



11th March 2025

Joanne Fisher
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/24/2922
Location: Hollyrood House Ardingly Road Lindfield Haywards Heath West Sussex RH16 2RA
Proposal: Removal of outbuildings and alterations to the existing buildings and hardsurfaces to allow for a change of use from Class C2 (residential institution) use to a Class C3 (dwellinghouse) use to provide 3 no.1-bed flats, 14 no. 2-bed flats, and 2 no. 3-bed two storey dwellings (and retaining Holy Rood Cottage as a 3-bed dwelling), together with 37 no. car parking spaces, private and communal amenity spaces, landscaping, bin and cycle stores. Alterations to existing access points onto and from Ardingly Road and Park Lane

Dear Joanne

Thank you for re-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

Following from our response dated 21st January 2025, we have reviewed the agent email and submitted Statutory Biodiversity Metric. We understand that the different results in habitat units calculated in the Metric and those shown in the Biodiversity Net Gain/Net Loss Report (Ecology and Land Management, November 2024) identified in our previous response are the result of a malfunction in the Excel spreadsheet. We confirm that the re-submitted Statutory Biodiversity Metric and the Biodiversity Net Gain/Net Loss Report (Ecology and Land Management, November 2024) now both indicate a gain of 38.57% in habitat units.



However, as mentioned in our response dated 21st January 2025, we are still not satisfied that there is sufficient ecological information available for determination of this application as we 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 the Preliminary Ecological Appraisal (Ecology and Land Management, November 2024) that further surveys for bats are required for the following buildings:

B1 main house – high bat roost potential

B5 brick built house – high bat roost potential

B4 L-shaped brick building – moderate bat roost potential

B10 brick building extension to B1 low bat roost potential

B14 wooden shed – low bat roost potential

The results of the surveys for bats, including any mitigation and enhancement measures required to make this proposal acceptable and support a lawful decision, need to be submitted to the LPA prior to determination, in accordance with [Government Standing Advice](#).

We also note that Ground Level Tree Assessment (GLTA) for bats need to be undertaken for the trees to be felled (Preliminary Ecological Appraisal (Ecology and Land Management, November 2024)). The GLTA should be undertaken in accordance with 4th Ed. Bat Surveys for Professional Ecologists Bat Conservation Trust (Collins ed., 2023) to establish whether Potential Roost Features (PRFs) for individual (PRF-Is) or multiple (PRF-Ms) bats are present. If only PRF-Is are present, then no surveys are needed. However, appropriate compensation will be required in advance of works which will need to be undertaken under a Precautionary Working Method Statement for bats which means that any PRF is inspected immediately before felling.

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.

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.



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 – European Protected Species

We note that from the Preliminary Ecological Appraisal (Ecology and Land Management, November 2024) that the following buildings have negligible bat roost potential and therefore agree that no further surveys for bats are required for these buildings:

B2 brick building
B3 brick outbuilding
B6 wooden outbuilding
B7 greenhouse
B8 wooden shed
B9 wooden shed
B11 wooden shed
B12/13 wooden sheds
B15 wooden shed

There is ancient semi-natural woodland (Irreplaceable Habitat) adjacent to the southeast boundary and there are records of Hazel Dormouse within 2km of the site. However, the habitats on site, which comprise buildings, developed land (sealed surface), grassland and trees, are not suitable to support Hazel Dormouse. Therefore we agree no surveys or precautionary measures are required for this species.

We support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Preliminary Ecological Appraisal (Ecology and Land Management, November 2024), to avoid impacts from light disturbance. This should be secured by a condition of any consent and implemented in full. Therefore, technical specification should be submitted prior to occupation, which demonstrates measures to avoid lighting impacts to foraging / commuting bats, which are likely to be present within the local area. This should summarise the following measures recommended by [Guidance Note:08/23 \(Institute of Lighting Professionals\)](#) will be implemented:

- 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.



Biodiversity Net Gain

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](#).

Biodiversity net gains is a statutory requirement set out under [Schedule 7A \(Biodiversity Gain in England\) of the Town and Country Planning Act 1990](#). This legislation was inserted into the 1990 Act by Schedule 14 of the Environment Act 2021 and was amended by the Levelling Up and Regeneration Act 2023. The Biodiversity Gain (Town and Country Planning) (Consequential Amendments) Regulations 2024 made consequential amendments to other parts of the 1990 Act.

The [Biodiversity Net Gain Planning Practice Guidance \(PPG\)](#) sets out how mandatory biodiversity net gains should be applied through the planning process and Paragraph: 011 Reference ID: 74-011-20240214 sets out what information should be submitted as part of a planning application if the statutory biodiversity gain condition applies.

We welcome the re-submission of the Statutory Biodiversity Metric and Biodiversity Net Gain/Net Loss Report (Ecology and Land Management, November 2024) and note that the condition assessments are included in the report. 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](#). Based on the submitted post-intervention values, it is suggested that this includes the following habitats: 'rural trees' and 'modified grassland'. Any HMMP should be in line with the approved Biodiversity Gain Plan, with the maintenance and monitoring secured via legal obligation or a condition of any consent for a period of up to 30 years and will be required to be submitted concurrent with the discharge of the biodiversity gain condition. The monitoring of the post-development habitat creation / enhancement will need be provided to the LPA at years 1, 2, 5, 10, 15, 20, 25, 30, unless otherwise specified by the LPA. Any remedial action or adaptive management will then be agreed with the LPA to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.

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 be secured by a condition of any consent.



Please note 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](#).

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

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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.