

BRIEFING NOTE

Project:	Martlets Shopping Centre, Burgess Hill	Subject:	Updating Ecological Impact Assessment ¹
Reference:	0227102.0215.F1	Date:	15 th May 2025
Author:	Jennifer Simpson-Watts	Client:	Gardiner & Theobald LLP

Background and Previous Work

Ecological Survey & Assessment Limited (ECOSA) were previously appointed by NewRiver in 2019 to undertake an Ecological Impact Assessment (ECOSA, 2019) to support a planning application for the redevelopment of Martlets Shopping Centre, Burgess Hill, West Sussex RH15 9NN (hereafter referred to as the site).

The site is located in Burgess Hill, West Sussex, centred on National Grid Reference (NGR) TQ 3127 1905 and comprises a number of retail buildings, some with residential accommodation above, and associated parking.

The proposals entail demolition of the majority of existing buildings and construction of a new hotel, retail area, bowling alley, cinema and residential area and retrofitting of an existing retail area to the north. Access will continue to be gained from an existing access road on Civic Way.

The latest planning reference for the site is DM/25/0290 which was granted on 18th February 2025 to make non-material amendments to a previous application (DM/19/3331).

Given the time since the initial site visit, an updating visit was undertaken to enable an up-to-date baseline to be collated due to the length of time that has passed since the previous assessment. This report summarises the findings of the previous EclA and the updating survey in 2025 and highlights any changes that have occurred in the interim.

Updating Site Visit

The site comprises a number of retail buildings. Evidence of demolition has begun with some buildings already demolished, including the Martlets Centre and Library and others boarded up (**Figure 1** and **Figure 2**). A small number of scattered trees are present on the site which are considered important at the site level. Modified grassland and ornamental shrubs which were identified in the previous EclA, are not present within the S73 application area.

¹ This report has been prepared by suitably experienced and qualified ecologist and the surveys and reports accord with BS42020:2013 Biodiversity – Code of practice for planning and development and best practice guidance published by CIEEM.



Figure 1: Boarded up building



Figure 2: Central courtyard with boarded up buildings

Buildings 1, 2, 4, 5, 8, 9 and 10 were previously assessed as having low suitability for roosting bats due to the presence of gaps in soffits and bargeboards and gaps under hanging tiles and lead flashing. Emergence surveys of buildings 1, 2, 4, 5, 8, 9 and 10 were undertaken in 2019. No bats were recorded roosting in any of the buildings and there was very low bat activity across the site, with only two registrations of a single common pipistrelle *Pipistellus pipistrellus* bat recorded.

During the 2025 survey, the buildings were found to be in similar condition, with some further signs of deterioration having taken place, reducing suitability for roosting bats (**Figure 3**). The library building and Martlets Hall (Building 9) have since been demolished (**Figure 4**). There has been no change in the suitability of the site to support roosting bats and the remaining six buildings are still assessed as having low suitability to support roosting bats. As the previous surveys were carried out over five years ago, updating bat surveys of the buildings would usually be recommended. However, the results of the previous surveys returned very little bat activity across the site (two registrations) and no emergences/re-entries. Furthermore, the site is very well lit with light spill on the areas of vegetation and buildings, which further reduces the suitability for foraging/commuting bats. The site is also set within an urban landscape which lacks a good network of foraging/commuting corridors, further reducing the likelihood of a key foraging/commuting route for bats. Several of the features are also quite exposed and unlikely to be a suitable roosting site for bats due to fluctuations in thermal conditions. Overall, it would not be considered proportionate to update the bat activity surveys. Instead, suitable features (raised leading flashing, gaps within soffits and bargeboards etc.) should be removed by soft demolition by hand. If a bat is found, all works must stop, advise from an ecologist sought and a licence would need to be obtained from Natural England before works can start again. After soft demolition, the remainder of the site can be demolished using other methods.



Figure 3: Building 10 showing evidence of deterioration



Figure 4: Central area of shopping precinct

The Ecological Impact Assessment stated that the trees on site had no features which could support roosting bats. The site was previously assessed low suitability for foraging and commuting bats due to the limited vegetation and urban nature of the site. The updating survey found that these assessments are still accurate and there has been no change in the suitability of the site to support tree roosting and foraging and commuting bats since the previous Ecological Impact Assessment was carried out.

Herring gull *Larus argentatus* was the only bird recorded during the updating survey in 2025. There is little vegetation suitable for nesting birds, limited to scattered trees providing suitable habitat. Flat roofs on the buildings provide suitable areas for nest building for species such as gulls, though no nesting was recorded during the surveys.

The Ecological Impact Assessment concluded that the site is unsuitable for otter *Lutra lutra*, badger *Meles meles*, hazel dormouse *Muscardinus avellana*, water vole *Arvicola amphibius*, reptiles, great crested newt *Triturus cristatus* or invertebrates. The updating survey recorded no change in the suitability of the site to support these species since the previous Ecological Impact Assessment was carried out.

Survey Constraints

The proposals will result in the loss of buildings and hardstanding. This represents a negligible impact. The areas of modified grassland and ornamental shrubs recorded in the previous EclA appear to be no longer present (ECOSA, 2019). A small number of scattered trees of value at the site level will also be lost which cannot be mitigated to facilitate the development. To compensate for the loss of scattered trees, new ornamental trees will be planted as part of the new development.

Removal of vegetation and demolition of buildings has potential to result in harm to breeding birds, their nests, eggs and young, if present on site at the time of works. The proposals also have the potential to result in a loss in overall nesting habitat at the site. However, it is not considered that this would be significant in the context of the wider landscape. All birds, their nests, eggs and young are legally protected, with certain exceptions, under the Wildlife and Countryside Act 1981 (as amended).

Building demolition and any woody vegetation clearance will be undertaken outside of the bird nesting season (March to August, inclusive). If this is not possible then an ecologist will undertake a nesting bird check no more than 24 hours prior to clearance. Should nesting birds be present then these will be left in situ with a suitable buffer (determined by the attending ecologist) until nesting ends naturally.

In order to provide an enhancement for breeding birds ten new integral bird nest units, such as Schwegler Brick Nest Boxes (or similar) will be incorporated into the walls of new buildings.

Conclusion and Recommendations

The site has suitability for nesting birds and roosting bats. Adverse impacts on these ecological features have been identified and appropriate mitigation measures proposed. Further surveys in relation to bats have been recommended. The minor loss of scattered tree habitat will also be compensated. Post-development, no residual or cumulative impacts are anticipated. The site will be enhanced through new habitat creation comprising native species and through the installation of additional bird nesting features, resulting in an overall net gain for biodiversity. As such it is considered that the proposals will accord with all relevant national and local planning policy in relation to ecology including Policies DP37 and DP38 of the Mid Sussex District Plan (**Appendix 1**) and the NPPF.

Updating Site Survey

If the planning application boundary changes or the proposals for the site alter, a reassessment of the scheme in relation to ecology may be required. Given the mobility of animals and the potential for colonisation of the site over time, updating survey work may be required, particularly if development does not commence within 18 months of the date of the most recent relevant survey.

Appendix 1 Local Planning Policy

Local planning policy for Mid Sussex District Council is provided by the Mid Sussex District Plan 2014-2031, adopted on 28th March 2018 and saved policies within the Mid Sussex Local Plan 2004. The following policies within the Mid Sussex District Plan 2014-2031 relate to biodiversity:

- **Policy DP37:** Trees, Woodland and Hedgerow

Protection and enhancement of trees, woodland and hedgerows will be supported and new planting encouraged and should comprise suitable species, usually native. Ancient woodland and aged or veteran trees in particular will be protected. Development should be positioned as far as possible from ancient woodland with a minimum buffer of 15 metres maintained between ancient woodland and the development boundary. Development that will damage or lead to the loss of trees, woodland or hedgerows that are of wildlife importance, among other criteria, will not normally be permitted. Felling of protected trees will only be permitted if there is no appropriate alternative. Replacement of these trees will normally be required on a minimum of 1:1 basis and of an appropriate size and type.

- **Policy DP38:** Biodiversity

Biodiversity will be protected and enhanced by ensuring development contributes and takes opportunities to improve, enhance, manage and restore biodiversity so that there is a net gain in biodiversity, protects existing biodiversity so there is no loss in biodiversity on site, minimises habitat and species fragmentation and takes opportunities to enhance and restore ecological corridors, promotes the restoration, management and expansion of priority habitats in the district, and avoids damage to, protects and enhances the special characteristics of designated Special Protection Areas (SPA), Special Areas of Conservation (SAC), Sites of Special Scientific Interest (SSSI), Areas of Outstanding Natural Beauty, Sites of Nature Conservation Importance (SNCIs), Local Nature Reserves (LNR) and ancient woodland or to other areas identified as being of nature conservation including wildlife corridors, aged or veteran trees, Biodiversity Opportunity Areas, and Nature Improvement Areas.