



11th June 2025

Joanne Fisher
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.

Application: DM/24/3104

Location: Sandhill Farm Sandhill Lane Crawley Down Crawley West Sussex RH10 4LE

Proposal: Temporary agriculturally-tied caravan accommodation. Amended plans, BNG metric and application form received 4th and 14th April to amend red line to provide on-site BNG.

Dear Joanne

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

Recommended Refusal	
No ecological objections	
Recommended Approval subject to attached conditions	Yes
Subject to Natural England's comments on the conclusion of the Water Neutrality AA	
Subject to Natural England's comments on the conclusion of the bat AA	
Further information required	
Recommended Discharge of condition	

Summary

We have reviewed the additional Biodiversity Net Gain (BNG) information submitted, including the Habitat Map – Baseline (ROAVR Group, April 2025), Habitat Map – Proposed (ROAVR Group, April 2025) and Statutory Biodiversity Metric (April 2025). We note that the red line boundary has been amended so that BNG can be provided onsite and that there is now a 12.97% increase in habitat units. We have no other comments in addition to those provided in our response dated 30th January 2025.

Therefore, we support the submitted Habitat Map – Baseline (ROAVR Group, April 2025), Habitat Map – Proposed (ROAVR Group, April 2025) and Statutory Biodiversity Metric (April 2025). Biodiversity net gains is a statutory requirement set out under [Schedule 7A \(Biodiversity Gain in England\) of the Town and Country Planning Act 1990](#) and we are still satisfied that the submitted information provides sufficient



information at application stage. As a result, a Biodiversity Gain Plan should be submitted prior to commencement, which also includes the following:

- 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) Legal agreement(s)
- d) Biodiversity Gain Site Register reference numbers (if using off-site units).
- e) Proof of purchase (if buying statutory biodiversity credits at a last resort).

In addition, a Habitat Management and Monitoring Plan (HMMP) should be secured for all significant on-site enhancements. However, we note that the post-intervention values have been provided and that no significant on-site enhancements are proposed in the proposals. As a result, we are satisfied that HMMP is not likely to be required by legal obligation or a condition of any consent for a period of up to 30 years.

We are still satisfied that there is sufficient ecological information available for determination of this application and have no objections on ecological matters excluding Great Crested Newt as we have been instructed to leave comments on this European Protected Species to the [NatureSpace Partnership](#).

For clarity, we have included the conditions recommended in our response dated 30th January 2025 below.

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 and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Report (ROAVR Group, November 2024), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the Precautionary Method Statement for mobile protected species in the Preliminary Ecological Appraisal Report (ROAVR Group, November 2024), which avoids impacts on protected species.

This may 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).



2. PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT LAYOUT

"A Biodiversity Enhancement Layout for biodiversity enhancements listed in the Preliminary Ecological Appraisal Report (ROAVR Group, November 2024), shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Layout shall include the following:

- a) detailed designs or product descriptions for biodiversity enhancements; and*
- b) locations, orientations and heights for biodiversity enhancements on appropriate drawings.*

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 & habitats and allow the LPA to discharge its duties under paragraph 187d of the NPPF 2024 and s40 of the NERC Act 2006 (as amended).

3. 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 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).

Biodiversity Gain condition

Natural England advises that the biodiversity gain condition has its own separate statutory basis, as a planning condition under [paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990](#). The condition is deemed to apply to every planning permission granted for the development of land in England (unless exemptions or transitional provisions apply), and there are separate provisions governing the Biodiversity Gain Plan.

The local planning authority is strongly encouraged to not include the biodiversity gain condition, or the reasons for applying this, in the list of conditions imposed in the written notice when granting planning permission. However, it is highlighted that biodiversity gain condition could be added as an informative, using [draft text](#) provided by the Secretary of State:



“Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and*
- (b) the planning authority has approved the plan.*

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Mid Sussex District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.”

Please contact us with any queries.

Yours sincerely

Hamish Jackson ACIEEM BSc (Hons)

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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.