



Date: 2 October 2025

Our ref: 09750

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

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. 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/25/0351
Location: S Taylor Jewellers 30 Cantelupe Road East Grinstead West Sussex RH19 3BJ
Proposal: Proposal to convert the existing commercial space into a self-contained residential flat, extend the current one-bedroom ground floor flat into a two-bedroom unit, install seven rooflights in the rear existing commercial space, add a new door and window on the side elevation, and raise the single-storey roof to match the existing structure. Remove garage door to provide parking spaces and bin store at front of property. Supporting Ecological Impact Assessment received 22.05.2025.

Thank you for consulting Place Services on the above application.

No ecological objection	<input type="checkbox"/>
Recommend approval subject to attached conditions	<input type="checkbox"/>
Further information required/Temporary holding objection: <ul style="list-style-type: none">European Protected Species (Bats)	<input checked="" type="checkbox"/>
Recommend Refusal	<input type="checkbox"/>
Subject to Natural England's formal comments on the conclusion of the LPA's Appropriate Assessment	<input type="checkbox"/>

Summary

We have reviewed the Ecological Impact Assessment (EclA) (ACP Consultants Ltd., May 2025), relating to the likely impacts of development on designated sites, protected & Priority species and habitats, and identification of appropriate mitigation measures.

In addition, we have reviewed the Biodiversity Net Gain information in Section 6 of the Ecological Impact Assessment (EclA) (ACP Consultants Ltd., May 2025), 2025) relating to mandatory biodiversity net gains.

We are not satisfied that there is sufficient ecological information available for determination of this application and recommend that details of survey results, mitigation & enhancement measures for bats are required prior to determination. The reasons for this are outlined below:

Protected Species:

We note from the Ecological Impact Assessment (EclA) (ACP Consultants Ltd., May 2025) that Building B1, of two-storey brick construction, comprising a jeweller's premises on the ground floor and residential apartments above, has low potential for roosting bats. Therefore, we support the recommendation for a single bat emergence survey between May and August to confirm the presence or likely absence of a bat roost in the building, in accordance with [Government Standing Advice](#).

To fully assess the impacts of the proposal the LPA needs ecological information for the site, particularly for bats, which are European Protected Species. These surveys are required prior to determination because Government Standing Advice indicates that you should "*Survey for bats if the area includes buildings or other structures that bats tend to use or there are trees with features that bats tend to use nearby*".

The results of these surveys 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.

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

With regard to mandatory biodiversity net gains, it is highlighted that we have reviewed Section 6 of the submitted Ecological Impact Assessment (EclA) (ACP Consultants Ltd., May 2025). 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](#). Therefore, we are satisfied that Section 6 of the Ecological Impact Assessment (EclA) (ACP Consultants Ltd., May 2025) provides sufficient information that the development meets the de-minimis exemption. As a result, we are satisfied that the development is exempt from the statutory requirement of mandatory biodiversity net gains.

We also recommend that reasonable biodiversity enhancements for protected, Priority and threatened species should be identified and implemented 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 Strategy and should be 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](#).

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 do not hesitate to 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

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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.