



27th January 2025

Susan Dubberley
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/24/3065
Location: Oaklands Farm Slaugham Lane Warninglid Haywards Heath West Sussex RH17 5TJ
Proposal: Re-positioning and minor amendments to the owners/ managers house, already permitted under planning application (Reference No: DM/18/2071). Resubmission of DM/21/0711

Dear Sue

Thank you for consulting Place Services on the above application.

Recommended Temporary Holding Objection pending further information on protected species (out of date report)	Yes
No ecological objections	
Recommended Approval subject to attached conditions	
Recommended Discharge of condition	

Summary

We have reviewed the Ecological Assessment Report (CSM Ecology, June 2017), relating to the likely impacts of development on designated sites, protected and Priority species & habitats with identification of appropriate mitigation measures.

We have also reviewed the information submitted relating to mandatory biodiversity net gains, which includes the reviewed the Statutory Biodiversity Metric (Arbtech Consulting Ltd., December 2024) and Biodiversity Net Gain Assessment (Arbtech Consulting Ltd., December 2024).

We are not satisfied that there is sufficient ecological information available for determination. This is because the Ecological Assessment Report (CSM Ecology, June 2017) is out of date to support this



application, in line with [CIEEM Guidance](#)¹ and paragraph 6.2.1 of British Standard (BS) BS42020 'Biodiversity – Code of practice for planning and development 2013'. This is because the initial site walkover was undertaken in March 2017. We understand that this report was prepared to support application DM/21/0711, which included a different red line boundary.

As a result, we recommend that the applicant's ecologist provides an ecological addendum or an updated ecological report to support this application (with the correct red line boundary), which will require an additional site visit and may require updated desk study information. The ecologist will be required to provide appropriate justification, on:

- The validity of the initial report;
- Which, if any, of the surveys need to be updated; and
- The appropriate scope, timing and methods for the update survey(s).

If additional impacts to protected species are identified as a result of the additional ecological assessment, then any necessary further surveys for protected species should also be provided prior to determination. This is necessary as the Government Circular 06/2005 identifies that the presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Therefore, it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed application, is established before planning permission is granted.

Therefore, this further information is required to provide the LPA with certainty of impacts on protected species and enable it to demonstrate compliance with its statutory duties, as well as its biodiversity duty under s.40 NERC Act 2006 (as amended).

Additional comments - Mandatory Biodiversity Net Gain:

With regard to mandatory biodiversity net gains, it is highlighted that we support the submitted Statutory Biodiversity Metric (Arbtech Consulting Ltd., December 2024) and Biodiversity Net Gain Assessment (Arbtech Consulting Ltd., December 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](#) and we are satisfied that submitted information provides sufficient information at application stage, although clarification will be required as to whether Scenario A or B will be implemented, particularly as Scenario A does not meet the trading rules. As a result, a Biodiversity Gain Plan should be submitted prior to commencement, which also includes the following:

- a) The completed metric calculation tool showing the calculations of the pre-development and post-intervention biodiversity values.
- b) Pre and post development habitat plans.
- c) Legal agreement(s)
- d) Biodiversity Gain Site Register reference numbers (if using off-site units).
- e) Proof of purchase (if buying statutory biodiversity credits at a last resort).

¹ CIEEM (2019) Advice note on the Lifespan of Ecological Reports and Surveys - <https://cieem.net/wp-content/uploads/2019/04/Advice-Note.pdf>



In addition, a [Habitat Management and Monitoring Plan](#) (HMMP) should be secured for all [significant on-site enhancements](#). Based on the submitted post-intervention values for Scenario A, it is suggested that this includes the following habitats: other neutral grassland and urban tree. The HMMP should be in line with the approved Biodiversity Gain Plan, with the maintenance and monitoring secured via legal obligation or a condition of any consent for a period of up to 30 years and will be required to be submitted concurrent with the discharge of the biodiversity gain condition. The monitoring of the post-development habitat creation / enhancement will need be provided to the LPA at years 1, 2, 5, 10, 15, 20, 25, 30, unless otherwise specified by the LPA. Any remedial action or adaptive management will then be agreed with the LPA to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.

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

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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.