



5th December 2024

Steve Ashdown
Mid Sussex District Council
Oaklands Road
Haywards Heath
RH16 1SS

By email only

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/23/2867
Location: Land East Of Ansty Way Cuckfield Bypass Cuckfield West Sussex
Proposal: Change of use of farmland and woodland to parkland reserve to include public access and instigation of long-term management and rewilding regime, including establishment of pedestrian and cycle tracks, with new pedestrian and cycle access points off Cuckfield Road to the south and Staplefield Road to the north. Proposals to include the addition of two wooden viewing platforms and two hides. Sports pitches at Beech Farm Field to remain in sports use. (Additional information received on 8th November 2024).

Dear Steve

Thank you for re-consulting Place Services on the above application.

Holding Objection pending further information on European Protected Species (Bats) and Biodiversity Net Gain	Yes
No ecological objections	
Recommended Approval subject to attached conditions	
Recommended Discharge of condition	

Summary

We have reviewed the following documents, relating to the likely impacts of development on designated sites, protected and Priority species & habitats, with identification of appropriate mitigation measures and Biodiversity Net Gain:

- Biodiversity Impact Calculation (The Ecology Co-op, October 2023, submitted November 2024 as a separate document. Already included in the ES Volume 4 Part 1 – 9 November 2023 Appendix G: Ecological Impact Assessment (Ecologic, October 2023)
- Landscape and Ecology Management Plan (LEMP) (Tadorna Consulting Ltd., September 2024)



- Site Location Plan (Fairfax, Rev P01)
- Detailed Masterplan (Fairfax, Rev P04)
- Design and Access Statement (Fairfax, November 2023)
- ES Volume 2 Chapter 11: Ecology and Biodiversity (Temple Group Ltd., November 2023)
- ES Volume 4 Part 1 – 9 November 2023 Appendix G: Ecological Impact Assessment (Ecologic, October 2023).

As noted in our response dated 4th January 2024, this application is related to the Ansty Garden Community application DM/23/2866. We note the submitted Biodiversity Chapter of the Environmental Statement includes separate ecological reports for both application sites. We have only reviewed the ecological documents relevant to this site, please see our submitted comments in relation to the ecological documents submitted with related application DM/23/2866.

We are still not satisfied that there is sufficient ecological information available for determination of this application as further information relating to bats as requested in our response dated 4th January 2024 has not been submitted. However, we note that the Biodiversity Impact Calculation (The Ecology Co-op, October 2023, submitted November 2024) refers to bat surveys in the Habitat & Ecological Restoration Plan 0069_RevA (Tardorna Consulting Ltd (2023)). We recommend that this document is made available on the planning portal to enable a full review of the information regarding likely impacts on bats for this application.

To fully assess the impacts of the proposal the LPA need 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 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 and prevent wildlife crime under s17 Crime and Disorder Act 1998.

Biodiversity Net Gain

As noted in our response dated 4th January 2024, we have reviewed Appendix G4 of Volume 4 of the ES which refers to Biodiversity Net Gain across both application sites. Whilst we welcome the indicated Biodiversity Net Gain of 18.04% in Habitat Units and a small net gain of 0.89% in Linear Units, the assessment has still not been submitted with the corresponding full Defra Metric Excel spreadsheet to enable proper review of the results. We acknowledge that mandatory Biodiversity Net Gain does not apply to this application as it pre-dates the introduction of mandatory BNG on 12th February 2024.

**Additional Comments**

We welcome the submission of the Landscape and Ecology Management Plan (LEMP) (Tadorna Consulting Ltd., September 2024) (Revision Draft) which provides information for the creation of the Beechy Bottom Parkland Reserve in relation to habitat management and protected species over a period of 10 years.

Please note 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 overcome our holding objection.

Please contact us with any queries.

Yours sincerely

Genevieve Broad MCIEEM MSc BSc (Hons)

Ecological Consultant

Place Services at Essex County Council

placeservicesecology@essex.gov.uk

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.