety (including the bramble scrub and mixed scrub habitats). As such, it is reasonably unlikely that a significant population of reptiles will be adversely impacted by the development”*. However, the UK Habitat Classification Survey Results plan shows the mixed and Bramble scrub directly located where the new building is located, as such it is not clear if the statement that the suitable habitat will be retained is accurate.

As such the LPA does not have certainty that individual reptiles will not be impacted by the proposals, as it is our current understanding that the identified habitat will be lost. As such we maintain the recommendation for the required reptile presence/absence surveys. This is because the development requires the removal of bramble and mixed scrub on site which provide suitable habitat for reptiles. [Government Standing Advice](#) says you should ask for a survey if:

- distribution and historical records suggest reptiles may be present
- the development proposal is likely to lead to harm to individual reptiles or their habitats
- suitable habitat is present at the development site that could support reptiles

Updated plans showing how the identified suitable habitat will be retained and protected is required if the applicant maintains that the habitat will not be lost.

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.

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 (Arun Ecology Ltd., January 2026) that Building B1 (residential building) has negligible bat roost potential and that there are no other buildings or trees with bat roost potential within the redline boundary. We therefore agree that no further surveys for bats are required.

We support the Precautionary Method Statement for mobile protected and Priority species (including Hedgehog, which is a threatened and Priority species) in Sections 6.4.1, 6.4.2 and 6.4.7 of the Preliminary Ecological Appraisal (Arun Ecology Ltd., January 2026). 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 Preliminary Ecological Appraisal (Arun Ecology Ltd., January 2026) 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 needs to be secured by a condition of any consent.

If external lighting is required, we support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Preliminary Ecological Appraisal (Arun Ecology Ltd., January 2026)), 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.

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 recommend that the NatureSpace Partnership is consulted on this application.

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.

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.