



09 November 2023

Hamish Evans
Mid Sussex District Council
Oaklands Road
Haywards Heath
RH16 1SS

By email only

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.

Dear Hamish

Application: DM/23/2493

Location: Acacia Grove Copthorne Road Copthorne Crawley West Sussex RH10 3PD

Proposal: Retention for use of site as long stay airport car parking (Sui Generis).
(Address amended 26.10.2023)

Thank you for consulting Place Services on the above retrospective application.

Recommended Temporary Holding Objection	
No ecological objections	
Recommended Approval subject to attached conditions	Yes
Recommended Discharge of condition	

Summary

We have reviewed the documents supplied by the applicant, but as no ecological information has been submitted and this is a retrospective application, it is not possible to assess any impact to bats which may have occurred during the construction of the long stay airport car parking.

However, we are satisfied that there is sufficient ecological information available for determination. We have no objections on ecological matters excluding Great Crested Newt. 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 species and Priority species and habitats and, with appropriate mitigation measures secured, the development can be made acceptable.



We recommend that reasonable biodiversity enhancements should be identified and implemented to secure net gains for biodiversity, as outlined under Paragraph 174[d] of the National Planning Policy Framework 2023. The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy and should be secured by a condition of any consent and implemented in full within three months of consent.

As the site is surrounded on the north, west and east by ancient replanted woodland (irreplaceable habitat) (MAGIC maps <https://magic.defra.gov.uk/MagicMap.aspx>) which is likely to be used by foraging and commuting bats, we also recommend that a Wildlife Friendly Lighting Strategy is implemented for this application 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 within three months of consent, 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 GN:08/23 (ILP) 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.

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

Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013.

We highlight that the trees to be removed lying outside the red line boundary but within the blue line boundary, should be subject to preliminary roost assessment for bats (Arboricultural Impact Assessment, Andrew Day Arboricultural Consultancy, September 2023). This would be reasonable to avoid committing an offence of disturbing bats or destroying their roosts (due diligence).

Submission for approval and implementation of the details below should be a condition of any planning consent.



Recommended conditions

1. WITHIN THREE MONTHS OF CONSENT: BIODIVERSITY ENHANCEMENT STRATEGY

"A Biodiversity Enhancement Strategy for protected and Priority species prepared by a suitably qualified ecologist 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, orientations and heights of proposed enhancement measures by appropriate maps and plans (where relevant);*
- e. persons responsible for implementing the enhancement measures; and*
- f. 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 and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2021 and s40 of the NERC Act 2006 (Priority habitats & species).

2. WITHIN THREE MONTHS OF CONSENT: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

"A lighting design scheme for biodiversity based on GN: 08/23 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 (Priority habitats & species).

Please contact us with any queries.

Yours sincerely

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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.