Place Services
Essex County Council
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Date: 20 June 2025 Our ref: 05423

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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/25/0371
Location: Tesla Engineering Ltd Water Lane Storrington West Sussex RH20 3EA
Proposal: Construction of industrial extension to Unit 12 with associated vehicle parking and works.

Thank you for consulting Place Services on the above full application.

No ecological objection	☐
Recommend approval subject to attached conditions	☐
Further information required/Temporary holding objection on European Protected Species (bats)	☒
Recommend Refusal	☐
Subject to Natural England's formal comments on the conclusion of the LPA's Appropriate Assessment on Water Neutrality	☒
Subject to Natural England's formal comments on the conclusion of the LPA's Appropriate Assessment on bats	☐

Please note that following receipt of Natural England's position statement on developments in the Sussex North Water Supply Zone, decisions on planning applications should await the completion of a Sussex North water neutrality strategy.

Summary

We have reviewed the documents supplied by the applicant, relating to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate mitigation, but unfortunately no information has been submitted in relation to ecology.

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 on bats is provided prior to determination. The reasons for this are outlined below:

European Protected Species - bats:

We note from the Planning Statement (DHA, March 2025) that the development comprises an extension to Unit 12 to form a new machine room. We understand the new unit will be located on an area of open hardstanding and that the access will remain unchanged from the existing junction on Water Lane.

We therefore request clarification as to whether the existing Unit 12 contains any Potential Roost Features for bat and/or any signs of roosting bats.

The clarification with regard to bats 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 – Sussex bat SAC
The site lies approximately 9.4km southeast of The Mens Special Area of Conservation (SAC) and is therefore within the 12.0km Wider Conservation Area for the SAC (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol). The qualifying feature of the SAC is Barbastelle bat, and this species has been recorded within 1km of the site. Three European Protected Species Mitigation Licences have been granted within 2km of the site: a) 1.1km to the southeast in 2015 for Soprano Pipistrelle bat; b) 1.9km to the southwest in 2015 for Brown Long-eared bat, and Serotine; and c) 2.0km to the southeast in 2013 for Whiskered bat, Daubenton's and Natterer's bat (MAGIC maps). There are approximately 24 records of bats within 2km of the site (Sussex Biodiversity Record Centre – accessed under licence). The site lies approximately 14.4km southeast of Ebernoe Common SAC and therefore lies outside the Wider Conservation Area for this SAC and also lies approximately 4.00km east of Arun Valley SAC, SPA and Ramsar site.

We understand from the submitted documents that the site comprises hardstanding with no trees or hedgerows within the red line boundary. We understand that the hedgerows and trees around the wider site will be retained. Therefore, there will be no severance to the flight lines of foraging or commuting bats from the SAC and habitat connectivity within the site will be maintained.

If external lighting is required, and as Barbastelle bat may use the adjacent habitat, we recommend that a Wildlife Friendly Lighting Strategy is implemented for this application 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 recommend that reasonable biodiversity enhancements for protected, Priority and threatened species should be identified 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 should be outlined within a separate Biodiversity Enhancement Strategy and should be secured by a condition of any consent. We note from the Proposed Site Layout Plan Drawing No. DHA/33674/05 Rev A (DHA, May 2025) that the native trees and hedgerows to be planted were approved within the previous applications (DC/17/1367 and DC/23/0997).

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.

Sue Hooton CEnv MCIEEM 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.