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Mid Sussex District Council
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

Our ref: 17652
Date: 5 June 2026

By email only: Planning Department, planninginfo@midsussex.gov.uk

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.

Application: DM/26/1080
Location: Catholic Church Of St Stephen Hamsland Horsted Keynes West Sussex
Proposal: Demolition of former St Stephens Church, replacement residential development of 3 no. 3 bedroom houses, parking, landscaping and access.

Thank you for consulting Place Services on the above 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 Bat Emergence and Re-entry Surveys (Arbtech Consulting Ltd., October 2025), Reptile Presence/Absence Surveys (Arbtech Consulting Ltd., September 2025) and Preliminary Ecological Appraisal and Roost Assessment (Arbtech Consulting Ltd., June 2026) relating to the likely impacts of development on designated sites, protected

and Priority species & habitats and identification of appropriate mitigation measures and mandatory Biodiversity Net Gain.

We have also reviewed the information submitted relating to mandatory biodiversity net gains, including the Biodiversity Net Gain Assessment Issue 02 (Harper Environmental, April 2026), Baseline Habitats Condition Assessment (June 2025), Proposed Habitats Condition Assessment (April 2026) and Statutory Biodiversity Metric (April 2026). We note a plan of the baseline habitats is provided in Figure 1 of the Biodiversity Net Gain Assessment Issue 02 (Harper Environmental, April 2026).

We note from the Bat Emergence and Re-entry Surveys (Arbtech Consulting Ltd., October 2025) that although Brown Long-eared bat and Common Pipistrelle bat droppings were found within the church, the three emergence surveys undertaken in June, July and August 2025 observed no bats emerging from the building. In addition, no suitable roosting sites were observed in the internal loft space or under roof tiles. Therefore, we support the non-licensed Precautionary Method Statement for bats in the Bat Emergence and Re-entry Surveys (Arbtech Consulting Ltd., October 2025). We also note from the Preliminary Ecological Appraisal and Roost Assessment (Arbtech Consulting Ltd., June 2026) that trees T2 (Elm), T3 (Oak) and T4 (Ash) which will be impacted by the works have no Potential Roost Features for bats. We therefore agree that no further surveys for bats are required.

We understand from the Reptile Presence/Absence Surveys (Arbtech Consulting Ltd., September 2025) that there is a low population of Slow Worm on site and we therefore support the implementation of the reptile mitigation strategy, which includes on-site translocation of reptiles. We note that the identified receptor site to the south east of the church within the red line boundary has been assessed to ensure it meets the necessary requirements and has sufficient carrying capacity for the translocated reptile populations. The strategy should be secured by a condition of any consent and implemented in full.

We also support the implementation of the Precautionary Method Statement for mobile protected and Priority species (including Hedgehog, which is a Priority and threatened species) in the Preliminary Ecological Appraisal and Roost Assessment (Arbtech Consulting Ltd., June 2026). This should be secured by a condition of any consent and implemented in full.

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 comments on this European Protected Species 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.

We also support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Bat Emergence and Re-entry Surveys (Arbtech Consulting Ltd., October 2025) and Preliminary Ecological Appraisal and Roost Assessment (Arbtech Consulting Ltd., June 2026)) 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.

The mitigation measures identified in the Bat Emergence and Re-entry Surveys (Arbtech Consulting Ltd., October 2025), Reptile Presence/Absence Surveys (Arbtech Consulting Ltd., September 2025) and Preliminary Ecological Appraisal and Roost Assessment (Arbtech Consulting Ltd., June 2026) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly those recorded in the locality, including bats, reptiles and mobile protected and Priority species.

With regard to mandatory biodiversity net gains, it is highlighted that we support the submitted Biodiversity Net Gain Assessment Issue 02 (Harper Environmental, April 2026), Baseline Habitats Condition Assessment (June 2025), Proposed Habitats Condition

Assessment (April 2026) and Statutory Biodiversity Metric (April 2026). We note a plan of the baseline habitats is provided in Figure 1 of the Biodiversity Net Gain Assessment Issue 02 (Harper Environmental, April 2026). Biodiversity net gains 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) A Biodiversity Gain Plan form (Ideally using the Government's template: <https://www.gov.uk/government/publications/biodiversity-gain-plan>)
- b) The completed metric calculation tool showing the calculations of the pre-development and post-intervention biodiversity values.
- c) Pre and post development habitat plans.
- d) Legal agreement(s)
- e) Biodiversity Gain Site Register reference numbers (if using off-site units).
- f) 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, Mid Sussex are taking the approach that minor developments do not contain significant on-site enhancements and are not required to be monitored for a period of 30 years from the completion of development via a Habitat Management and Monitoring Plan (HMMP). As a result, we are satisfied an HMMP will not be required for the Biodiversity Gain Plan.

We are generally satisfied that the post-intervention values are realistic and deliverable. However, it is recommended that the following matters will need to be considered by the applicant as part of the biodiversity gain condition:

- The current calculations indicate there will be a -60.03% loss of onsite habitat which is contrary to the Mid Sussex District Plan 2021-2039 DPN2, current legislation and national policy which all require an increase of 10% BNG. Therefore, we support the recommendation in the Biodiversity Net Gain Assessment Issue 02 (Harper Environmental, April 2026) for the purchase of at least 0.41 habitat units to achieve a net gain of at least 10% and satisfy trading rules. Evidence that the units have been allocated will be required prior to the discharge of the Biodiversity Gain Condition.

We also support the proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended in the Bat Emergence and Re-entry Surveys (Arbtech Consulting Ltd., October 2025), Reptile Presence/Absence Surveys (Arbtech Consulting Ltd., September 2025) and Preliminary Ecological Appraisal and Roost Assessment (Arbtech Consulting Ltd., June 2026) 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.

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. 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 Bat Emergence and Re-entry Surveys (Arbtech Consulting Ltd., October 2025), Reptile Presence/Absence Surveys (Arbtech Consulting Ltd., September 2025) and Preliminary Ecological Appraisal and Roost Assessment (Arbtech Consulting Ltd., June 2026) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the non-licensed Precautionary Method Statement for bats in the Bat Emergence and Re-entry Surveys (Arbtech Consulting Ltd., October 2025) and the Precautionary Method Statement for mobile protected and Priority species in the Preliminary Ecological Appraisal and Roost Assessment (Arbtech Consulting Ltd., June 2026). This avoids impacts on European Protected Species and protected species.

This will 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. PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT LAYOUT

“A Biodiversity Enhancement Layout for the biodiversity enhancements listed in the Bat Emergence and Re-entry Surveys (Arbtech Consulting Ltd., October 2025), Reptile

Presence/Absence Surveys (Arbtech Consulting Ltd., September 2025) and Preliminary Ecological Appraisal and Roost Assessment (Arbtech Consulting Ltd., June 2026) shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Layout shall include the following:

- a) detailed designs or product descriptions for biodiversity enhancements; and*
- b) locations, orientations and heights for biodiversity enhancements on appropriate drawings.*

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features 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).

3. **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 appropriate lighting contour plans and technical specifications) 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).

Biodiversity Gain condition

Natural England advises that the biodiversity gain condition has its own separate statutory basis, as a planning condition under [paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990](#). The condition is deemed to apply to every planning permission granted for the development of land in England (unless exemptions or transitional provisions apply), and there are separate provisions governing the Biodiversity Gain Plan.

The local planning authority is strongly encouraged to not include the biodiversity gain condition, or the reasons for applying this, in the list of conditions imposed in the written notice when granting planning permission. However, it is highlighted that biodiversity gain condition could be added as an informative, using [draft text](#) provided by the Secretary of State:

“Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that development may not begin unless:

- (a) Biodiversity Gain Plan has been submitted to the planning authority, and*
- (b) the planning authority has approved the plan.*

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Mid Sussex District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.”

Please contact us if you have any queries in relation to this advice.

Yours sincerely,

Hamish Jackson ACIEEM BSc (Hons)
Senior Ecological Consultant

Place Services at Essex County Council



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.

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.