



Date: 25 September 2025

Our ref: 09416

Stephen Ashdown
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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. 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/23/2867
Location: Land East Of Ansty Way Cuckfield Bypass Cuckfield West Sussex
Proposal: Change of use of farmland and woodland to parkland reserve to include public access and instigation of long-term management and rewilding regime, including establishment of pedestrian and cycle tracks, with new pedestrian and cycle access points off Cuckfield Road to the south and Staplefield Road to the north. Proposals to include the addition of two wooden viewing platforms and two hides. Sports pitches at Beech Farm Field to remain in sports use. (Additional information and amended plans received 27th May 2025).

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

No ecological objection	☐
No ecological objection 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 following documents, relating to the likely impacts of development on designated sites, protected and Priority species & habitats, with identification of appropriate mitigation measures and Biodiversity Net Gain:

- Landscape and Ecology Management Plan (LEMP) (Tadorna Consulting Ltd., September 2024) (Revision Draft)
- Ecology Letter (The Ecology Co-op, February 2024)
- Site Location Plan (Fairfax, Rev P01);
- Detailed Masterplan (Fairfax, Rev P04);
- Design and Access Statement (Fairfax, November 2023);
- ES Volume 2 Chapter 11: Ecology and Biodiversity (Temple Group Ltd., November 2023);
- ES Volume 4 Part 1 – 9 November 2023 Appendix G: Ecological Impact Assessment (Ecologic, October 2023).
- Biodiversity Impact Calculation (The Ecology Co-op, October 2023)

As noted in our response dated 4th January 2024, this application is related to the Ansty Garden Community application DM/23/2866. We note the submitted Biodiversity Chapter of the Environmental Statement includes separate ecological reports for both application sites. We have only reviewed the ecological documents relevant to this site, please see our submitted comments in relation to the ecological documents submitted with related application DM/23/2866.

We welcome the clarification in the Ecology Letter (The Ecology Co-op, February 2024) that the building on site will not be impacted as the plans have changed. We therefore agree that no surveys for bats in buildings will be required. We also note from the ES Volume 4 Part 1 – 9 November 2023 Appendix G: Ecological Impact Assessment (Ecologic, October 2023) that a Ground Level Tree Assessment undertaken in 2022 concluded that five trees have high or moderate to high bat roost potential, two trees have low to moderate potential and one tree has low bat roost potential. However, we understand from Section 5.4.3 of the ES Volume 4 Part 1 – 9 November 2023 Appendix G: Ecological Impact Assessment (Ecologic, October 2023) that these trees will not be impacted by the change of use to parkland reserve.

We note that two sections of hedgerow will be removed for the proposed cycle route totalling less than 10m (ES Volume 4 Part 1 – 9 November 2023 Appendix G: Ecological Impact Assessment (Ecologic, October 2023)). Therefore, as Hazel Dormouse have been recorded within the site, it is considered necessary that an European Protection Species Mitigation Licence will be required for the proposed works.

We also welcome the submission of the Landscape and Ecology Management Plan (LEMP) (Tadorna Consulting Ltd., September 2024) (Revision Draft) which provides information for the creation of the Beechy Bottom Parkland Reserve in relation to habitat management and protected species over a period of 10 years.

We are now satisfied that there is sufficient ecological information available to support determination of this application. However, 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.

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation measures identified in the documents listed above should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly those recorded in the locality, including bats. The finalised measures should be provided in a Construction and Environmental Management Plan - Biodiversity to be secured as a pre-commencement condition of any consent.

We understand that no lighting is proposed (ES Volume 4 Part 1 – 9 November 2023 Appendix G: Ecological Impact Assessment (Ecologic, October 2023)).

We acknowledge that mandatory Biodiversity Net Gain does not apply to this application as it pre-dates the introduction of mandatory BNG on 12th February 2024. It is also highlighted that we generally support the submitted Biodiversity Impact Calculation (The Ecology Co-op, October 2023) and the Statutory Biodiversity Metric – Calculation Tool (October 2023) and we are satisfied that the submitted documents provide sufficient information at application stage. However, we highlight that the Biodiversity Impact Calculation (The Ecology Co-op, October 2023) indicates a gain in habitat units of 18.04% and a gain in linear hedgerow units of 0.89%, while the Statutory Biodiversity Metric – Calculation Tool (October 2023) indicates a loss of -8.79% habitat units and a gain of 10.70% in hedgerow units, as well as trading loss in both calculations.

Therefore, it is indicated that loss is contrary to the Mid Sussex District Plan 2021-2039 DPN2 which requires an increase of 10% BNG. As a result, we recommend that a Biodiversity Net Gain Plan is secured prior to commencement and concurrent with reserved matters which demonstrates how a measurable biodiversity net gain and trading rules will be addressed. This should include:

- a) The completed metric calculation tool showing the calculations of the pre-development and post-intervention biodiversity values.
- b) Pre and post development habitat plans.
- c) Management and monitoring of on-site enhancements
- d) Legal agreement(s) for off-site enhancements
- e) Proof of purchase (if buying statutory biodiversity credits at a last resort).

We also support the proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended 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 should be outlined within a separate Biodiversity Enhancement Strategy and should be secured by a condition of any consent.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended) and delivery of mandatory Biodiversity Net Gain.

Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013. We recommend that submission for approval and implementation of the details below should be a condition of any planning consent.

Recommended conditions

1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

“All mitigation measures and/or works shall be carried out in accordance with the details contained in the ecological assessments as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes:

- *ES Volume 2 Chapter 11: Ecology and Biodiversity (Temple Group Ltd., November 2023);*
- *ES Volume 4 Part 1 – 9 November 2023 Appendix G: Ecological Impact Assessment (Ecologic, October 2023).*

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

2. PRIOR TO COMMENCEMENT: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN FOR BIODIVERSITY

“A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall include the following.

- a) *Risk assessment of potentially damaging construction activities.*
- b) *Identification of “biodiversity protection zones”.*
- c) *Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).*
- d) *The location and timing of sensitive works to avoid harm to biodiversity features.*
- e) *The times during construction when specialist ecologists need to be present on site to oversee works.*
- f) *Responsible persons and lines of communication.*
- g) *The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.*
- h) *Use of protective fences, exclusion barriers and warning signs.*

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority”

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations

2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

3. PRIOR TO COMMENCEMENT OF ANY WORKS WHICH WILL IMPACT THE BREEDING / RESTING PLACE OF HAZEL DORMOUSE: SUBMISSION OF A COPY OF EPS MITIGATION LICENCE

“Any works which will impact the breeding / resting place of Hazel Dormouse, shall not in in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
- b) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.”

Reason: To conserve protected species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998.

4. PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY

“Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of Volume 4 November 2023 Appendix G: Ecology and Biodiversity Ecological Impact Assessment (The Ecology Co-op, October 2023), shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) *Purpose and conservation objectives for the proposed enhancement measures;*
- b) *detailed designs or product descriptions to achieve stated objectives;*
- c) *locations of proposed enhancement measures by appropriate maps and plans (where relevant);*
- d) *persons responsible for implementing the enhancement measures; and*
- e) *details of initial aftercare and long-term maintenance (where relevant).*

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.”

Reason: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended).

5. PRIOR TO COMMENCEMENT: BIODIVERSITY NET GAIN PLAN

“Prior to commencement, a Biodiversity Net Gain Plan evidencing that a measurable biodiversity net gain can be achieved for the development, shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Net Gain Plan should include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures.*
- b) The completed biodiversity metric – calculation tool and condition assessments.*
- c) The habitat maps for the pre and post development values.*
- d) Details of the management and monitoring proposals to achieve condition targets.*
- e) Details of any off-site provision to be secured by a planning obligation.*

The proposed enhancement measures shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.”

Reasons: In order to demonstrate measurable biodiversity net gains and allow the LPA to discharge its duties under the NPPF 2024 and the Mid Sussex District Plan 2021-2039 DPN2.

Please do not hesitate to contact us if you have any queries in relation to this advice.

Your sincerely,

Hamish Jackson ACIEEM BSc (Hons)

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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.