



Joanne Fisher  
Mid Sussex District Council  
Oaklands Road  
Haywards Heath  
West Sussex  
RH16 1SS

Our ref: 12874  
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By email only: Planning Department, [planninginfo@midsussex.gov.uk](mailto:planninginfo@midsussex.gov.uk)

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*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.*

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**Application:** DM/25/2995  
**Location:** Steton Works Turners Hill Road Crawley Down West Sussex  
**Proposal:** The proposed development involves the demolition of all existing buildings on-site, currently used as a garage/shed, to be replaced with two semi detached dwellings (Residential C3) and associated parking.

Thank you for consulting Place Services on the above full planning application.

<b>No ecological objection</b>	<input type="checkbox"/>
<b>No ecological objection subject to attached conditions</b>	<input checked="" type="checkbox"/>
<b>Further information required/Temporary holding objection</b>	<input type="checkbox"/>
<b>Recommend Refusal</b>	<input type="checkbox"/>
<b>Subject to Natural England's formal comments on the conclusion of the LPA's Appropriate Assessment</b>	<input type="checkbox"/>

### **Summary**

We have reviewed the Bat Survey and Assessment Version V1 (Co-ecology, November 2025) and Preliminary Ecological Appraisal Version V1 (Co-ecology, November 2025) 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 Biodiversity Net Gain Design Report Version V1 (Co-ecology, November 2025) and Statutory Biodiversity Metric (October 2025). We note that the Biodiversity Net Gain Design Report Version V1 (Co-ecology, November 2025) contains the Baseline Habitats Map (Figure 1), Proposed Habitats Map (Figure 2) and habitat condition assessment in Table 6.3.

We note from the Bat Survey and Assessment Version V1 (Co-ecology, November 2025) that a licence for bats will be required before commencement of any works and recommend that a copy of this is secured by a condition of any consent. This is because the single bat emergence survey in September 2025 confirmed a single Common Pipistrelle bat roost in Building B1 (timber shed, stable block and tack rooms) and DNA analysis of droppings confirmed the presence of a Brown Long-eared bat roost in Building B1. We support the outline mitigation measures in Sections 6.4 to 6.13 of the Bat Survey and Assessment Version V1 (Co-ecology, November 2025).

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 Bat Survey and Assessment Version V1 (Co-ecology, November 2025) and Preliminary Ecological Appraisal Version V1 (Co-ecology, November 2025) 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.

We also support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Bat Survey and Assessment Version V1 (Co-ecology, November 2025)) 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 should summarise the following measures recommended by Guidance Note:08/23 (Institute of Lighting Professionals) will be implemented:

- 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 Biodiversity Net Gain Design Report Version V1 (Co-ecology, November 2025) and Statutory Biodiversity Metric (October 2025). 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, which also includes the following:

- a) A Biodiversity Gain Plan form (Ideally using the Government's template: <https://www.gov.uk/government/publications/biodiversity-gain-plan>)
- b) The completed metric calculation tool showing the calculations of the pre-development and post-intervention biodiversity values.
- c) Pre and post development habitat plans.
- d) Legal agreement(s)
- e) Biodiversity Gain Site Register reference numbers (if using off-site units).
- f) Proof of purchase (if buying statutory biodiversity credits at a last resort).

In addition, a [Habitat Management and Monitoring Plan](#) (HMMP) should be secured for all [significant on-site enhancements](#). However, it is indicated that the LPA has made a stance that significant on-site enhancements do not apply for minor development. As a result, a HMMP or legal agreement will not be required for on-site aftercare.

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 Bat Survey and Assessment Version V1 (Co-ecology, November 2025) and Preliminary Ecological Appraisal Version V1 (Co-ecology, November 2025), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.*

*This will 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 BATS: SUBMISSION OF A COPY OF EPS MITIGATION LICENCE OR EVIDENCE OF SITE REGISTRATION UNDER A BAT MITIGATION CLASS LICENCE FOR BATS**

*“Any works which will impact the breeding / resting place of bats, 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) *evidence of site registration supplied by an individual registered to use a Bat Mitigation Class Licence; or*
- c) *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 ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY**

*“Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected and Priority or threatened species, prepared by a suitably qualified ecologist, 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).

### 4. **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 appropriate technical specifications) 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).

### **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 contact us if you have any queries in relation to this advice.

Your sincerely,

**Hamish Jackson ACIEEM BSc (Hons)**  
**Senior Ecological Consultant**  
 Place Services at Essex County Council



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.*