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Our ref: 13172
Date: 26 February 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/25/3235
Location: Providence Chapel Cowfold Road Bolney Haywards Heath
Proposal: Rebuilding the existing stable building to convert it into ancillary accommodation to the main Providence Chapel dwelling and replacing an existing covered storage area with a new storage space and small office above.

Thank you for consulting Place Services on the above householder 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 Preliminary Ecological Appraisal and Preliminary Bat Roost Assessment (Bakerwell Ltd. December 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 Application Form.

We are not satisfied that there is sufficient ecological information available for determination of this application and recommend that details of survey results, mitigation and enhancement measures for bats are required to make this proposal acceptable. In addition, we are not satisfied that appropriate information with regard to mandatory biodiversity net gains has been supplied for the application prior to determination. The reasons for this are outlined below:

European Protected Species – bats:

We note that building B1 (semi-open garage) has moderate potential for roosting bats and will therefore require two bat emergence surveys between May and August. We also note that building B2 (brick walled barn) has moderate to high potential for roosting bats and will therefore require three bat emergence surveys between May and August.

In addition, we understand that Tree T4 (veteran English Oak) also requires further assessment for impacts to bats. This is because although no Potential Roost Features for bats were visible during the Ground Level Tree Assessment, the canopy could not be assessed. (Although tree T3 is also mentioned on page 6, we believe this may be an error and probably refers to T4).

To fully assess the impacts of the proposal the LPA needs ecological information for the site, particularly for bats, which are European Protected Species. These surveys are 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.

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).

Additional comments:

We note from the Preliminary Ecological Appraisal and Preliminary Bat Roost Assessment (Bakerwell Ltd. December 2025) that Building B3 (converted chapel) lies outside the red line boundary, within the wider ownership. Therefore, we agree that no further surveys are required for this building and bats.

If external lighting is required, we also support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Preliminary Ecological Appraisal and Preliminary Bat Roost Assessment (Bakerwell Ltd. December 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.

We also recommend that reasonable biodiversity enhancements for protected, Priority and threatened species should be identified by a suitably qualified ecologist and implemented to secure net gains for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024). The reasonable biodiversity enhancement measures need to be outlined within a separate Biodiversity Enhancement Strategy and secured by a condition of any consent.

With regard to mandatory biodiversity net gains, it is highlighted that 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](#). As a result, we are satisfied that this application is exempt from mandatory biodiversity net gains, as the development meets the householder exemption.

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](#). We recommend that the NatureSpace Partnership is consulted on this application.

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.