



Date: 10 June 2026

Our ref: 17996

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By email only: 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.

Application: DM/26/1228
Location: Land West Of London Road Handcross West Sussex
Proposal: Outline planning application (with all matters reserved except for access) for the erection of up to 55 dwellings, including affordable homes, together with green and blue infrastructure, vehicular access from London Road, pedestrian/cycle access from London Road, the provision of utility services structures and the demolition of an existing agricultural building.

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

No ecological objection	☐
No ecological objection subject to attached conditions	☒
Further information required/Temporary holding objection	☐
Recommend refusal	☐
Subject to Natural England's formal comments on the conclusion of the LPA's Appropriate Assessment	☐

Summary

We have reviewed the Ecological Impact Assessment (Crossland Ecology Ltd., April 2026), 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 Draft Biodiversity Gain Plan (Crossland Ecology Ltd., April 2026) and Statutory Biodiversity Metric (March 2026). We note that Appendix 3 comprises the Baseline Habitats Plan, Appendix 4 comprises the Condition Assessment Forms and Appendix 6 comprises the Proposed Habitats Post-Development.

We note from the Ecological Impact Assessment (Crossland Ecology Ltd., April 2026), that the only building on site is a metal barn with negligible bat roost potential. We also note from the Ecological Impact Assessment (Crossland Ecology Ltd., April 2026) that trees T1, T4, T9 and T11 (all Oak) have Potential Roost Features for multiple bats (PRFs-M), although these trees are due to be retained under the current plans. However, we understand from Section 4.43 of the Ecological Impact Assessment (Crossland Ecology Ltd., April 2026) that further surveys are scheduled and will be submitted in an addendum.

We also understand from the Ecological Impact Assessment (Crossland Ecology Ltd., April 2026) that bat activity surveys recorded nine bat species on site, including the rare Barbastelle, with the greatest activity in the south-east of the site, along hedgerows and near woodland. We support the undertaking of further surveys to assess the importance of the site for foraging and commuting bats and note that the results will be submitted to the LPA in an addendum.

We also note that the following trees have PRFs for individual bats (PRFs-I): T2 (Oak), T3 (Unspecified), T5 (Willow sp.), T6 (Unspecified), T7 (Unspecified), T8 (Unspecified), T10 (Oak), T12 (Unspecified), T13 (Unspecified), T14 (Unspecified) and T15 (Unspecified). However, we understand from Section 5.42 of the Ecological Impact Assessment (Crossland Ecology Ltd., April 2026) that all of these trees are due to be retained under the current plans. We therefore agree that no further surveys for bats are required. However, we highlight that, if the plans change and any of the trees with PRF-Is are to be removed, then appropriate compensation will be required in advance of works to avoid loss of roost resource (Reason and Wray (2023) UK Bat Mitigation Guidelines: a guide to impact assessment, mitigation and compensation for developments affecting bats. Version 1.1. Chartered Institute of Ecology and Environmental Management). We also highlight that a non-licensed Precautionary Method Statement for bats will be required which includes inspection of any affected trees by endoscope on the day and felling under the supervision of a licensed bat ecologist, as required in Table 6.3 of 4th Ed. Bat Surveys for Professional Ecologists Bat Conservation Trust (Collins ed., 2023).

The Ecological Impact Assessment (Crossland Ecology Ltd., April 2026) states that Hazel Dormouse surveys during August, September and October 2025 confirmed the presence of this species on site. Therefore, a European Protected Species Mitigation Licence (EPSML) will be required before commencement of any works and we recommend that a copy of this is secured by a condition of any consent. We support the outline mitigation measures in Sections 5.65 and 5.66 of the Ecological Impact Assessment (Crossland Ecology Ltd., April 2026), which should be secured by a condition of any consent and implemented in full.

We understand from the Ecological Impact Assessment (Crossland Ecology Ltd., April 2026) that the reptile presence/absence surveys undertaken in September 2025 confirmed the presence of a low population of Common Lizard on site. In addition, Hedgehog (which is a Priority and threatened species) and common amphibians may be present on site. Therefore, we support the Precautionary Method Statement for reptiles and mobile protected and Priority species in Sections 5.34 and 5.71 of the Ecological Impact Assessment (Crossland Ecology Ltd., April 2026). This should be secured by a condition of any consent and implemented in full.

We are satisfied that there is sufficient ecological information available to support determination of this application. However, 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.

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation measures identified in the Ecological Impact Assessment (Crossland Ecology Ltd., April 2026) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly those recorded in the locality, including bats, Hazel Dormouse, reptiles and mobile protected and Priority species. The finalised measures should be provided in a Construction and Environmental Management Plan - Biodiversity to be secured as a pre-commencement condition of any consent.

We also support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Ecological Impact Assessment (Crossland Ecology Ltd., April 2026) 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 must include measures in line with the [Guidance Note 8 Bats and artificial lighting](#) (The Institute

of Lighting Professionals & Bat Conservation Trust) and should be informed by a professional ecologist:

- 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.

With regard to mandatory biodiversity net gains, it is highlighted that we support the submitted Draft Biodiversity Gain Plan (Crossland Ecology Ltd., April 2026) and Statutory Biodiversity Metric (March 2026). 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.

As a result, a Biodiversity Gain Plan should be submitted prior to commencement as part of the discharge of the statutory Biodiversity Gain Condition. This should include the following information for non-phased development:

- Biodiversity Gain Plan form, using the Government's template: <https://www.gov.uk/government/publications/biodiversity-gain-plan>.
- The completed metric calculation tool showing the calculations of the pre-development and post-intervention biodiversity values.
- Completed pre-development and post-development habitat maps.
- Information regarding [Habitat degradation](#) (where required).
- Information regarding [Irreplaceable habitat](#) (where required).

In addition, the following information may also be required depending on whether the development contains significant on-site enhancements or whether off-site options or Statutory Biodiversity Credits are required:

- A [Habitat Management and Monitoring Plan](#) (HMMP) for significant on-site enhancements or offsite measures in blue line boundary land.
- Legal agreement for monitoring and management of significant on-site enhancements or off-site measures in blue line boundary land.
- Evidence of off-site units being allocated to a Biodiversity Gain Site on the [Biodiversity Gain Site Register](#).
- Evidence of proof of purchase of Statutory Biodiversity Credits.

Based on the submitted post-intervention values as they are currently submitted and Government Guidance on what constitutes a significant on-site enhancement, it is suggested that this includes the following habitats:

- mixed scrub
- urban trees
- other neutral grassland
- lowland mixed deciduous woodland.

The decision on whether significant on-site enhancements are present is ultimately up to the Council. Where present, the maintenance and monitoring of significant on-site enhancements should be secured via planning obligation for a period of up to 30 years from the completion of development. This will be required at application stage or concurrent with the discharge of the Biodiversity Gain Condition. The management and monitoring of significant on-site enhancements could also be secured as a condition of any consent, but a mechanism to secure monitoring costs should be identified by the Council. The monitoring of the post-development habitat creation / enhancement will need be provided to the LPA at years 1, 3, 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 during the monitoring period to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.

We are generally satisfied that the post-intervention values are realistic and deliverable. However, it is recommended that the following matters will need to be considered by the applicant as part of the biodiversity gain condition:

- The current calculations indicate there will be a -4.91% loss of onsite habitat which is contrary to the Mid Sussex District Plan 2021-2039 DPN2, current legislation and national policy which all require an increase of 10% BNG. Therefore, we support the recommendation in the Draft Biodiversity Gain Plan (Crossland Ecology Ltd., April 2026) for the purchase of habitat units to achieve a net gain of at least 10% and satisfy trading rules. Evidence that the units have been allocated will be required prior to the discharge of the Biodiversity Gain Condition.

We also support the proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended to secure net gains for

biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024). Reasonable biodiversity enhancement measures are a separate matter to mandatory biodiversity net gains and the finalised details should be outlined within a separate Biodiversity Enhancement Strategy to be secured as a condition of any consent.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended) and delivery of mandatory Biodiversity Net Gain.

Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013. We recommend that 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 measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (Crossland Ecology Ltd., April 2026) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the Precautionary Method Statement for reptiles and mobile protected and Priority species in Sections 5.34 and 5.71 of the Ecological Impact Assessment (Crossland Ecology Ltd., April 2026), which avoids impacts on protected species.

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 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 COMMENCEMENT OF ANY WORKS WHICH WILL IMPACT THE BREEDING / RESTING PLACE OF HAZEL DORMOUSE: SUBMISSION OF A COPY OF EPS MITIGATION LICENCE

“Any works which will impact the breeding / resting place of Hazel Dormouse, shall not in in any circumstances commence unless the local planning authority has been provided with either:

- a) *a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or*
- b) *a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.”*

Reason: To conserve protected 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 s17 Crime & Disorder Act 1998.

3. **PRIOR TO COMMENCEMENT: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN FOR BIODIVERSITY**

“A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall include the following.

- a) *Risk assessment of potentially damaging construction activities.*
- b) *Identification of “biodiversity protection zones”.*
- c) *Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).*
- d) *The location and timing of sensitive works to avoid harm to biodiversity features.*
- e) *The times during construction when specialist ecologists need to be present on site to oversee works.*
- f) *Responsible persons and lines of communication.*
- g) *The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.*
- h) *Use of protective fences, exclusion barriers and warning signs.*

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority”

Reason: To conserve 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).

4. **CONCURRENT WITH RESERVED MATTERS AND PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY**

“Concurrent with reserved matters and prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of Volume 4 November 2023 Appendix G: Ecology and Biodiversity Ecological Impact Assessment (The Ecology Co-op, October 2023), shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;*
- b) detailed designs or product descriptions to achieve stated objectives;*
- c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);*
- d) persons responsible for implementing the enhancement measures; and*
- e) details of initial aftercare and long-term maintenance (where relevant).*

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.”

Reason: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended).

5. PRIOR TO OCCUPATION: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

“Prior to occupation, a “lighting design strategy for biodiversity” in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and*
- b) show how and where external lighting will be installed (through provision of lighting layout plans, isolux contour plans, vertical and horizontal illuminance assessments, , luminaire specifications, mounting heights, aiming angles, shielding measures, and lighting control strategies) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.*

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the

scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.”

Reason: To 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).

6. **CONCURRENT WITH RESERVED MATTERS: FURTHER SURVEYS FOR PROTECTED SPECIES**

“Further supplementary ecological surveys for roosting bats in trees, Hazel Dormouse and reptiles shall be undertaken to inform the ecological measures. The supplementary surveys shall be of an appropriate type for the above species and survey methods shall follow national good practice guidelines.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.”

Reason: To 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)

Optional condition:

Management and monitoring for significant on-site enhancements should be secured by planning obligation (either at application stage or the Biodiversity Gain Condition), to allow aftercare and monitoring to be secured for the 30-year period from the completion of development and for the LPA to cover its monitoring costs. However, if the LPA would prefer that this is secured via a separate condition, the following pre-commencement condition could be used:

7. **PRIOR TO COMMENCEMENT: HABITAT MANAGEMENT AND MONITORING PLAN (HMMP)**

A Habitat Management and Monitoring Plan (HMMP) for significant on-site enhancements, prepared in accordance with the approved Biodiversity Gain Plan, shall be submitted to, and approved in writing by the local authority, prior to commencement of development, including:

- a) *a non-technical summary;*
- b) *the roles and responsibilities of the people or organisation(s) delivering the HMMP;*
- c) *the planned habitat creation and enhancement works to create or improve habitat to achieve the on-site significant enhancements in accordance with the approved Biodiversity Gain Plan;*
- d) *the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;*
- e) *the monitoring methodology in respect of the created or enhanced habitat to be submitted to the local planning authority; and*
- f) *details of the content of monitoring reports to be submitted to the LPA including details of adaptive management which will be undertaken to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.*

Notice in writing shall be given to the Council when the:

- *initial enhancements, as set in the HMMP, have been implemented; and*
- *habitat creation and enhancement works, as set out in the HMMP, have been completed after 30 years.*

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Unless otherwise agreed in writing, monitoring reports shall be submitted in years 1, 3, 5, 10, 15, 20, 25, and 30 to the Council, in accordance with the methodology specified in the approved HMMP.

The Council shall only issue approval of the habitat creation and enhancement works until:

- *the habitat creation and enhancement works set out in the approved HMMP have been completed; and*
- *a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.*

Reason: To satisfy the requirement of Schedule 7A, Part 1, section 9(3) of the Town and Country Planning Act 1990 that significant on-site habitat is delivered, managed, and monitored for a period of at least 30 years from completion of development.

Biodiversity Gain condition

Natural England advises that 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](#). The condition is deemed to apply to every planning permission granted for the development of land in England (unless exemptions or transitional provisions apply), and there are separate provisions governing the Biodiversity Gain Plan.

The local planning authority is strongly encouraged to not include the biodiversity gain condition, or the reasons for applying this, in the list of conditions imposed in the written notice when granting planning permission. However, it is highlighted that biodiversity gain condition could be added as an informative, using [draft text](#) provided by the Secretary of State:

“Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that development may not begin unless:

- (a) Biodiversity Gain Plan has been submitted to the planning authority, and*
- (b) the planning authority has approved the plan.*

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Mid Sussex District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.”

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 at Essex County Council

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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.

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.