Place Services
Essex County Council
County Hall, Chelmsford
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www.placeservices.co.uk

Date: 27 October 2026 Our ref: 23235

Hannah Darley
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.

Application: **DC/26/1440**
Location: **Land at Grid Reference 510699 117812 Bramble Lane Thakeham West Sussex RH20 3DZ**
Proposal: **Use of land as Gypsy/Traveller site comprising 2 pitches with the siting of a Mobile Home and Dayroom per pitch.**

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: • **European Protected Species (bats and Hazel Dormouse)** • **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 (Ecology & Habitats Management Ltd., July 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 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:

European Protected Species: bats

We note from Section 3.2.4 of the Preliminary Ecological Appraisal (Ecology & Habitats Management Ltd., July 2026) that Building TN7 (small wooden shed) could not be inspected for the presence of bats due to vegetation. However, an assessment of any likely impact to roosting bats will be required prior to determination to inform the need for further assessment and mitigation measures in accordance with the 4th Ed. Bat Surveys for Professional Ecologists Bat Conservation Trust (Collins ed., 2023). Government Standing Advice says you should ask for a survey if:

- *distribution and historical records suggest bats may be present*
- *the development site includes or is close to any built structures, on or underground, that provide commuting, foraging or roosting opportunities for bats*

The site lies approximately 9.2km southeast of The Mens Special Area of Conservation (SAC) and is therefore within the 12km Wider Conservation Area for the SAC within which significant impacts or severance to flightlines must be considered. This is because the Wider Conservation Area is the full extent of the range of foraging areas required by Barbastelle bats, which are the qualifying feature of the SAC. However, there are no records for this species within 2km of the site (Sussex Biodiversity Record Centre (SxBRC) – accessed under licence). There are approximately 44 records of bats within 2km of the site, including Daubenton's, Noctule, Common Pipistrelle, Nathusius Pipistrelle and Brown Long-eared bat (SxBRC). Two European Protected Species Mitigation Licences have been granted within 2km of the site: a) approximately 1.2km to the southeast for Brown Long-eared bat and Common Pipistrelle in 2016; b) approximately 1.8km to the southeast for Brown Long-eared bat in 2017 (MAGIC maps).

The site lies approximately 14.9km southeast of Ebernoe Common SAC and therefore lies outside the 12km Wider Conservation Area for this SAC (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol). The site lies approximately 4.6km east of Arun Valley SAC, SPA and Ramsar site. We understand from

the submitted documents that the site comprises Bramble scrub, fences, scattered trees, other developed land and five buildings.

European Protected Species: Hazel Dormouse
We note from Section 3.8 of the Preliminary Ecological Appraisal (Ecology & Habitats Management Ltd., July 2026) there are 16 records of Hazel Dormouse within 1km of the site and the site supports extensive bramble scrub and young trees which will be removed. Therefore, a presence/absence survey for Hazel Dormouse will be required as recommended in Section 4.9.2 of the Preliminary Ecological Appraisal (Ecology & Habitats Management Ltd., July 2026). We highlight that the results of this survey will be required to inform the mitigation measures for the application of a European Protected Species Mitigation Licence for Hazel Dormouse (if required) and the results are required prior to determination.

This is because the Favourable Conservation Status licensing test must be used to demonstrate that the LPA, as a competent authority, has had regard to the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended) as this must not be left until the licence application stage when reaching planning decisions.

Protected Species: reptiles
We note that Section 3.5 of the Preliminary Ecological Appraisal (Ecology & Habitats Management Ltd., July 2026) states that the site has moderate suitability for common reptiles due to the presence of dense bramble, a varied vegetation structure and rubble piles, there are records of Slow Worm and Grass Snake within 1km of the site and there are links to suitable habitat for reptiles in the wider landscape. The Preliminary Ecological Appraisal lacks certainty of the likely impacts upon reptiles and lacks robust recommendations. The PEA has provided a Precautionary Method Statement but also states the LPA may consider further presence/ likely absence surveys are needed. If surveys are required to ascertain the impact assessment and inform mitigation and compensation measures, then the results are required prior to determination. As such, further clarity on this matter is required. Therefore, surveys for reptiles need to be undertaken over seven survey visits to inform a reptile mitigation strategy (if required).

To fully assess the impacts of the proposal the LPA needs ecological information for the site, particularly for bats, which are European Protected Species, and reptiles, which are protected species. This is because Government Standing Advice for bats indicates that you should "*Survey for bats if the area includes buildings or other structures that bats tend to use*" and 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 (Ecology & Habitats Management Ltd., July 2026) concludes that no evidence of bats was found in Buildings TN3, (shipping container), TN4 (wooden workshop) and TN5 (wooden shed); building TN6 (shipping container) has negligible bat roost potential; and the scattered trees have negligible bat roost potential. Therefore, we agree that no further surveys for bats and the above buildings or for trees are required.

We support the implementation of the Precautionary Method Statement for mobile protected and Priority species (including Hedgehog, which is a Priority and threatened species) in Sections 4.7.2 and 4.12.2 of the Preliminary Ecological Appraisal (Ecology & Habitats Management Ltd., July 2026). This needs to be secured by a condition of any consent and implemented in full.

As Barbastelle bat may use the onsite habitat, we support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Preliminary Ecological Appraisal (Ecology & Habitats Management Ltd., July 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 (Ecology & Habitats Management Ltd., July 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 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.