



Date: 08 September 2026

Our ref: 21385

Hannah Darley
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 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/26/1207

Location: Cherrytree Cottage Pickhurst Lane Pulborough West Sussex RH20 1DA

Proposal: Erection of a self-build dwelling and detached garage with new vehicle access from Black Gate Lane and associated driveway/car parking.

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	☐

[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 (Arun Ecology Ltd., July 2026) relating to the likely impacts of development on designated sites, protected and Priority

species & habitats and identification of proportionate mitigation. 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 details of survey results, mitigation & enhancement measures for reptiles are provided prior to determination. The reasons for this are outlined below:

Protected Species: reptiles

We note from the Preliminary Ecological Appraisal (Arun Ecology Ltd., July 2026) that a reptile presence/absence survey is required between April and October. This is because approximately 2m of hedgerow H2, 3m of hedgerow H3 and 570m² of deciduous woodland all of which are suitable to support reptiles, will be removed. These surveys are in accordance with [Government Standing Advice](#) which 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.

The survey information for reptiles 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 support the non-licensed Precautionary Method Statement for Hazel Dormouse in Section 6.5.6 of the Preliminary Ecological Appraisal (Arun Ecology Ltd., July 2026), which needs to be secured by a condition of any consent and implemented in full.

We also support the Precautionary Method Statement for mobile protected and Priority species (including Hedgehog, which is a threatened and Priority species) in Sections 6.5.1, 6.5.7 and 6.5.8 of the Preliminary Ecological Appraisal (Arun Ecology Ltd., July 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., July 2026), to secure net gains for biodiversity, as outlined in the National Planning Policy Framework (August 2026) N2 Part F. The reasonable biodiversity enhancement measures should be outlined within a separate Biodiversity Enhancement Layout and should be 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

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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.

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.

