



10th February 2025

Caroline Grist
Mid Sussex District Council
Oaklands Road
Haywards Heath
RH16 1SS

By email only

Thank you for requesting advice on this application from Place Services' ecological advice service. This service provides advice to planning officers to inform Mid Sussex 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: DM/24/3070
Location: The Old Lodge Ditton Place Brantridge Lane Balcombe Haywards Heath West Sussex RH17 6JR
Proposal: Proposed single storey field shelter on land adjacent to, and subordinate to, The Old Lodge. The proposal also comprises the addition of native hedging and trees around the proposed shelter and boundary.

Dear Caroline

Thank you for consulting Place Services on the above application.

Recommended Temporary Holding Objection pending further information on European Protected Species (bats)	Yes
No ecological objections	
Recommended Approval subject to attached conditions	
Recommended Discharge of condition	

Summary

We have reviewed the documents supplied by the applicant, but unfortunately there is an absence of ecological information included with the application to help assess the site for protected species. Please note that the Statutory Biodiversity metric submitted relates to habitats only.

We have also reviewed the information submitted relating to mandatory biodiversity net gains, which includes the Biodiversity Impact Calculation Report (Libby Morris Ecologist, January 2025) and the Statutory Biodiversity Metric (January 2025).



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

European Protected Species - bats

We note from Appendix B of the Arboricultural Impact Assessment & Method Statement (Arbotrack Services, October 2023) that Tree 5 (Field Maple) and Tree 7 (Common Hazel) and G9 (Plum, Hazel, Field Maple and Hawthorn) will undergo cut back/crown lift to permit the development. Therefore these trees should be subject to a Ground Level Tree Assessment in accordance with the 4th Ed. Bat Surveys for Professional Ecologists Bat Conservation Trust (Collins ed., 2023) to establish whether Potential Roost Features (PRFs) for individual bats (PRF-Is) or multiple bats (PRF-Ms) are present.

All bat species are designated and protected as European Protected Species under the Conservation of Habitats and Species Regulations 2017 (as amended). This means that it is an offence to deliberately kill, injure, disturb or capture bats; or to damage or destroy bat breeding sites and resting places (even when bats are not present).

The information on bats 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.

Additional comments

We note that trees G1 (Common Ash), Tree 3 (Common Ash), Tree 6 (Common Ash) and Tree 8 (Common Ash) all have advancing Chalara disease and are recommended for felling (Arboricultural Impact Assessment & Method Statement (Arbotrack Services, October 2023)). As these trees are being felled for safety reasons, they lie outside of the planning system, but we highlight that they should still be subject to due diligence checks for the presence of roosting bats.

We understand that ancient woodland (irreplaceable habitat) lies 70m to the east (Biodiversity Impact Calculation Report (Libby Morris Ecologist, January 2025)). However, this lies outside the 15m buffer zone for ancient woodland required under [Government Standing Advice](#).

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](#). However, as there is a pond immediately to the west of the site, we recommend that the NatureSpace Partnership should be consulted.



We also recommend that reasonable biodiversity enhancements for protected, Priority and threatened species should be identified 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 should be outlined within a separate Biodiversity Enhancement Strategy and should be secured by a condition of any consent.

Mandatory Biodiversity Net Gain

With regard to mandatory biodiversity net gains, it is highlighted that we support the submitted Biodiversity Impact Calculation Report (Libby Morris Ecologist, January 2025) and the Statutory Biodiversity Metric (January 2025). Biodiversity net gain is a statutory requirement set out under [Schedule 7A \(Biodiversity Gain in England\) of the Town and Country Planning Act 1990](#) and we are satisfied that submitted information provides sufficient information at application stage. As a result, a Biodiversity Gain Plan should be submitted prior to commencement, which also includes the following:

- a) The completed metric calculation tool showing the calculations of the pre-development and post-intervention biodiversity values.
- b) Pre and post development habitat plans.
- c) Legal agreement(s)
- d) Biodiversity Gain Site Register reference numbers (if using off-site units).
- e) Proof of purchase (if buying statutory biodiversity credits at a last resort).

In addition, a [Habitat Management and Monitoring Plan](#) (HMMP) should be secured for all [significant on-site enhancements](#). However, we note that the post-intervention values have been provided and that no significant on-site enhancements are proposed in the proposals. As a result, we are satisfied that HMMP is not likely to be required by legal obligation or a condition of any consent for a period of up to 30 years. 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 contact us with any queries.

Yours sincerely

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Place Services provide ecological advice on behalf of Mid Sussex 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.