



1 May 2025

Stefan Galyas
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/25/0666
Location: Claremont Copthorne Bank Copthorne Crawley West Sussex RH10 3QZ
Proposal: Change of use from a single dwellinghouse to a pair of semi-detached dwellinghouses. Conversion of rear outbuilding and main house loft space to habitable accommodation. Demolition of rear store building and rear garage. First floor side extension and remodelling of roofs

Dear Stefan

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	/
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.

We are not satisfied that there is sufficient ecological information available for determination of this application and recommend that details of survey results, mitigation & enhancement measures are required to make this proposal acceptable/additional information on bats is provided prior to determination as outlined below:



European Protected Species - bats:

The desk study concluded that the proposed works are unlikely to impact upon designated sites or Priority habitat. However, as the proposal will involve the conversion of the rear outbuilding and main house loft space of the existing property, we consider that there is a risk that the works could impact upon roosting bats, which are European Protected Species.

Therefore, we are not satisfied that there is sufficient ecological information available for determination of this application and recommend that a Preliminary Roost Assessment for bats is conducted, following standardised methodologies, by a suitably qualified ecologist. Additional information on how to engage an ecologist to complete a Preliminary Roost Assessment is available via the following links: <https://cieem.net/i-need/finding-a-consultant/>.

To fully assess the impacts of the proposal the LPA need ecological information for the site, particularly for bat a European Protected Species. The survey is required prior to determination because Government Standing Advice indicates that you should *"Survey for bats if the area includes buildings or other structures that bats tend to use or there are trees with features that bats tend to use nearby"*.

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.

See Appeal Decisions Ref: APP/D3830/W/23/3320110 - Land north of Staplefield Road, Slaugham, Haywards Heath, APP/P1560/W/24/3344547 at The Oaks, Clacton Road Weeley Essex CO16 9EF and APP/W3520/W/17/3174638 Pooles Farm, Thorney Green Road, Stowupland IP14 4AJ, where the appeals were dismissed as one of the main issues was the effect of the proposal on protected species. The Inspector could not be sure that there would be no adverse effect on protected species in the absence of ecological information. We also highlight that this information is also requested by the Inspector even where ecology has not been a reason for refusal.

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.



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

Mandatory Biodiversity Net Gains:

With regard to mandatory biodiversity net gains, it is highlighted that we have reviewed the submitted application form and the Biodiversity Net Gain Diagram. Applications are required to deliver a mandatory 10% measurable biodiversity net gain, unless exempt under [paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990](#) and the [Biodiversity Gain Requirements \(Exemptions\) Regulations 2024](#). Therefore, we are satisfied that these documents provide sufficient information that the development meets the de-minimis exemption. As a result, we are satisfied that the development is exempt from the statutory requirement of mandatory biodiversity net gains.

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 with any queries.

Yours sincerely

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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.