Place Services
Essex County Council
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Date: 11 November 2026 Our ref: 23753

Bethan Tinning
Horsham District Council
Parkside
Horsham
West Sussex
RH12 1RL

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/26/1475**
Location: **Land To The Rear of The Hermitage Tower Hill Horsham West Sussex RH13 0JS**
Proposal: **Erection of nine dwellings (two affordable units) with associated existing access, parking, landscaping, drainage infrastructure and communal amenity space**

Thank you for consulting Place Services on the above application.

No ecological objection	☐
No ecological objection 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	☐

Summary

We have reviewed the Preliminary Ecological Appraisal (Arun Ecology Ltd., August 2026), relating to the likely impacts of development on designated sites, protected and Priority species and habitats and the identification of appropriate mitigation measures. 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 for reptiles are required to make this proposal acceptable prior to determination. The reason for this is outlined below:

Protected Species: reptiles

We note that Section 6.5.4 of the Preliminary Ecological Appraisal (Arun Ecology Ltd., August 2026) states that reptile surveys will be required. This is because one hectare of other neutral grassland and 30m^2 of lowland mixed deciduous woodland will be removed for the development and there are records of Slow Worm, Grass Snake and Common Lizard within 1km of the site. Therefore, seven survey visits between April and October need to be undertaken to inform any mitigation measures for reptiles.

To fully assess the impacts of the proposal the LPA needs ecological information for the site, particularly for reptiles, which are protected species. This is because Government Standing Advice for reptiles indicates you should ask for a survey if the *"development proposal is likely to lead to harm to individual reptiles or their habitats and suitable habitat is present at the development site that could support reptiles."*

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 including the Favourable Conservation Status licensing test 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 that the Preliminary Ecological Appraisal (Arun Ecology Ltd., August 2026), that there are no buildings on site. We understand that trees T074, T075 and T076 have Potential Roost Features for individual bats (PRFs-I) and will be removed for the development. Therefore, we highlight that appropriate compensation will 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 will be required, 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).

The site lies approximately 12.4km northeast of The Mens Special Area of Conservation (SAC) (MAGIC maps) and therefore lies outside within the 12km Wider Conservation Area for this SAC. Therefore, a project level Habitats Regulations Assessment (HRA) will not be required.

We support the implementation of the non-licensed Precautionary Method Statement for Hazel Dormouse in Section 6.4.8 of the Preliminary Ecological Appraisal (Arun Ecology Ltd., August 2026). This is because a 14m strip of lowland mixed deciduous woodland containing Blackthorn, Bramble and Dog Rose, which comprises suitable habitat to support Hazel Dormouse, will be removed for the development. 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 6.4.1, 6.4.9 and 6.4.10 of the Preliminary Ecological Appraisal (Arun Ecology Ltd., August 2026). This needs to be secured by a condition of any consent and implemented in full.

We support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Preliminary Ecological Appraisal (Arun Ecology Ltd., August 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.

We also support the proposed reasonable biodiversity measures for protected, Priority and threatened species, which have been recommended in the Preliminary Ecological Appraisal (Arun Ecology Ltd., August 2026) to secure net gains for biodiversity, as outlined in National Policy N2 (f) of the National Planning Policy Framework (August 2026). Reasonable biodiversity measures are a separate matter to mandatory biodiversity net gains and the finalised details should be outlined within a separate Biodiversity Measures Strategy to be secured as a condition of any consent.

Please note 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.

AI may have been used in the preparation of this response, but its use will be limited to basic proof-reading, grammar, and spelling correction. This response has been reviewed by the author(s). If you have any queries, please contact us for information about our AI guidance.