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

Our ref: 16135
Date: 21 April 2026

By email only: Planning Department, 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/26/0572
Location: 26 Kennedy Avenue East Grinstead West Sussex RH19 2DG
Proposal: Construction of new 3-bedroom house attached to end of existing terrace and associated external works.

Thank you for consulting Place Services on the above application.

No ecological objection	☐
Recommend approval subject to attached conditions	☐
Further information required/Temporary holding objection: • European Protected Species (bats)	☒
Recommend Refusal	☐
Subject to Natural England's formal comments on the conclusion of the LPA's Appropriate Assessment	☐

Summary

We have reviewed the documents supplied by the applicant, relating to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate mitigation and identification of appropriate mitigation measures and mandatory Biodiversity Net Gain. Unfortunately, no information has been submitted in relation to ecology.

We have also reviewed the information submitted relating to mandatory biodiversity net gains, including the Biodiversity Gain Plan (February 2026), Baseline Map & Post-Development Plan (submitted March 2026) and Small Sites Statutory Biodiversity Metric (February 2026).

We are not satisfied that there is sufficient ecological information available for determination of this application and recommend that additional information on bats is required to make this proposal acceptable. The reasons for this are outlined below:

European Protected Species:

We understand from the Design & Access Statement (submitted March 2026) that the new property will be attached to the existing building. Therefore, there may be impact to roosting bats in any roof space in the existing building. In addition, we understand from the Arboricultural Implications Assessment (Broad Oak Tree Consultants Ltd., February 2026) that Tree T4 (Ash) will undergo crown reduction and therefore a Ground Level Tree Assessment for roosting bats will be required. [Government Standing Advice](#) says you should ask for a survey if:

- *distribution and historical records suggest bats may be present*
- *the development site includes or is close to [any built structures](#), on or underground, that provide commuting, foraging or roosting opportunities for bats*
- *the development site includes or is close to [trees](#), shrubs, rock formations, quarries, natural cliff faces or water bodies that provide commuting, foraging or roosting opportunities for bats*

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 likely 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 (as amended) and prevent wildlife crime under s17 Crime and Disorder Act 1998.

Furthermore, the Local Planning Authority, as a competent authority, should have regard to the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended) when reaching planning decisions and must not leave this until the licence application stage. Therefore, if a European Protected Species Mitigation Licence is required for this application, appropriate mitigation measures to support the provision of the licence

must also be outlined prior to determination to allow certainty to the LPA that a licence will likely be granted.

Additional comments:

We support the proposed reasonable biodiversity enhancement, comprising a bat box, which has been recommended in the Design & Access Statement (submitted March 2026) to secure net gains for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024). The location (including the installation height) and specification of the bat box should be outlined within a separate Biodiversity Enhancement Layout and needs to be secured by a condition of any consent.

With regard to mandatory biodiversity net gains, it is highlighted that we support the submitted Biodiversity Gain Plan (February 2026), Baseline Map & Post-Development Plan (submitted March 2026) and Statutory Small Sites Biodiversity Metric (February 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, 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).

In addition, a Habitat Management and Monitoring Plan (HMMP) should be secured for all significant on-site enhancements. However, we note that the post-intervention values have been provided and that no significant on-site enhancements are proposed in the proposals. As a result, we are satisfied that HMMP is not likely to be required by legal obligation or a condition of any consent for a period of up to 30 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 support a lawful decision and overcome our holding objection.

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

Yours 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.

