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Our ref: 13218  
Date: 4 February 2026

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 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.*

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**Application:** DM/25/2046  
**Location:** Evergreen London Road Hassocks West Sussex  
**Proposal:** Outline planning application for 4 detached dwellings, two of which have separate garage blocks.

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

<b>No ecological objection</b>	<input type="checkbox"/>
<b>Recommend approval subject to attached conditions</b>	<input type="checkbox"/>
<b>Further information required/Temporary holding objection on</b> <ul style="list-style-type: none"><li>• <b>Protected species (reptiles)</b></li><li>• <b>Mandatory Biodiversity Net Gain</b></li></ul>	<input checked="" 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>	<input type="checkbox"/>

### **Summary**

We have reviewed the Preliminary Ecological Appraisal (Urban Edge Environmental Consulting, December 2025) supplied by the applicant, relating to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate mitigation.

We are not satisfied that there is sufficient ecological information available for determination of this application and recommend that details of reptile survey results, mitigation & enhancement measures are required to make this proposal acceptable. In addition, we are not satisfied that appropriate information with regard to mandatory biodiversity net gains has been supplied for the application prior to determination. The reasons for this are outlined below:

### **Protected Species – Reptiles:**

The Preliminary Ecological Appraisal (Urban Edge Environmental Consulting, December 2025) recommends that presence/likely absence surveys for reptiles should be undertaken between April and September. Therefore, in line with the recommendations of the report, we recommend that 7 reptile survey visits are conducted of the site, with particular survey effort around the habitats identified as suitable for reptiles, in line with best practice guidance (Froglife, 1999; Gent & Gibson, 2003). The results of these surveys are required prior to determination, and will inform any required mitigation.

To fully assess the impacts of the proposal the LPA needs ecological information for the site, particularly for reptiles. These surveys are required prior to determination because Government Standing Advice indicates that you should *“Survey for reptiles if suitable habitat is present at the development site that could support reptiles, or if the proposal will break apart suitable habitat for reptiles”*.

The results of these surveys are required prior to determination because paragraph 99 of the ODPM Circular 06/2005 highlights that: *“It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.”*

This information is therefore required to provide the LPA with certainty of likely impacts on legally protected species and be able to secure appropriate mitigation either by a mitigation licence from Natural England or a condition of any consent. This will enable the LPA to demonstrate compliance with its statutory duties, including its biodiversity duty under s40 NERC Act 2006 (as amended) and prevent wildlife crime under s17 Crime and Disorder Act 1998.

This is needed to enable the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended).

### **Mandatory Biodiversity Net Gains:**

Applications 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 Statutory Biodiversity Metric (December 2025) and baseline habitat map, and are not satisfied that appropriate information has been provided prior to determination. This is because of the reasons set out below:

- No condition assessments have been provided of the site, and the species list provided for the modified grassland has 14 total species. Photographs show a patch of grassland which has a distinctly taller sward height than the majority of the grassland. We recommend that condition assessment sheets and quadrat results are provided for the modified grassland, to allow us to assess whether condition assessments have been completed accurately, and whether the distinct patch of grassland should be classified separately.

Where mandatory biodiversity net gains applies, the planning authority will be required to secure a biodiversity gain condition as a pre-commencement requirement. 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](#) and should be included as an informative within the decision notice. The biodiversity gain condition should secure the provision of a Biodiversity Gain Plan prior to commencement, which includes the following:

- a) A Biodiversity Gain Plan form (Ideally using the Government's template: <https://www.gov.uk/government/publications/biodiversity-gain-plan>)
- b) The completed metric calculation tool showing the calculations of the pre-development and post-intervention biodiversity values.
- c) Pre and post development habitat plans.
- d) Legal agreement(s)
- e) Biodiversity Gain Site Register reference numbers (if using off-site units).
- f) 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, Mid Sussex do not consider significant on-site

enhancements are present for minor development. Therefore, we are satisfied that a HMMP and legal agreement will not be required for on-site measures.

As no post-intervention values have been submitted, we cannot provide any comment on whether the measures will be suitable to meet the Biodiversity Gain Condition.

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 if you have any queries in relation to this advice.

**Hallie Rees MSci (Hons)**  
**A Current Qualifying Member of CIEEM**  
**Assistant Ecological Consultant**  
 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.*

*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.*