



13<sup>th</sup> January 2025

Joanne Fisher  
Mid Sussex District Council  
Oaklands Road  
Haywards Heath  
RH16 1SS

By email only

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*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.*

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**Application:** DM/24/2970  
**Location:** Capital Hair And Beauty Unit A Consort Way Burgess Hill West Sussex RH15 9TJ  
**Proposal:** Construction of new commercial building within classes E(g), B2 and B8.

Dear Joanne

Thank you for consulting Place Services on the above application.

|                                                     |     |
|-----------------------------------------------------|-----|
| Holding Objection pending further information       |     |
| No ecological objections                            |     |
| Recommended Approval subject to attached conditions | Yes |
| Recommended Discharge of condition                  |     |

### Summary

We have reviewed the Ecological Value Letter (Co-ecology Ltd., December 2024), relating to the likely impacts of development on designated sites, protected and Priority species & habitats, identification of appropriate mitigation measures and mandatory Biodiversity Net Gain.

We have also reviewed the submitted information relating to mandatory biodiversity net gains, including the application form.

We note from the Ecological Value Letter (Co-ecology Ltd., December 2024) that the only habitat to be impacted by the erection of three commercial buildings is 2m<sup>2</sup> of grass roadside verge, which will be lost. The remainder of the site comprises hardstanding, buildings and roads. We understand that the previous commercial building has already been demolished. We therefore agree there is negligible risk to protected species or habitats from the development.

We are satisfied that there is sufficient ecological information available to support determination of this application. However, please note that we have no comments on Great Crested Newt as we have been instructed to leave these comments to the [NatureSpace Partnership](#).



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.

The de-minimis exemption, as set out under the [Biodiversity Gain Requirements \(Exemptions\) Regulations 2024](#), applies to development that does not impact a Priority habitat and impacts less than:

- 25 square metres (5m by 5m) of on-site habitat
- 5 metres of on-site linear habitats (e.g. hedgerows or watercourse)

The de-minimis threshold refers to impact and not size of the red-line boundary. A development 'impacts' a habitat if it [decreases the biodiversity value](#).

Providing that the development does not affect any more than 25m<sup>2</sup>, we are satisfied that the development is exempt from the statutory requirement of mandatory biodiversity net gains.

However, we recommend that reasonable biodiversity enhancements 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 Biodiversity Enhancement Strategy and should be secured by a condition of any consent for discharge prior to slab level.

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.

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. PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY**

*"Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected and Priority or 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 Enhancement Strategy shall include the following:*

- a) Purpose and conservation objectives for the proposed enhancement measures;*
- b) detailed designs or product descriptions to achieve stated objectives;*
- c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);*
- d) persons responsible for implementing the enhancement measures; 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 enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended).

Please contact us with any queries.

Yours sincerely

**Genevieve Broad MCIEEM MSc BSc (Hons)**

Ecological Consultant

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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.