



Date: 29 September 2026
Our ref: 16529

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Haywards Heath
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By email only: 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/26/0839
Location: Costells Church Road Scaynes Hill Haywards Heath
Proposal: The proposal seeks the residential conversion of the existing barn and stables at Costells.

Thank you for further re-consulting Place Services on the above application.

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

Summary

We have reviewed the Emergence and Activity Bat Survey Final (Cherryfield Ecology Ltd., September 2026), Bat Emergence / Re-entry Survey (Sophie Bailey, August 2025), Ecology Report (update) (Cherryfield Ecology Ltd., March 2026) and Ecological Appraisal (Cherryfield Ecology Ltd., August 2024), relating to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate mitigation. We note that the Ecology Report (update) (Cherryfield Ecology Ltd., March 2026) confirms that the recommendations in the Ecological Appraisal (Cherryfield Ecology Ltd., August 2024) remain valid as the site conditions have not changed.

We are still not satisfied that there is sufficient ecological information available for determination of this application and recommend that details of survey results, mitigation & enhancement measures for reptiles are provided prior to determination. The reasons for this are outlined below:

Protected species – reptiles:

As stated in our response dated June 2026, we note from the Ecological Appraisal (Cherryfield Ecology Ltd., August 2024) that, if the proposed works will impact the surrounding woodland or vegetation, then a Precautionary Method Statement for reptiles will be needed. We request that the applicant clarifies whether the surrounding habitats will be impacted by the works and therefore if there would be an impact on reptiles.

To fully assess the impacts of the proposal the LPA needs ecological information for the site, particularly for reptiles, which are protected species. This information is required prior to determination because [Government Standing Advice for reptiles](#) says you should ask for a survey if *‘the development proposal is likely to lead to harm to individual reptiles or their habitats and there is suitable habitat present to support reptiles.’*

The result of the additional information on reptiles is 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 note from the Emergence and Activity Bat Survey Final (Cherryfield Ecology Ltd., September 2026) that two surveys undertaken in August 2026 on Buildings B1 (stables) and B2 (hay barn) concluded that no emergences of bats were observed. Therefore, we agree that no further surveys for bats are required.

We support the Precautionary Method Statement for mobile protected and Priority species (including Hedgehog, which is a Priority and threatened species) in Table 16, Section 4.4 of the Ecological Appraisal (Cherryfield Ecology Ltd., August 2024)). This should be secured by a condition of any consent and implemented in full.

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 proposal is for one self-build dwelling 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 also support the proposed reasonable biodiversity enhancements for protected, Priority and threatened species in the Emergence and Activity Bat Survey Final (Cherryfield Ecology Ltd., September 2026) and Ecological Appraisal (Cherryfield Ecology Ltd., August 2024), which have been recommended to secure net gains for biodiversity, as outlined in the National Planning Policy Framework (August 2026) N2 Part F. Reasonable biodiversity enhancement measures are a separate matter to mandatory biodiversity net gains and the finalised details should be outlined within a separate Biodiversity Enhancement Strategy to be secured as 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](#). 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 do not hesitate to contact us if you have any queries in relation to this advice.

Yours sincerely,

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 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.