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Our ref: 17319
Date: 21 May 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/26/0843
Location: Land South Of Floran Farm Hophurst Hill Crawley Down West Sussex
Proposal: Outline application (means of access and layout only; other matters reserved) for 9 self-build dwellings.

Thank you for consulting Place Services on the above outline 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 (Arbtech Consulting 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 Self-Build and Custom Build Statement (April 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:

Protected Species:

We understand from the Preliminary Ecological Appraisal (Arbtech Consulting Ltd., December 2025) that there is a building (B1) on which has not been assessed internally. However, it appears from the As Proposed Block Plan Drawing No. J005448-DD-06 rev A (Brouard Architects, April 2026) that this building will be removed. Therefore, there may be impacts to roosting bats. [Government Standing Advice](#) advises that 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*

Therefore, we recommend that a Preliminary Roost Assessment for bats is undertaken in accordance with 4th Ed. Bat Surveys for Professional Ecologists Bat Conservation Trust (Collins ed., 2023). This is required prior to determination in order to inform any mitigation requirements or the need for further surveys. This type of assessment can be undertaken at any time of the year by a qualified ecologist.

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 - Protected species:

We note from the Preliminary Ecological Appraisal (Arbtech Consulting Ltd., December 2025) that there are no trees on site and therefore we agree that no further surveys are required for bats and trees.

We support the Precautionary Method Statement for reptiles and mobile protected and Priority species (including Hedgehog, which is a Priority and threatened species) in the Preliminary Ecological Appraisal (Arbtech Consulting Ltd., December 2025). This needs to be secured by a condition of any consent and implemented in full.

We also support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Preliminary Ecological Appraisal (Arbtech Consulting 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.

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](#).

Additional comments - Mandatory Biodiversity Net Gains:

With regard to mandatory biodiversity net gains, it is highlighted that we have reviewed the submitted Self-Build and Custom Build Statement (April 2026). 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 have reviewed the submitted details and are satisfied that this application is exempt, as the proposals is for nine self-build dwellings for an area less 0.5 ha. A condition may be considered necessary to be imposed by the council to ensure that the development must be occupied by a person or persons who had a primary input into the design and layout of the dwelling and who will live in the dwelling for at least 3 years.

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.