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Our ref: 12870  
Date: 26 January 2026

By email only: Planning Department, [planninginfo@midsussex.gov.uk](mailto:planninginfo@midsussex.gov.uk)

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*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.*

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**Application:** DM/25/3146  
**Location:** Antler Homes Development Site Anscombe Woods Crescent  
Haywards Heath West Sussex  
**Proposal:** The erection of two buildings to provide: 2 no. 4 bedroom houses and 6 no. 1 bed apartments (total 8 units), with associated access, car parking, covered cycle parking, refuse store and woodland management plan

Thank you for consulting Place Services on the above application.

<b>No ecological objection</b>	<input type="checkbox"/>
<b>Recommend approval subject to attached conditions</b>	<input type="checkbox"/>
<b>Further information required/Temporary holding objection for protected species (Badger)</b>	<input checked="" type="checkbox"/>
<b>Recommend Refusal</b>	<input type="checkbox"/>
<b>Subject to Natural England's formal comments on the conclusion of the LPA's Appropriate Assessment</b>	<input type="checkbox"/>

## Summary

We have reviewed the Reptile Survey Report (South East Ecology, October 2025) and Preliminary Ecological Appraisal & Biodiversity Net Gain Assessment (South East Ecology, October 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 Preliminary Ecological Appraisal & Biodiversity Net Gain Assessment (South East Ecology, October 2025) and Statutory Biodiversity Metric (August 2025). We note that the Preliminary Ecological Appraisal & Biodiversity Net Gain Assessment (South East Ecology, October 2025) contains Appendix 2 UK Habitats Plan and Appendix 4 BNG Condition Assessment.

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 are required to make this proposal acceptable. The reasons for this are outlined below:

### **Protected Species – Badger:**

To fully assess the impacts of the proposal the LPA needs ecological information for the site, particularly for Badger, which are protected Species.

We note from Section 4.2.5 of the Preliminary Ecological Appraisal & Biodiversity Net Gain Assessment (South East Ecology, October 2025) that there is a likely Badger outlier sett in an area of bramble in the centre of the site. This survey is required prior to determination because [Government Standing Advice](#) says surveys for Badger should:

*“show if the development site and surrounding areas are currently being used by badgers”*

Therefore, we recommend that a survey should be undertaken to assess the current use of the likely outlier sett.

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 its compliance with its statutory duties under the Protection of Badgers Act 1992.

**Additional Comments – Protected Species:**

We note from the Preliminary Ecological Appraisal & Biodiversity Net Gain Assessment (South East Ecology, October 2025) that there are no buildings onsite and the three trees with Potential Roost Features for Individual bats (PRFs-I) will be retained. We therefore agree that no further surveys for bats are required.

As some scrub will be lost to the development and the site has low suitability for Hazel Dormouse, we support the non-licensed Precautionary Method Statement in Section 5.2.3 of the Preliminary Ecological Appraisal & Biodiversity Net Gain Assessment (South East Ecology, October 2025). This 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 Section 5.2.5 of the Preliminary Ecological Appraisal & Biodiversity Net Gain Assessment (South East Ecology, October 2025). This should be secured by a condition of any consent and implemented in full.

We note from the Reptile Survey Report (South East Ecology, October 2025) that reptiles are likely absent from the site.

We also support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Preliminary Ecological Appraisal & Biodiversity Net Gain Assessment (South East Ecology, October 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.

We also support the proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended in the Preliminary Ecological Appraisal & Biodiversity Net Gain Assessment (South East Ecology, October 2025) 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 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](#).

**Additional comments - Mandatory Biodiversity Net Gains:**

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](#).

Biodiversity net gains is a statutory requirement set out under [Schedule 7A \(Biodiversity Gain in England\) of the Town and Country Planning Act 1990](#). This legislation was inserted into the 1990 Act by Schedule 14 of the Environment Act 2021, and was amended by the Levelling Up and Regeneration Act 2023. The Biodiversity Gain (Town and Country Planning) (Consequential Amendments) Regulations 2024 made consequential amendments to other parts of the 1990 Act.

The [Biodiversity Net Gain Planning Practice Guidance \(PPG\)](#) sets out how mandatory biodiversity net gains should be applied through the planning process and Paragraph: 011 Reference ID: 74-011-20240214 sets out what information should be submitted as part of a planning application if the statutory biodiversity gain condition applies.

As a result, we have reviewed the submitted Preliminary Ecological Appraisal & Biodiversity Net Gain Assessment (South East Ecology, October 2025) and Statutory Biodiversity Metric (August 2025) and are satisfied that appropriate information on the pre-development baseline information has been provided prior to determination.

Where mandatory biodiversity net gains applies, the planning authority will be required to secure a biodiversity gain condition as a pre-commencement requirement. 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](#) and should be included as an informative within the decision notice. The biodiversity gain condition should secure the provision of a Biodiversity Gain Plan prior to commencement, which 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 understand that Mid Sussex District Council 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).

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 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.*