Place Services
Essex County Council
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Our ref: 24435

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By email only: planning@horsham.gov.uk

Thank you for requesting advice on this outline 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/26/0913
Location: Land East of Oaklands Henfield Road Cowfold West Sussex
Proposal: Outline planning application for a phased development of approximately 40 residential dwellings, vehicular access, car parking, landscaping, open space and other associated works and infrastructure. All matters reserved except for access.

Thank you for re-consulting Place Services on the above outline application.

No ecological objection	☐
No ecological objection subject to attached conditions	☐
Further information required/Temporary holding objection	☐
Recommend refusal	☐
Subject to Natural England's formal comments on the conclusion of the LPA's Appropriate Assessment	☐

Summary

We have reviewed the following documents relating to the likely impacts of development on designated sites, protected and Priority species & habitats and identification of appropriate mitigation measures. Please note that comments on mandatory biodiversity net gain are provided by Horsham District Council in-house.

- Arboricultural Technical Note (SJA Trees, October 2026)
- Ecology Letter Response (AEWC, October 2026)
- Hazel Dormouse Survey Report (AEWC, October 2026)
- Bat Activity Survey (AEWC, November 2026)
- Ecology Letter (AEWC, November 2026)
- Tree Protection Plan (SJA, October 2026)

We reviewed previously, Hazel Dormouse Survey Report (AEWC, August 2026), Bat Static Detector Surveys (AEWC, August 2026), Preliminary Ecological Appraisal and Survey Report (AEWC Ltd., February 2026) and Reptile Survey Report (AEWC Ltd., June 2026) (both contained within the Preliminary Ecological Appraisal and Survey Report (Landacre, January and June 2026).

We are now satisfied that there is sufficient ecological information available to support determination of this application.

The submitted Ecology Letter (AEWC, November 2026) includes the results of a Ground Level Tree Assessment (GLTA). The letter states "*Proposals are for a residential development comprising 40 dwellings. The proposed development will require the removal of four trees, all located near the northwest corner of the site, to facilitate the access road. As per the Arboricultural information from Ramsay & Co Landscape Architecture Ltd, these include T06, TG37, and two trees within SG05.*"

Tree T06 was precautionarily assessed as PRF-I, and TG37 and SG05 were found to have no bat roost potential. We are satisfied the mitigation measures and proposed compensation measures which would need to be in place prior to the loss of any roost resource in accordance with UK Bat Mitigation Guidelines v1.2 CIEEM (Reason and Wray, August 2025) have been sufficiently detailed and should be implemented in full.

We note from the Preliminary Ecological Appraisal and Survey Report (AEWC Ltd., February 2026) that the two field shelters on site have negligible bat roost potential, and we therefore agree that no further bat surveys for these structures are required.

Regarding Hazel Dormouse, we previously raised several queries which required addressing prior to determination. We are now satisfied the submitted information has addressed the concerns and there is sufficient information available.

We note from the Reptile Survey Report (AEWC Ltd., June 2026) that seven reptile surveys undertaken during April and May 2026 confirmed the presence of a low population of Grass Snake on site. We support the recommendation in the Reptile Survey Report (AEWC Ltd., June 2026) to retain the reptiles on site with in-situ mitigation under a Reptile Mitigation Strategy and Method Statement. This needs to be secured by a condition of any consent and implemented in full.

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

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 6.17 and 6.19 of the Preliminary Ecological Appraisal and Survey Report (AEWC Ltd., February 2026). This needs to be secured by a condition of any consent and implemented in full.

We recommend that any external lighting is sensitive to wildlife and secured by a condition of any consent to avoid impacts to foraging and commuting bats. This must follow the Guidance Note 8 Bats and artificial lighting (The Institute of Lighting Professionals & Bat Conservation Trust). In summary, it is highlighted that the following measures should be implemented for the lighting design, which could be informed by a professional ecologist:

- 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, as outlined in National Policy N2 1(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. This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended) and delivery of mandatory Biodiversity Net Gain.

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.

Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013. We recommend that submission for approval and implementation of the details below should be a condition of any planning consent.

Recommended conditions

1. **ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS**

   "All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecology Letter Response (AEWC, October 2026) and the Ecology Letter (AEWC, November 2026) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

   This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details."

   Reason*:* To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

2. **CONCURRENT WITH RESERVED MATTERS: TIME LIMIT ON DEVELOPMENT BEFORE FURTHER SURVEYS ARE REQUIRED**

   "If the development hereby approved does not commence within one year from the date of the planning consent, the approved ecological mitigation measures secured through condition shall be reviewed and, where necessary, amended and updated. This is based on the Advice Note for the Lifespan or Ecological reports and surveys (CIEEM,2019).

The review shall be informed by further ecological surveys commissioned to:

i. establish if there have been any changes in the presence and/or abundance of (protected and priority species) likely to be present and
ii. identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development.

Works will then be carried out in accordance with the proposed new approved ecological measures and timetable."

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

3. CONCURRENT WITH RESERVED MATTERS: PRIOR TO COMMENCEMENT: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN FOR BIODIVERSITY

"A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall include the following.

a) Risk assessment of potentially damaging construction activities.
b) Identification of "biodiversity protection zones".
c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
d) The location and timing of sensitive works to avoid harm to biodiversity features.
e) The times during construction when specialist ecologists need to be present on site to oversee works.
f) Responsible persons and lines of communication.
g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority"

Reason*:* To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

4. CONCURRENT WITH RESERVED MATTERS: PRIOR TO COMMENCEMENT: PRECAUTIONARY BIODIVERSITY METHOD STATEMENT

"No development shall take place (including any demolition, ground works, site clearance) until a Precautionary Biodiversity Method Statement for protected and Priority species (reptiles and bats) has been submitted to and approved in writing by the local planning authority.

The content of the method statement shall include the following:

a) purpose and objectives for the proposed works;
b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
c) extent and location of proposed works shown on appropriate scale maps and plans;
d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
e) persons responsible for implementing the works;
f) initial aftercare and long-term maintenance (where relevant);
g) disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter."

Reason*:* To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended), s40 of the NERC Act 2006 (as amended) and s17 Crime & Disorder Act 1998.

5. CONCURRENT WITH RESERVED MATTERS: PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY MEASURES STRATEGY

"Prior to any works above slab level, a Biodiversity Measures Strategy for protected, Priority and threatened species, prepared by a suitably qualified

ecologist, shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Measures Strategy shall include the following:

a) Purpose and conservation objectives for the proposed measures or features;
b) detailed designs or product descriptions to achieve stated objectives;
c) locations of proposed measures or features by appropriate maps and plans (where relevant);
d) persons responsible for implementing the measures or features; and
e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter."

Reason: To support protected, Priority and threatened species and allow the LPA to discharge its duties under National Policy N2 1(f) of NPPF August 2026 and s40 of the NERC Act 2006 (as amended).

6. CONCURRENT WITH RESERVED MATTERS: PRIOR TO OCCUPATION: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

"*Prior to occupation, a "lighting design strategy for biodiversity" in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The strategy shall:*

a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
b) show how and where external lighting will be installed (through provision of lighting layout plans, isolux contour plans, luminaire specifications, mounting heights, aiming angles, shielding measures, and lighting control strategies) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority."

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife &

Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

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.

Place Services have a policy relating to the use of AI. Unless otherwise stipulated, any AI 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.