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Mid Sussex District Council
Oaklands Road
Haywards Heath
West Sussex
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Our ref: 13096
Date: 26 January 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/25/3191
Location: Land To The South Of Burleigh Lane Crawley Down West Sussex
Proposal: Outline application with all matters reserved except for access from Burleigh Lane, for the erection of up to eight self-build /custom build dwellings, drainage and ancillary works.

Thank you for consulting Place Services on the above application.

No ecological objection	<input type="checkbox"/>
No ecological objection subject to attached conditions	<input checked="" type="checkbox"/>
Further information required/Temporary holding objection	<input 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 Reptile Presence/Likely Absence Survey (Ecology Partnership, November 2025), Dormouse Survey Report (Ecology Partnership, November 2025), Biodiversity Drawing 01 Title 0373-NDLD-L-8010 (Nicholas Dexter Ltd., November 2025), Preliminary Ecological Appraisal Ecological Impact Review Parts 1 & 2 (Ecology Partnership, November 2025) 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 Feasibility Assessment (Ecology Partnership, November 2025) and Statutory Biodiversity Metric (November 2025). We note that the Biodiversity Net Gain Feasibility Assessment (Ecology Partnership, November 2025) contains Figure 3: On-site Habitat Baseline; Figure 4: Proposed Habitats; and Appendix 1: Habitat Condition Assessments.

We note from the Preliminary Ecological Appraisal Ecological Impact Review Parts 1 & 2 (Ecology Partnership, November 2025) that two trees on site contain Potential Roost Features for individual bats (PRFs-I) and the remaining trees have no PRFs. However, we understand that the two trees with PRFs-I will be retained and there are no buildings on site. Therefore, we agree that no further surveys for bats are required.

We note from the Dormouse Survey Report (Ecology Partnership, November 2025) and Reptile Presence/Likely Absence Survey (Ecology Partnership, November 2025) that Hazel Dormouse and reptiles are likely absent from the site. Therefore, we agree no further surveys are needed for these species.

We support the Precautionary Method Statement for reptiles and common amphibians in Section 4.4 of the Reptile Presence/Likely Absence Survey (Ecology Partnership, November 2025), which should be secured by a condition of any consent and implemented in full.

We also support the Precautionary Method Statement for mobile protected and Priority species (including Hedgehog, which is a Priority and threatened species) in Section 4.18 of the Preliminary Ecological Appraisal Ecological Impact Review Parts 1 & 2 (Ecology Partnership, November 2025). 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.

The mitigation measures identified in the Reptile Presence/Likely Absence Survey (Ecology Partnership, November 2025), Dormouse Survey Report (Ecology Partnership, November 2025) and Preliminary Ecological Appraisal Ecological Impact Review Parts 1 & 2 (Ecology Partnership, November 2025) 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, common amphibians and mobile protected and Priority species.

We also support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Preliminary Ecological Appraisal Ecological Impact Review Parts 1 & 2 (Ecology Partnership, November 2025)) 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.

With regard to mandatory biodiversity net gains, it is highlighted that we support the submitted Biodiversity Net Gain Feasibility Assessment (Ecology Partnership, November 2025) and Statutory Biodiversity Metric (November 2025). 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, we note that the post-intervention values have been provided and that no significant on-site enhancements are proposed in the proposals. As a result, we are satisfied that HMMP is not likely to be required by legal obligation or a condition of any consent for a period of up to 30 years.

We also support the proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended in the Reptile Presence/Likely Absence Survey (Ecology Partnership, November 2025) and Preliminary Ecological Appraisal Ecological Impact Review Parts 1 & 2 (Ecology Partnership, November 2025). We note the submission of Biodiversity Drawing 01 Title 0373-NDLD-L-8010 (Nicholas Dexter Ltd., November 2025) which indicates the detailed designs and locations of biodiversity enhancements for birds, reptiles, common amphibians and bats. This should be 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 and enhancement measures and/or works shall be carried out in accordance with the details contained in the Reptile Presence/Likely Absence Survey (Ecology Partnership, November 2025), Dormouse Survey Report (Ecology Partnership, November 2025), Biodiversity Drawing 01 Title 0373-NDLD-L-8010 (Nicholas Dexter Ltd., November 2025) and Preliminary Ecological Appraisal Ecological Impact Review Parts 1 & 2 (Ecology Partnership, November 2025), as

already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the Precautionary Method Statement for reptiles and common amphibians in Section 4.4 of the Reptile Presence/Likely Absence Survey (Ecology Partnership, November 2025) and the Precautionary Method Statement for mobile protected and Priority species in Section 4.18 of the Preliminary Ecological Appraisal Ecological Impact Review Parts 1 & 2 (Ecology Partnership, November 2025). This avoids impacts on protected species.

This may 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 and enhance 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 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 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.