



23rd December 2024

Anna Tidey
Mid Sussex District Council
Oaklands Road
Haywards Heath
RH16 1SS

By email only

Thank you for requesting advice on this outline 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/24/2735
Location: North Hall Cottage Mallions Lane Staplefield Haywards Heath West Sussex RH17 6AT
Proposal: Demolition of existing outbuilding and conservatory, replacing conservatory with a glass canopy. New extension and glass link, internal alterations, new laid patio and paths. New protecting timber box frame window and door in existing historic openings. Existing oil tank to be replaced with a new tank on a concrete base in a different position and to be screened by a fence and the existing cesspit is to be replaced with a new treatment plant.

Dear Anna

Thank you for consulting Place Services on the above householder application.

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

Summary

We have reviewed the Bat Survey and Assessment (Babec Ecological Consultants, October 2024) and Preliminary Ecological Appraisal (The Ecology Co-op, July 2023), relating to the likely impacts of development on designated sites, protected & Priority species and habitats, identification of proportionate mitigation measures and mandatory Biodiversity Net Gain.

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



European Protected Species

Hazel Dormouse

There is suitable habitat for Hazel Dormouse in the habitats bordering the site which are connected to suitable habitats in the wider landscape, there are records for this species within 2km of the site and a small amount of sub-optimal habitat on the western boundary is to be removed. Therefore, we recommend the implementation of a non-licensed Precautionary Method Statement for Hazel Dormouse. The outline mitigation measures should be submitted to the LPA prior to determination so that the LPA has certainty of likely impacts on protected species in accordance with [Government Standing Advice](#).

The outline measures for Hazel Dormouse 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.

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 comments

We note from the Bat Survey and Assessment (Babec Ecological Consultants, October 2024) that a Bat Mitigation Class Licence will be used to register the site before commencement of any works and recommend that evidence of site registration by an individual registered to use the Bat Mitigation Class Licence or a copy of a full EPS mitigation licence is secured by a condition of any Consent. We support the outline mitigation measures in Sections 6.2.1 to 6.2.3 of the Bat Survey and Assessment (Babec Ecological Consultants, October 2024). This is because the emergence surveys undertaken in July, August and September 2024 identified the following bat roosts in the annexe: a Soprano Pipistrelle roost in a gap under the eaves, a Common Pipistrelle roost in gaps between roof tiles and a further Common Pipistrelle roost in a gap under the eaves (Bat Survey and Assessment (Babec Ecological Consultants, October 2024)).

We also note that a dead Ash tree in the tree line has Potential Roost Features for individual bats (low bat roost potential) and may require to be felled. In this case, we highlight that appropriate compensation would be required in advance of works in addition to the mitigation measures in Section 4.4 of the Preliminary Ecological Appraisal (The Ecology Co-op, July 2023).

As the works will involve temporarily damming the stream on the western boundary, we support the Precautionary Method Statement for aquatic species in Section 5 of the Preliminary Ecological Appraisal (The Ecology Co-op, July 2023). This should be secured by a condition of any consent.

We also support the proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended 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 Layout and secured by a condition of any consent.

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](#).

Mandatory Biodiversity Net Gains

With regard to mandatory biodiversity net gains, it is highlighted that applications are required to deliver a mandatory 10% measurable biodiversity net gain, unless exempt under [paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990](#) and the [Biodiversity Gain Requirements \(Exemptions\) Regulations 2024](#). As a result, we are satisfied that this application is exempt from mandatory biodiversity net gains, as the development meets the householder exemption.

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,

Genevieve Broad MCIEEM MSc BSc (Hons)

Ecological Consultant

Place Services at Essex County Council

placeservicesecology@essex.gov.uk

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.