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Horsham District Council
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Our ref: 17575
Date: 1 June 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/26/0048
Location: Birchfield Nursery Kidders Lane Henfield West Sussex
Proposal: Demolition of the existing building and offices and erection of a new commercial building (Classes B2, B8, E, F) and associated works which include the demolition/removal of the wooden building, oak building, portacabin to the north of the site and portacabin to the rear of the existing marquee.

Thank you for 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 reviewed the documents supplied by the applicant, including the Existing Block Plan (Jack Dunkley, December 2025). We note no ecological information, which would relate to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate mitigation have been submitted. Additionally, we have undertaken a desktop assessment using [MAGIC](#). Please note that comments on Biodiversity Net Gain are provided by Horsham District Council in-house.

We have been instructed to leave comments on this European Protected Species to the [NatureSpace Partnership](#).

We are not satisfied that there is sufficient ecological information available for determination of this application. The reasons for this are outlined below:

European Protected Species: bats

The proposals include the demolition of buildings. The existing buildings could have suitability for use by roosting bats and the demolition of said buildings without appropriate mitigation could lead to the death or injury of individual bats, or the loss of a roost. As such further information is required to inform the likely impacts upon bats and give the LPA sufficient certainty of likely impacts on legally protected species, which is required prior to determination. The nearest bat licence record, as available on MAGIC is approximately 750m northwest. This included a licence for Brown Long-eared Bat, Common Pipistrelle, Soprano Pipistrelle and Whiskered Bat, with the licence issued in 2019.

We recommend a Preliminary Roost Assessment (PRA) is undertaken to inform whether the buildings do have bat roost potential. If further surveys are recommended following the PRA, these will need to be undertaken, and the results provided prior to determination.

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).

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 contact us if you have any queries in relation to this advice.

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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.