



15 October 2024

Katherine Williams
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.

Dear Katherine

Application: DM/24/2317
Location: Congregational Church Street Lane Ardingly West Sussex
Proposal: Change of use and conversion of former Congregational Church building to provide a single dwellinghouse with associated secure cycle storage provision, vehicle parking, bin storage and private amenity space.

Thank you for consulting Place Services on the above application.

Holding objection pending further information	
No ecological objections	
Recommended Approval subject to attached conditions	Yes
Recommended Discharge of condition	

Summary

We have reviewed the Preliminary Ecological Appraisal (Greenlink Ecology Ltd., September 2024), supplied by the applicant, relating to the likely impacts of development on protected species & Priority species and habitats, identification of proportionate mitigation and mandatory Biodiversity Net Gain.

We note from the Preliminary Ecological Appraisal (Greenlink Ecology Ltd., September 2024) that a dusk emergence survey for bats was undertaken in August 2024 on the existing building as it was considered to have low bat roost potential. The Preliminary Ecological Appraisal (Greenlink Ecology Ltd., September 2024) concludes that bats do not use the building for roosting. There are small ornamental trees and



shrubs on site which have no bat roost potential. We therefore agree that no further surveys for bats are required.

We are satisfied that there is sufficient ecological information available for determination. We have no objections on ecological matters excluding Great Crested Newt. 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 protected and Priority species and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation and enhancement measures identified in the Preliminary Ecological Appraisal (Greenlink Ecology Ltd., September 2024), should be secured and implemented in full. This is necessary to conserve and enhance protected and Priority Species.

[Government Advice on Biodiversity Net Gain](#) states that exemption applies where the development does not impact Priority habitat and impacts less than 25m² of on-site habitat or 5 metres of on-site linear habitats such as hedgerows. Therefore, we are satisfied that this application can be described as 'Below the Threshold' and is exempt from the requirement to identify and pursue opportunities for securing a measurable biodiversity net gain, equivalent to a 10% increase, in accordance with the secondary legislation of the Environment Act 2021.

We support the reasonable biodiversity enhancements for protected species in Section 5.3 of the Preliminary Ecological Appraisal (Greenlink Ecology Ltd., September 2024), which should be implemented to secure net gains for biodiversity, as outlined under Paragraph 180d and 186d of the National Planning Policy Framework (December 2023). The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Layout and secured by a condition of any consent.

This will enable the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended).

Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013. In terms of biodiversity net gain, the enhancements proposed will contribute to this aim.

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 Preliminary Ecological Appraisal (Greenlink Ecology Ltd., September 2024), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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 ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT LAYOUT

“A Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal (Greenlink Ecology Ltd., September 2024), shall be submitted to and approved in writing by the local planning authority.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.”

Reason: To enhance protected and Priority species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (as amended).

Yours sincerely,

Genevieve Broad MCIEEM MSc BSc (Hons)

Ecological Consultant

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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.