



Date: 25 September 2025

Our ref: 09395

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By email only: Planning Department, [planninginfo@midsussex.gov.uk](mailto:planninginfo@midsussex.gov.uk)

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*Thank you for requesting advice on this outline 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.*

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**Application:** DM/23/2866  
**Location:** Land East Of Ansty Way Cuckfield Bypass Cuckfield West Sussex  
**Proposal:** Outline planning application (All matters reserved except for access) for the redevelopment of land to the east of Ansty to create a new Garden Community, comprising of the erection of up to 1,450 homes (including 30% affordable housing), up to 90 residential care units (C2 class), a primary school, a SEND school, health hub, sports facilities including all weather hockey pitches and tennis centre, allotments, retail, community and employment uses together with ancillary and associated development including new and enhanced pedestrian/cycle routes, open spaces, and landscaping. (Additional information and amended plans received 27th May 2025).

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

<b>No ecological objection</b>	<input type="checkbox"/>
<b>No ecological objection subject to attached conditions</b>	<input checked="" type="checkbox"/>
<b>Further information required/Temporary holding objection</b>	<input type="checkbox"/>
<b>Recommend Refusal</b>	<input type="checkbox"/>



<b>Subject to Natural England’s formal comments on the conclusion of the LPA’s Appropriate Assessment</b>	□
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### **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:

- Dormouse Mitigation Statement (The Ecology Co-op, February 2024)
- Biodiversity Impact Calculation (The Ecology Co-op, October 2023) submitted November 2024 as a separate document. Already included in the ES Volume 4 Part 1 – 9 November 2023 Appendix G: Ecological Impact Assessment (Ecologic, October 2023)
- Volume 4 November 2023 Appendix G: Ecology and Biodiversity Ecological Impact Assessment (The Ecology Co-op, October 2023),
- Appendix G2: Bat trapping and Radiotracking Report (Temple Group Ltd., February 2023),
- ES 3 (EcoLogic LLP (undated),
- Appendix 6 Proposed Management Action Plan (EcoLogic LLP (February 2023))
- Volume 2 Chapter 2: The Site (Temple Group Ltd., November 2023)
- Habitat & Ecological Restoration Management Plan Rev A, (Tadorna Consulting Ltd., March 2023)
- Biodiversity Impact Calculation - Habitat & Ecological Restoration Management Plan Rev A, (Tadorna Consulting Ltd., March 2023)
- Non-Technical Summary (Temple Group Ltd., November 2023)
- Volume 2 Chapter 11: Ecology and Biodiversity (Temple Group Ltd., November 2023)
- Volume 2: Main Text (Temple Group Ltd., November 2023)

We note this application is related to outline planning application DM/23/2867 which refers to the creation of the Beechy Bottom Parkland Reserve. We also 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. Therefore, please see our submitted comments in relation to the ecological documents submitted with related application DM/23/2867.

We note from the ES Volume 4 Part 1 – 9 November 2023 Appendix G: Ecological Impact Assessment (Ecologic, October 2023) that the bat emergence surveys undertaken in 2022 confirmed the presence of a day roost for Common and Soprano Pipistrelles in Building 1, day roosts for Common and Soprano Pipistrelles, Brown Long-eared bat and an unknown Myotis species in Building 2 and a maternity roost for Brown Long-eared bats in Building 3. However, we understand from Section 4.4.1 of the ES Volume 4 Part 1 – 9 November 2023 Appendix G: Ecological Impact Assessment (Ecologic, October 2023) that none of these buildings will be impacted by the proposed scheme. Therefore, we agree that no further surveys for bats are required.

We also note from the Habitat & Ecological Restoration Management Plan Rev A (Tadorna Consulting Ltd., March 2023) that a Ground Level Tree Assessment undertaken in 2022 concluded that 13 trees have high bat roost potential, 17 trees have moderate potential and

62 trees have low bat roost potential. However, aerial inspections in 2022 of all moderate and high potential trees concluded that there was no evidence of bat roosts. Therefore, we recommend that updated further surveys are undertaken for trees with roost features for multiple bats (PRFs-M) are completed prior to commencement and concurrent with Reserved Matters stage. These should be secured by a condition of any consent. For trees with PRFs for Individual bats (PRFs-I), no further surveys are required, but we highlight that appropriate compensation will be required in advance of works to avoid loss of roost resource (Reason and Wray (2023) UK Bat Mitigation Guidelines: a guide to impact assessment, mitigation and compensation for developments affecting bats. Version 1.1. Chartered Institute of Ecology and Environmental Management). Any trees affected should be felled under a non-licensed Precautionary Working Method Statement for bats and should include inspection by endoscope on the day and felling under the supervision of a licensed bat ecologist, as required in Table 6.3 of 4th Ed. Bat Surveys for Professional Ecologists Bat Conservation Trust (Collins ed., 2023).

ES Volume 4 November 2023 Appendix G: Ecology and Biodiversity Ecological Impact Assessment (The Ecology Co-op, October 2023) states that Hazel Dormouse is present in areas of woodland, scrub and trees, particularly on the northern boundary, and therefore a European Protected Species Mitigation Licence (EPSML) will be required before commencement of any works and we recommend that a copy of this is secured by a condition of any consent. We support the Dormouse Mitigation Statement (The Ecology Co-op, February 2024) which should be secured by a condition of any consent and implemented in full.

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 and Hazel Dormouse. 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 support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (ES Volume 4 Part 1 – 9 November 2023 Appendix G: Ecological Impact Assessment (Ecologic, October 2023)), 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 prior to occupation, 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 Guidance Note:08/23 (Institute of Lighting Professionals) 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.

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).

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 the following documents:*

- *Dormouse Mitigation Statement (The Ecology Co-op, February 2024)*
- *Biodiversity Impact Calculation (The Ecology Co-op, October 2023) submitted November 2024 as a separate document. Already included in the ES Volume 4 Part 1 – 9 November 2023 Appendix G: Ecological Impact Assessment (Ecologic, October 2023)*
- *Volume 4 November 2023 Appendix G: Ecology and Biodiversity Ecological Impact Assessment (The Ecology Co-op, October 2023),*
- *Appendix G2: Bat trapping and Radiotracking Report (Temple Group Ltd., February 2023),*
- *ES 3 (EcoLogic LLP (undated),*
- *Appendix 6 Proposed Management Action Plan (EcoLogic LLP (February 2023))*
- *Volume 2 Chapter 2: The Site (Temple Group Ltd., November 2023)*
- *Habitat & Ecological Restoration Management Plan Rev A, (Tadorna Consulting Ltd., March 2023)*
- *Biodiversity Impact Calculation - Habitat & Ecological Restoration Management Plan Rev A, (Tadorna Consulting Ltd., March 2023)*
- *Non-Technical Summary (Temple Group Ltd., November 2023)*
- *Volume 2 Chapter 11: Ecology and Biodiversity (Temple Group Ltd., November 2023)*
- *Volume 2: Main Text (Temple Group Ltd., November 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. CONCURRENT WITH RESERVED MATTERS 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.

### **3. PRIOR TO COMMENCEMENT: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN FOR BIODIVERSITY**

*“Prior to commencement, 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).

### **4. CONCURRENT WITH RESERVED MATTERS AND PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY**

*“Concurrent with reserved matters and 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 OCCUPATION: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME**

*“Prior to occupation, a “lighting design strategy for biodiversity” in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The strategy shall:*

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and*
- b) show how and where external lighting will be installed (through 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 the above species using their territory or having access to their breeding sites and resting places.*

*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).

#### **6. CONCURRENT WITH RESERVED MATTERS: FURTHER SURVEYS FOR PROTECTED SPECIES**

*“Further supplementary ecological surveys for roosting bats in trees and Hazel Dormouse shall be undertaken to inform the ecological measures. The supplementary surveys shall be of an appropriate type for the above species and survey methods shall follow national good practice guidelines.*

*Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.”*

**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)

## 7. **CONCURRENT WITH RESERVED MATTERS: BIODIVERSITY NET GAIN PLAN**

*“Concurrent with each reserved matters phase, 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.

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.*