



Date: 24 September 2026  
Our ref: 21907

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By email only: [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/26/2103  
**Location:** Land To The West Of Streatfield Place Coombe Hill Road East  
Grinstead West Sussex  
**Proposal:** Construction of a four bedroomed detached dwelling

Thank you for consulting Place Services on the above application.

|                                                                                                                                                                 |                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| <b>No ecological objection</b>                                                                                                                                  | <input type="checkbox"/>            |
| <b>Recommend approval subject to attached conditions</b>                                                                                                        | <input type="checkbox"/>            |
| <b>Further information required/Temporary holding objection on:</b> <ul style="list-style-type: none"><li>• <b>European Protected Species (Otter)</b></li></ul> | <input checked="" 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 documents supplied by the applicant, including the Preliminary Ecological Appraisal (Arborweald Environmental Planning Consultancy Ltd, August 2026) 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 European Otter is provided prior to determination. The reasons for this are outlined below:

### **European Protected Species – Otter:**

We have reviewed the Preliminary Ecological Appraisal (PEA) (Arborweald Environmental Planning Consultancy Ltd, August 2026) and note that a small stream is present immediately adjacent to the development site. Given the proximity of this watercourse, we would expect the ecological assessment to consider the potential presence of European otter (*Lutra lutra*) and assess whether the site or adjacent habitats support any breeding, resting, or sheltering places that could be affected by the proposed detached dwelling.

As this information has not been provided, we are unable to fully assess the potential impacts of the development on this European Protected Species. Consequently, we recommend that either a revised PEA or a separate ecological addendum is submitted to assess the suitability of the site and surrounding area for otter, identify any constraints, and evaluate the likely effects of the proposed development. Until this information is provided, we consider that there is insufficient ecological information available to determine the application.

These surveys are required prior to determination because [Government Standing Advice](#) indicates that you should survey for Otter if any of the following criteria apply:

- *distribution and historical records suggest otters may be present – you can search the National Biodiversity Network Atlas by species and location*
- *a development will affect a water body, river, stream, lake, sea or marshland*
- *a development will affect habitats near a water body directly or through environmental effects, such as creating noise or light*

The results of these surveys are also 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 including the Favourable Conservation Status licensing test 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: Protected and Priority species:**

We are satisfied with the considerations for other protected and Priority within the Preliminary Ecological Appraisal (PEA) (Arborweald Environmental Planning Consultancy Ltd, August 2026). However, please note that we do not provide comments on Great Crested Newt on instruction from the LPA, as consideration of this European Protected Species is left to the [NatureSpace Partnership](#).

We also recommend that any external lighting is sensitive to wildlife and secured by a condition of any consent to avoid impacts to foraging and commuting bats. This must follow the Guidance Note 8 Bats and artificial lighting (The Institute of Lighting Professionals & Bat Conservation Trust). In summary, it is highlighted that the following measures should be implemented for the lighting design for the new dwelling, which could 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 and should avoid impacts upon the boundaries of the development
- 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 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 support the proposed reasonable biodiversity measures for protected, Priority and threatened species, as outlined in National Policy N2 1(f) of the National Planning Policy Framework (August 2026). Reasonable biodiversity measures are a separate matter to mandatory biodiversity net gains and the finalised details should be outlined within a separate Biodiversity Measures Strategy to be secured as a condition of any consent.

#### **Additional comments - Mandatory Biodiversity Net Gains:**

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](#).

We note that the applicant has claimed the Self-build and Custom Housebuilding Exemption. However, this exemption no longer applies under the Biodiversity Gain Requirements (Exemptions) Regulations 2024 to applications submitted on or after 6 August 2026.

Notwithstanding this, as the application site is less than 0.2 hectares in size, we are satisfied that the development meets the criteria for the 'Development No Larger Than 0.2 Hectares' exemption. Consequently, mandatory Biodiversity Net Gain (BNG) does not apply to this application, and no further BNG considerations are required.

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 do not hesitate to 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.*

*Place Services have a policy relating to the use of AI. Unless otherwise stipulated, any AI use will be limited to basic proof-reading, grammar, and spelling correction. This response has been reviewed by the author(s). If you have any queries, please [contact us](#) for information about our AI guidance.*

