



17th March 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/25/0090
Location: Land At Eastwood Farm Shaves Wood Lane Albourne West Sussex
Proposal: Change of Use of land to equestrian, erection of equestrian facilities including indoor arena, stables, outdoor arena, horse walker, re-surfacing of existing track, creation of balancing / ecology pond, associated earthworks and provision of a soft landscaping scheme. Amended Arboricultural Impact Assessment and Appendix received on 28.02.2025.

Dear Joanne

Thank you for consulting Place Services on the above application.

Temporary Holding Objection pending further information on mandatory biodiversity net gains	Yes
No ecological objections	
Recommended Approval subject to attached conditions	
Recommended Discharge of condition	

Summary

We have reviewed the Preliminary Ecological Appraisal (Environmental Assessment Services Ltd., December 2024), relating to the likely impacts of development on designated sites, protected & Priority species and habitats, identification of appropriate mitigation measures.

In addition, we have reviewed the submitted Biodiversity Net Gain Statement (Gould Baxter, January 2025) and Existing Habitat Map and Proposed Habitat Map (Appendices A and B, Preliminary Ecological Appraisal (Environmental Assessment Services Ltd., December 2024)), relating to mandatory biodiversity net gains.



We are not satisfied that there is sufficient ecological information available for determination of this application as we recommend that additional information on biodiversity net gain is provided prior to determination. The reasons for this are outlined below:

As of 2nd April 2024, all minor development, as defined under [Article 2 Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#), are required to deliver a mandatory 10% measurable biodiversity net gain, unless exempt under [paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990](#) and the [Biodiversity Gain Requirements \(Exemptions\) Regulations 2024](#).

Biodiversity net gains is a statutory requirement set out under [Schedule 7A \(Biodiversity Gain in England\) of the Town and Country Planning Act 1990](#). This legislation was inserted into the 1990 Act by Schedule 14 of the Environment Act 2021, and was amended by the Levelling Up and Regeneration Act 2023. The Biodiversity Gain (Town and Country Planning) (Consequential Amendments) Regulations 2024 made consequential amendments to other parts of the 1990 Act.

The [Biodiversity Net Gain Planning Practice Guidance \(PPG\)](#) sets out how mandatory biodiversity net gains should be applied through the planning process and Paragraph: 011 Reference ID: 74-011-20240214 sets out what information should be submitted as part of a planning application if the statutory biodiversity gain condition applies.

As a result, we have reviewed the Biodiversity Net Gain Statement (Gould Baxter, January 2025) and Existing Habitat Map and Proposed Habitat Map (Appendices A and B, Preliminary Ecological Appraisal (Environmental Assessment Services Ltd., December 2024)) and we are not satisfied that appropriate information has been provided prior to determination. This is because of the reasons set out below:

- The application is not supported by a Statutory Biodiversity Metric – Calculation Tool (Excel version) or accompanying condition assessment. This is required to ensure that the habitats within the pre-development baseline have been recorded appropriately.

Additional comments:

We note from the Preliminary Ecological Appraisal (Environmental Assessment Services Ltd., December 2024) that there are no buildings or trees on site and therefore agree that no further surveys for bats are required.

As mobile protected species, including reptiles, may be present, we support the Precautionary Method Statement for mobile species in Sections 4.6 and 4.9 of the Preliminary Ecological Appraisal (Environmental Assessment Services Ltd., December 2024). This should be secured by a condition of any consent and implemented in full.

We support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Preliminary Ecological Appraisal (Environmental Assessment Services Ltd., December 2024)) 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 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 Layout and should be secured by a condition of any consent.

Please note 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](#). We recommend that the NatureSpace Partnership is consulted on this application.

We look forward to working with the LPA and the applicant to receive the additional information required to support a lawful decision and overcome our holding objection.

Please contact us with any queries.

Yours sincerely

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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.