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Mid Sussex District Council
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West Sussex
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Our ref: 16126
Date: 22 April 2026

By email only: Planning Department, 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/26/0783
Location: Land Adjacent To Hilgay Cottage Birchwood Grove Road Burgess Hill West Sussex
Proposal: Discharge of condition nos 3, 5, 6 and 7 relating to Planning appeal no AP/25/0023 (DM/24/0846).

Thank you for consulting Place Services on the above discharge of conditions. We can only provide comments relating to ecology. Therefore, our comments only relate to condition 3 and 6.

Biodiversity Gain Condition

3) No development shall take place until a Habitat Management and Monitoring Plan, in line with the approved Biodiversity Gain Plan, has been submitted to the Local Planning Authority and approved in writing. The content of the Habitat Management and Monitoring Plan should include the following: A management and monitoring plan for onsite biodiversity net gain including 30-year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports in years 2,5,10,15,20,25 and 30 from commencement of development, demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed. A management and monitoring plan for all offsite biodiversity net gain including 30-

year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports in years 2,5,10,15,20,25 and 30 from commencement of development, demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed. The development shall be implemented in full accordance with the requirements of the approved Habitat Management and Monitoring Plan, with monitoring reports submitted to the council at the specified intervals.

6) Hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Comments

Condition 3:

We have reviewed the submitted documents for condition 3. This includes the following:

- B-MSUS2605-EB-BPC- v00.05 - Purchase Certificate - 19032026 0120pm
- The Statutory Biodiversity Metric – Calculation Tool (V2-7ab40f)

We have also reviewed the Biodiversity Net Gain Design Stage Report (PJC Ltd, July 2024) submitted at application stage (DM/24/0846).

Whilst the condition requires a Habitat Management and Monitoring Plan, the inspector confirms that the intention of this condition is to secure the Biodiversity Gain Condition and demonstrate how a 10% measurable biodiversity net gain will be achieved.

The on-site habitat creation proposals include no measures which should be managed and monitored via a Habitat Management and Monitoring Plan. As a result, we agree that a pragmatic solution should be secured for this application and that on-site measures will not be required to be monitored by the Council for a 30-year period.

However, to ensure a 10% measurable biodiversity net gain for habitat units, we note that the applicant has secured off-site units via a habitat bank (BGS-281024001) registered on the Biodiversity Gain Site Register. The relevant units to achieve a 10% measurable biodiversity net gain has been allocated to this habitat bank and we can confirm that these off-site units reflect the calculations set out within the submitted Statutory Biodiversity

Metric – Calculation Tool. As a result, we support the proposed off-site approach for this application.

However, it 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, it is recommended that the following additional information should be submitted within this application to ensure an appropriate Biodiversity Gain Plan will be submitted for this application.

- A Biodiversity Gain Plan form (Ideally using the Government's template: <https://www.gov.uk/government/publications/biodiversity-gain-plan>)
- Completed post-development habitat maps

Condition 6:

We have reviewed the following documents submitted to meet the requirements of condition 6:

- PJC.1520.001 Rev C Landscape General Arrangement Plan
- PJC.1520.002 Rev C Soft Landscape Detailed Planting Plan
- PJC.1520.003 Rev A Soft Landscape Specification inc. implementation schedule
- PJC.1520.004 Landscape Maintenance & Management Plan

We support the landscape proposals at an ecological perspective and welcome the inclusion of wildflower mixes to the north of the site, as well as the proposed native hedgerow planting. We would however suggest that the proposed wildflower mix will likely be heavily shaded by the new tree planting, which will likely limit the species diversity of the proposed wildflower mix over time. Therefore, the removal of some proposed trees to the north of the site would be beneficial ecologically.

Recommendation

Subject to an appropriate Biodiversity Gain Plan form and a map of the post-development habitats being secured, we would support the discharge of Condition 3 / Biodiversity Gain Condition in full.

We also support the discharge of Condition 6 at an ecological perspective.

Please contact us if you have any queries in relation to this advice.

Yours sincerely,

Hamish Jackson ACIEEM BSc (Hons)

Senior 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.