



Date: 10 November 2025

Our ref: 10022

Tracie Axford
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/25/2401
Location: 33 Badgers Walk Burgess Hill West Sussex RH15 0AE
Proposal: Conversion of a detached garage into a garden room and the conversion of a uPVC front porch into a brick construction of the same dimensions.

Thank you for consulting Place Services on the above householder application.

No ecological objection	☐
Recommend approval subject to attached conditions	☐
Further information required/Temporary holding objection for European Protected Species (bats)	☒
Recommend Refusal	☐
Subject to Natural England's formal comments on the conclusion of the LPA's Appropriate Assessment	☐

Summary

We have reviewed the documents supplied by the applicant, relating to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate mitigation. Unfortunately, no information has been submitted in relation to ecology.

We have also reviewed the information submitted to meet the requirements of 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 are required to make this proposal acceptable. The reasons for this are outlined below:

European Protected Species: bats

We note from the Design & Access / Supporting Statement submitted 30th September 2025 that the proposal includes the conversion of the existing garage to habitable accommodation. Therefore, there may be impacts to roosting bats. [Government Standing Advice](#) advises that you should ask for a survey if:

- distribution and historical records suggest bats may be present
- the development site includes or is close to any [built structures](#), on or underground, that provide commuting, foraging or roosting opportunities for bats

No photographs of the garage have been provided. Therefore, it is not possible to confirm the likelihood of roosting bats upon this building.

As a result, we recommend that photographs are provided to support this application. If the structure contains potential roosting features, a Preliminary Roost Assessment for bats will need to be undertaken in accordance with 4th Ed. Bat Surveys for Professional Ecologists Bat Conservation Trust (Collins ed., 2023). This is required prior to determination in order to inform any mitigation requirements or the need for further surveys. This type of assessment can be undertaken at any time of the year by a qualified ecologist.

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 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. As a result, we are satisfied that this application is exempt from mandatory biodiversity net gains, as the development meets the householder exemption.

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 need to be outlined within a separate Biodiversity Enhancement Strategy and 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)

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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.