



Date: 16 December 2025

Our ref: 11396

Anna Tidey
Mid Sussex District Council
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

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/25/1168
Location: Annexe Keysford Treemans Road Horsted Keynes
Proposal: Convert existing barn into a two bedroom ancillary accommodation.
Amended Plans and supporting information received 14.08.2025 and 22.10.2025.

Thank you for consulting Place Services on the above Listed Building Consent 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 Bat Survey Report (Batscan Ltd., June 2024) and Ecological Impact Assessment (Environmental Assessment Services Ltd., July 2023), relating to the likely

impacts of development on designated sites, protected & Priority species and habitats, and identification of appropriate mitigation measures.

We have also reviewed the information submitted to meet the requirements of mandatory biodiversity net gains, which includes the Application Form.

We note that the single dusk emergence survey in June 2024 identified a Brown Long-eared bat day roost (Bat Survey Report (Batscan Ltd., June 2024)) and therefore a licence for bats will be required.

Certain species of animals are protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended). It is an offence to damage or destroy a breeding site or resting place of a European Protected Species even when they are not present or deliberately disturb any such animal.

As it has been identified that bats will be disturbed during works to the listed building, the LPA is obliged to advise that mitigation measures are finalised and/or the works are adjusted to reduce potential impacts to these animals during the construction phase. Mitigation measures to limit the harm to protected species **MUST** be in place prior to the commencement of any of the works subject to this consent. This is to ensure the conservation of protected and Priority species 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).

Therefore, it is recommended that the below informative is secured with the decision notice for this application. This is to conserve protected species under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998.

With this secured, we are satisfied that there is sufficient ecological information available to support determination of this application.

This provides certainty for the LPA of the likely impacts on designated sites and protected species.

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 Listed Building Consent application is exempt from mandatory biodiversity net gains, as the development meets the permitted development exemption.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended).

Recommended Informative

1. PROTECTED SPECIES

Certain species of animals are protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended). It is an offence to damage or destroy a breeding site or resting place of a European Protected Species even when they are not present or deliberately disturb any such animal.

As it has been identified that bats are likely to be impacted during works to the listed building, the LPA is obliged to advise that mitigation measures are finalised and/or the works are adjusted to reduce potential impacts to these animals during the construction phase. Mitigation measures to limit the harm to protected species **MUST** be in place prior to the commencement of any of the works subject to this consent. This is to ensure the conservation of protected and Priority species 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).

Failure to discharge this obligation may give rise to a criminal offence.

With evidence of the presence of bats in the listed building, works **MUST NOT**, under any circumstances, commence until such time as the landowner, relevant companies, individuals and/or employing organisations have secured either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead; or
- b) evidence of site registration supplied by an individual registered to use a Bat Mitigation Class Licence; or
- c) 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.

This is to conserve protected species under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998.

The penalty for breaches of the above legislative requirements by companies, individuals and/or the employing organisations an unlimited fine per incident and/or a 6-month custodial sentence. As the Courts will decide whether the offence could reasonably have been avoided, assessment for the potential disturbance of protected species is essential before work is carried out.

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.