



12th June 2025

Katherine Williams
Mid Sussex District Council
Oaklands Road
Haywards Heath
RH16 1SS

By email only

Thank you for requesting advice on this discharge of condition 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/25/1021
Location: Hatchgate Cottage Hatchgate Lane Cuckfield Haywards Heath West Sussex RH17 5DU
Proposal: Discharge of planning conditions nos 3 - 14 in relation to planning application DM/23/3021

Dear Katherine,

Thank you for consulting Place Services on the above discharge of condition application. We can only comment on conditions relating to ecology.

Recommended Refusal	
No ecological objections	
Recommended Approval subject to attached conditions	
Subject to Natural England's comments on the conclusion of the Water Neutrality AA	
Further information required	
Recommended Discharge of conditions 4, 8, 9, 12, 13 and 14	Yes

Conditions

Condition 4: Recommend discharge (from an ecological perspective)

No development shall take place unless and until there full details of both hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. This shall include details of a replacement tree including its size, species and siting. The works shall be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority. Any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.



Reason: In the interests of visual amenity and of the environment of the development and to accord with Policies DP26 and DP37 of the Mid Sussex District Plan.

Condition 8: Recommend discharge

Prior to commencement a non-licensed Precautionary Method Statement for bats shall be submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to avoid potential impacts to bats during the felling of tree T9 (Silver Birch). The measures and/or works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

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).

Condition 9: Recommend discharge

The development hereby permitted shall not commence unless and until 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) 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.*

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.

Condition 12: Recommend discharge

All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Bat Emergence Survey (Wychwood Environmental Ltd., June 2024), Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech, April 2024), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the Non-licensed Precautionary Method Statement for Hazel Dormouse and the Precautionary Method Statements for reptiles and for mobile species in Table 11 Section 4.2 of the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech, April 2024). This avoids impacts on European Protected Species and protected species.

This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance 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).

**Condition 13: Recommend discharge**

Prior to any works above slab level a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Bat Emergence Survey (Wychwood Environmental Ltd., June 2024), Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech, April 2024), shall be submitted to and approved in writing by the local planning authority.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: To enhance protected and Priority Species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (as amended).

Condition 14: Recommend discharge

Prior to occupation a lighting design scheme for biodiversity based on guidance GN: 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To 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).

Comments**Condition 4**

We have reviewed the Site Layout as Proposed Dwg No. 2724/4 (MJB Architecture, March 2025) which has been submitted in order to discharge Condition 4.

From an ecological perspective, we are satisfied that the submitted information includes the detail required by this condition.

Condition 8

We have reviewed the Ecological Mitigation, Enhancement and Management Plan (Arbtech Consulting Ltd., March 2025) which has been submitted in order to discharge Condition 8.

We are satisfied that the submitted information includes the detail required by this condition.

Condition 9

We have reviewed the Licence – Mitigation Ref 2025-70124-EPS-MIT issued / valid from 28/01/25 expiry date 28/01/2030 (Natural England Wildlife Licensing Service) which has been submitted in order to discharge Condition 9.

We are satisfied that the submitted information includes the detail required by this condition.

**Condition 12**

It should be assumed that all requirements for this compliance condition have been met as described in the Ecological Mitigation, Enhancement and Management Plan (Arbtech Consulting Ltd., March 2025), unless the LPA is advised to the contrary.

We are satisfied that the submitted information includes the detail required by this condition.

Condition 13

We have reviewed the Ecological Mitigation, Enhancement and Management Plan (Arbtech Consulting Ltd., March 2025) and the Site Layout as Proposed Dwg No. 2724/4 (MJB Architecture, March 2025) which have been submitted in order to discharge Condition 13.

We are satisfied that the submitted information includes the detail required by this condition.

Condition 14

We have reviewed the Ecological Mitigation, Enhancement and Management Plan (Arbtech Consulting Ltd., March 2025) and the Site Layout as Proposed Dwg No. 2724/4 (MJB Architecture, March 2025) which have been submitted in order to discharge Condition 14.

We are satisfied that the submitted information includes the detail required by this condition.

Recommendation

Subject to implementation in full of the submitted details, we recommend discharge of Conditions 4, 8, 9, 12, 13 and 14.

Please contact us with any queries.

Yours sincerely,

Hamish Jackson ACIEEM BSc (Hons)

Senior Ecological Consultant

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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.