



Date: 18 November 2025

Our ref: 10375

Jason Hawkes
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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/25/1543
Location: Land Parcel at 519887 133300 Rusper Road Horsham West Sussex
Proposal: "Construction of Primary Road from the Left-In, Left-Out junction with the A264 (constructed pursuant to Outline Planning Permission DC/16/1677) to Bush Lane (Bridleway 1585), footpaths and cycleways, foul and surface water drainage including a SUDS basin and foul pumping station, landscaping, substations and associated infrastructure."

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: • 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 Chapter 12 Ecology Environmental Statement (Stantec, September 2025) and the Landscape and Ecological Management Plan (David Jarvis Associates, September 2025), relating to the likely impacts of development on designated sites, protected & Priority species and habitats, and identification of appropriate mitigation measures. Please note that comments on mandatory biodiversity net gain are provided by Horsham District Council in-house.

We note from the Planning Statement Revision 01 (Stantec, September 2025) that outline planning permission for DC/16/1677 was granted in March 2018, but the time limit for submission of Reserved Matters has now passed.

We are not satisfied that there is sufficient ecological information available for determination of this application and recommend that further information for bats is provided prior to determination. The reasons for this are outlined below:

European Protected Species - bats

We note from the BS:5837 Arboricultural Report (David Jarvis Associates, September 2025) that Trees 272 (Holly x 5), T273 (Alder) and T356 (Penduculate Oak) will be removed to facilitate construction. In addition, T270 (mixed species group) and W281 (mixed woodland) will be cleared for the new roadway/footpath routes, together with various hedgerows, and T270 (Goat Willow) will be coppiced. We understand from Section 3.6.5 of Chapter 12 Ecology Environmental Statement (Stantec, September 2025) that updated and on-going surveys in 2025 confirm that the site has not changed significantly since the 2017 ES Addendum. However, it is not clear if the trees have been assessed for Potential Roost Features (PRFs) in the recent surveys. Sections 4.4 and 4.20 of the Landscape and Ecological Management Plan (David Jarvis Associates, September 2025) states that the trees will be assessed prior to felling or tree work. However, we highlight that the outcome of these assessments is required prior to determination.

We request that confirmation is provided on whether the trees to be removed/undergo works to facilitate the development contain PRFs and, if they do, then whether they are PRFs for individual bats or for multiple bats. This additional information needs to be submitted to the LPA prior to determination in accordance with [Government Standing Advice](#) for bats and so that the LPA has certainty of likely impacts on protected species.

We also request that the results of the other protected species update surveys undertaken in 2025 are submitted to the LPA.

The additional information for bats and other protected species is required prior to determination because paragraph 99 of 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."*

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).

Additional Information

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.

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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.