



Date: 19 May 2026

Our ref: 16943

Bethan Tinning
Horsham District Council
Parkside,
Chart Way,
Horsham,
West Sussex
RH12 1RL

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/26/0166
Location: Fox Inn Guildford Road Bucks Green West Sussex RH12 3JP
Proposal: Erection of a single storey side extension, and internal and external alterations. (Full Application).

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)	☒
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 P01 (Nicholas Pearson Associates, July 2024), 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 & enhancement measures are required to make this proposal acceptable prior to determination. The reasons for this are outlined below:

European Protected Species: bats

We note from the Preliminary Ecological Appraisal P01 (Nicholas Pearson Associates, July 2024) that further assessment by a licensed bat ecologist using an endoscope is required for the area where the timber canopy of the rear brewery shed joins the main building roof line and emergence bat surveys may subsequently be required. In addition, it appears that it is not currently known if works are proposed to the main building or the covered well. If works are proposed to these structures, then further assessment for impact to roosting bats will be required. In addition, it appears that it is not currently known if works will impact any trees. If this is the case, then a Ground Level Tree Assessment for Potential Roost Features (PRFs) for bats will be required.

[Government Standing Advice](#) states that 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 development site includes or is close to [trees](#), shrubs, rock formations, quarries, natural cliff faces or water bodies that provide commuting, foraging or roosting opportunities for bats.*

In addition, the site lies approximately 7.8km northeast of The Mens Special Area of Conservation (SAC) and is therefore within the 12km Wider Conservation Area for the SAC (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol). The qualifying feature of the SAC is Barbastelle bat, but this species has not been recorded within 2km of the site. Two European Protected Species Mitigation Licences have been granted within 2km of the site: a) at 1.4km to the northeast in 2017 for Common Pipistrelle bat; and b) 1.8km to the west in 2014 for Common Pipistrelle and Brown Long-eared bat ([MAGIC maps](#)). There are 288 records of bats within 2km of the site (Sussex Biodiversity Record Centre – accessed under licence). The site also lies approximately 10.6km northeast of Ebernoe Common SAC and therefore lies inside the 12km Wider Conservation Area for this SAC. The site lies approximately 16.2km northeast of Arun Valley SAC, SPA and Ramsar site.

Therefore, the LPA will be required to prepare a project level HRA Appropriate Assessment Report for this application.

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.

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.

Therefore, this further information is required to provide the LPA with certainty of impacts on protected and priority species and enable it to demonstrate compliance with its statutory duties, as well as its biodiversity duty under s.40 NERC Act 2006 (as amended).

Additional comments

We note from the Preliminary Ecological Appraisal P01 (Nicholas Pearson Associates, July 2024) that the rear brewery shed itself has negligible bat roost potential. Therefore, we agree that no further surveys for bats are required for this structure.

We support the Precautionary Method Statement for reptiles, common amphibians and mobile protected and Priority species (including Hedgehog, which is a Priority and threatened species) in Table 5.1 Section 5.0 of the Preliminary Ecological Appraisal P01 (Nicholas Pearson Associates, July 2024). This should be secured by a condition of any consent and implemented in full.

We also recommend that reasonable biodiversity enhancements for protected, Priority and threatened species should be identified by a suitably qualified ecologist and implemented to secure net gains for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024). The reasonable biodiversity enhancement measures need to be outlined within a separate Biodiversity Enhancement Strategy and secured by a condition of any consent.

We look forward to working with the LPA and the applicant to receive the additional information required to 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.*
- *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.*

