



Date: 3 August 2026
Our ref: 20040

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By email only: planninginfo@midsussex.gov.uk

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.

Application:	DM/26/1452
Location:	Borde Hill Garden Borde Hill Lane Haywards Heath West Sussex
Proposal:	Discharge of BNG planning condition relating to planning application DM/25/3104

Thank you for consulting Place Services on the above discharge of condition for the Biodiversity Gain Condition

Biodiversity Gain Condition

This permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun (which includes demolition) because none of the statutory exemptions or transitional arrangements are considered to apply.

Comments

We have reviewed the submitted documents for this application. This includes the following:

- Ecological Enhancement Plan (Arbtech Ltd, June 2026)
- Habitat Management and Monitoring Plan (Arbtech Ltd, May 2026)
- Biodiversity Gain Plan Form

We have also re-assessed the following documents provided for the associated application:

- Biodiversity Net Gain (BNG) statutory version reporting file note (Arbtech Ltd, November 2025)
- Statutory Biodiversity Metric – Calculation Tool

It is indicated that [Paragraph 14\(2\) of Schedule 7A of the Town and Country Planning Act 1990 \(as amended\)](#) and [Articles 37C\(2\) and 37C\(4\) of The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) sets out the requirements of the Biodiversity Gain Condition, which secures a 'Biodiversity Gain Plan'.

Therefore, in summary, the submission of a Biodiversity Gain Plan will consist of the following finalised information:

- Biodiversity Gain Plan form, using the Government's template: <https://www.gov.uk/government/publications/biodiversity-gain-plan>
- The completed metric calculation tool showing the calculations of the pre-development and post-intervention biodiversity values.
- Completed pre-development and post-development habitat maps
- Information regarding [Habitat degradation](#) (where required).
- Information regarding [Irreplaceable habitat](#) (where required).

In addition, the following information may also be required depending on whether the development contains significant on-site enhancements or whether off-site options or Statutory Biodiversity Credits are required:

- A [Habitat Management and Monitoring Plan](#) (HMMP) for significant on-site enhancements or offsite measures in blue line boundary land.
- Legal agreement for monitoring and management of significant on-site enhancements or off-site measures in blue line boundary land.
- Evidence of off-site units being allocated to a Biodiversity Gain Site on the [Biodiversity Gain Site Register](#).
- Evidence of proof of purchase of Statutory Biodiversity Credits

Therefore, based on the submitted documents, we are not satisfied that sufficient information has been provided. As a result, we recommend that the following is issued:

- The completed metric calculation tool showing the calculations of the pre-development and post-intervention biodiversity values for the entire site.
- Legal agreement for monitoring and management of significant on-site enhancements or off-site measures in blue line boundary land.

We agree with the applicant's assessment that the following habitats consist of significant on-site enhancements:

"Creation of high distinctiveness habitats (traditional orchards, lowland mixed deciduous

woodland. Creation of medium distinctiveness habitats (other neutral grassland, mixed scrub), and enhancement of habitat to a better condition (other neutral grassland, mixed scrub, other woodland broadleaved)”

We also support the details contained within the Habitat Management and Monitoring Plan (Arbtech Ltd, May 2026), which has been broadly prepared in line with the Governments template for HMMPs and includes appropriate management measures in line with relevant habitat condition targets and risk avoidance recommendations for the relevant significant on-site enhancements.

Our only recommendation would be for the monitoring intervals outlined in the HMMP to be amended slightly. This would include amending the HMMP to require monitoring reports submitted to the Council on years 1, 3, 5, 10, 15, 20, 25, 30. This is necessary to ensure consistency with standard monitoring intervals recommendations.

The monitoring for the significant on-site enhancements will need to be secured by planning obligation with the Council for a period of 30 years from the completion of development. This will require notice to be provided to the Council on the start and end of the 30 year period.

Recommendation

We are unable to recommend the discharge of the Biodiversity Gain Condition until the additional information outlined above has been provided.

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

Yours sincerely,

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This advice has been provided by Place Services 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.

We are unable to respond directly to applicants/agents or other interested parties. Any additional information, queries or comments on this advice that the applicant/agent or other interested parties may have, must be directed to the Planning Officer at the relevant LPA, who will seek further advice from us where appropriate.

AI may have been used in the preparation of this response, but its use will be limited to basic proof-reading, grammar, and spelling correction. This response has been reviewed by the author(s). If you have any queries, please [contact us](#) for information about our AI guidance.