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

Our ref: 15364
Date: 12 May 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/26/0577
Location: Land West Of Turners Hill Road And North Of Huntsland Including Hurst Farm Turners Hill Road Crawley Down West Sussex
Proposal: Outline application (appearance, landscaping, layout and scale reserved), for the demolition of existing buildings and erection of up to 230 dwellings, a care home (use class c2) up to 70 beds, and community facility, and associated infrastructure including new access points off of Turners Hill Road, with associated spine road and car and cycle parking, together with provision of open space, play facilities, utilities infrastructure, surface water drainage features, and associated works.

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 Ecological Appraisal (Aspect Ecology Ltd, February 2026) and Shadow Habitats Regulations Assessment (Aspect Ecology Ltd, February 2026), relating to the likely impacts of development on designated sites, protected and Priority species & habitats and identification of appropriate mitigation measures

We have also reviewed the information submitted relating to mandatory biodiversity net gains. This includes the Statutory Biodiversity Metric – Calculation Tool, Biodiversity Net Gain Assessment (Aspect Ecology Ltd, February 2026) and the associated condition assessment results within the Ecological Appraisal (Aspect Ecology Ltd, February 2026).

We note that the part of the developments is located within the 7km Zone of Influence of Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC) and are likely to result in impacts from increased recreation disturbance (in combination with other plans and projects). Nevertheless, the Shadow Habitats Regulations Assessment (Aspect Ecology Ltd, February 2026) outlines that large areas of open space will be delivered as part of this application and the adjacent southern application (DM/25/0014), including a country park (totalling 10.86ha) to be located either side of Huntsland. This includes 9.39ha contained within application DM/25/0014 and 1.47ha contained within the current application. Therefore, based on Natural England SANG Guidance, the combined developments exceeds the 8ha per 1,000 individuals for SANGs (8.256ha based on 430 dwellings at an average dwelling size of 2.4 people). As a result, subject to appropriate implementation of the greenspace of both applications and the provision of a financial SAMM contribution secured via s.106 agreement, we would agree that the development can avoid an adverse effect on site integrity upon the Habitats sites from the development alone and in combination with other plans and projects. However, the LPA, as the competent authority, should prepare a Habitats Regulations Assessment – Appropriate Assessment to demonstrate compliance with the Conservation of Habitats and Species Regulations 2017 (As amended).

It is also indicated that we support the proposed design for this application with regard to irreplaceable habitat (ancient woodland and ancient / veteran trees). The scheme has been designed with a minimum 15 metre buffer to the adjacent ancient woodland, with the exception of a small section of footpath. However, this footpath will be located outside of root protection areas of individual trees and will be constructed above existing soil level using a cellular confinement system to minimise soil compaction. As a result, we consider this approach acceptable to avoid potential impacts upon the irreplaceable habitat. Furthermore, we welcome the intention to design the new houses facing the woodland, to promote natural surveillance and minimise the risk of garden waste dumping and garden encroachment. These potential impacts will also be further reduced via the proposal to plant native thicket planting to the woodland to act as a further semi-natural buffer.

We also note that the Ecological Appraisal (Aspect Ecology Ltd, February 2026) identifies that buildings B14 and B15 are considered to support low status feeding perch and/or day roosts of Common Pipistrelle and Brown Long-eared bat supporting individual or small numbers of bats. In addition, building B18 is identified to likely be a feeding perch for Common Pipistrelle. Therefore, a European Protected Species Licence will be required for the destruction of the breeding / resting places within these buildings, which should be secured by the Council as a pre-commencement condition of any consent and require replacement roosting provision. Furthermore, we note that a precautionary approach has been proposed for bats for the removal of trees T33, T41 and within TG24, TG26 and W8. Therefore, we are satisfied that this can be secured as part of a Construction Environmental Management Plan (CEMP: Biodiversity).

We also support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application in line with the Ecological Appraisal (Aspect Ecology Ltd, February 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.

We also support the pollution control measures, precautionary measures for reptiles and nesting birds, general wildlife safeguards and control measures for Japanese Knotweed. As a result, it is also recommended that the finalised precautionary measures are secured via a Construction Environmental Management Plan (CEMP: Biodiversity).

Therefore, it is indicated that 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.

The mitigation measures identified in the Ecological Appraisal (Aspect Ecology Ltd, February 2026) should be secured and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly those recorded in the locality.

With regard to mandatory biodiversity net gains, it is highlighted that we support the submitted the Statutory Biodiversity Metric – Calculation Tool, Biodiversity Net Gain Assessment (Aspect Ecology Ltd, February 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 and we are generally satisfied that the post-intervention values are realistic and deliverable. 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](#). Based on the submitted post-intervention values as they are currently submitted and Government Guidance on what constitutes a significant on-site enhancement, it is suggested that this includes the following habitats:

- Other neutral grassland (Moderate Condition) 3.2613ha
- Mixed scrub (Moderate Condition) 0.6350ha
- Urban tree (Moderate Condition) 0.5619ha / 138 small trees
- Traditional orchards (Moderate Condition) 0.1025ha
- Lowland mixed deciduous woodland (Poor Condition) 0.1500ha
- Bracken enhanced to Other neutral grassland (Moderate Condition) 0.2225ha

- Modified grassland (Moderate condition) enhanced to Other neutral grassland (Moderate Condition) 2.8925ha
- Modified grassland (Poor Condition enhanced to Other neutral grassland (Moderate Condition) 9.2500ha
- Modified grassland (Poor Condition) enhanced to Other neutral grassland (Moderate Condition) 0.1950ha
- Modified grassland (Moderate Condition) enhanced to Other neutral grassland (Moderate Condition) 0.7525ha
- Other neutral grassland (Poor Condition) enhanced to Other neutral grassland (Moderate Condition) 0.1025ha
- Species-rich native hedgerow (Good Condition) 0.2km

The decision on whether significant on-site enhancements are present is ultimately up to the Council. Where present, the maintenance and monitoring of significant on-site enhancements should be secured via planning obligation for a period of up to 30 years from the completion of development. This will be required to be submitted concurrent with the discharge of the biodiversity gain condition. The management and monitoring of significant on-site enhancements could be secured as a condition of any consent, if the LPA would prefer to have a mechanism to easily enforce actions where enhancement objectives are not met. The monitoring of the post-development habitat creation / enhancement will need be provided to the LPA at years 1, 3, 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 during the monitoring period 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 within the Ecological Appraisal (Aspect Ecology Ltd, February 2026) to secure net gains for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024). Reasonable biodiversity enhancement measures are a separate matter to mandatory biodiversity net gains and the finalised details should be outlined within a separate Biodiversity Enhancement Strategy to be secured as 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. PRIOR TO COMMENCEMENT: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN FOR BIODIVERSITY

“A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority, in line with the Ecological Appraisal (Aspect Ecology Ltd, February 2026).

The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.*
- b) Identification of “biodiversity protection zones”.*
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).*
- d) The location and timing of sensitive works to avoid harm to biodiversity features.*
- e) The times during construction when specialist ecologists need to be present on site to oversee works.*
- f) Responsible persons and lines of communication.*
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.*
- h) Use of protective fences, exclusion barriers and warning signs.*

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority”

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 COMMENCEMENT OF ANY WORKS WHICH WILL IMPACT THE BREEDING / RESTING PLACE OF BATS: SUBMISSION OF A COPY OF EPS MITIGATION LICENCE OR EVIDENCE OF SITE REGISTRATION UNDER A BAT MITIGATION OR EARNED RECOGNITION CLASS LICENCE FOR BATS

“Any works which will impact the breeding / resting place of bats, shall not in in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or*

- b) *evidence of site registration supplied by an individual registered to use a Bat Mitigation or Earned Recognition Class Licence; or*
- c) *a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence."*

Reason: To conserve protected 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 s17 Crime & Disorder Act 1998.

3. **PRIOR TO ANY WORKS ABOVE SLAB LEVEL AND CONCURRENT WITH RESERVED MATTERS: BIODIVERSITY ENHANCEMENT STRATEGY**

"Prior to any works above slab level and concurrent with reserved matters, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Ecological Appraisal (Aspect Ecology Ltd, February 2026), 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).

4. **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 lighting layout plans, isolux contour plans, vertical and horizontal illuminance assessments, luminaire specifications, mounting heights, aiming angles, shielding measures, and lighting control strategies)) 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).

5. **ACTION REQUIRED: TIME LIMIT ON DEVELOPMENT BEFORE FURTHER SURVEYS ARE REQUIRED**

"If the development or a relevant phase of hereby approved does not commence within 2 years from the date of the planning consent, the approved ecological mitigation measures secured through condition shall be reviewed and, where necessary, amended and updated.

The review shall be informed by further ecological surveys commissioned to:

- i. establish if there have been any changes in the presence and/or abundance of protected species and
- ii. identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of the development or relevant phase of development.

Works will then be carried out in accordance with the proposed new approved ecological measures and timetable."

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).

Optional condition:

Management and monitoring for significant on-site enhancements should be secured by planning obligation (either at application stage or the Biodiversity Gain Condition), to allow aftercare and monitoring to be secured for the 30-year period and the LPA to cover its monitoring costs. However, if the LPA would prefer that this is secured via a separate condition, the following pre-commencement condition could be used:

6. PRIOR TO COMMENCEMENT: HABITAT MANAGEMENT AND MONITORING PLAN (HMMP)

A Habitat Management and Monitoring Plan (HMMP) for significant on-site enhancements, prepared in accordance with the approved Biodiversity Gain Plan, shall be submitted to, and approved in writing by the local authority, prior to commencement of development, including:

- a) a non-technical summary;*
- b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;*
- c) the planned habitat creation and enhancement works to create or improve habitat to achieve the on-site significant enhancements in accordance with the approved Biodiversity Gain Plan;*
- d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;*
- e) the monitoring methodology in respect of the created or enhanced habitat to be submitted to the local planning authority; and*
- f) details of the content of monitoring reports to be submitted to the LPA including details of adaptive management which will be undertaken to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.*

Notice in writing shall be given to the Council when the:

- initial enhancements, as set in the HMMP, have been implemented; and*
- habitat creation and enhancement works, as set out in the HMMP, have been completed after 30 years.*

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Unless otherwise agreed in writing, monitoring reports shall be submitted in years 1, 3, 5, 10, 15, 20, 25, and 30 to the Council, in accordance with the methodology specified in the approved HMMP.

The Council shall only issue approval of the habitat creation and enhancement works until:

- *the habitat creation and enhancement works set out in the approved HMMP have been completed; and*
- *a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.*

Reason: To satisfy the requirement of Schedule 7A, Part 1, section 9(3) of the Town and Country Planning Act 1990 that significant on-site habitat is delivered, managed, and monitored for a period of at least 30 years from completion of development.

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.