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Mid Sussex District Council
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West Sussex
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Our ref: 12264
Date: 26 January 2026

By email only: Planning Department, planninginfo@midsussex.gov.uk

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.

Application: DM/25/3096
Location: Q Leisure The Old Sand Pit London Road Albourne
Proposal: Construction of six padel courts together with a canopy structure; demolition of the existing sheds; and the erection of a clubhouse building with associated store, pergola and outdoor seating area, alongside hard and soft landscaping

Thank you for consulting Place Services on the above application.

No ecological objection	<input type="checkbox"/>
No ecological objection subject to attached conditions	<input checked="" type="checkbox"/>
Further information required/Temporary holding objection	<input type="checkbox"/>
Recommend Refusal	<input type="checkbox"/>
Subject to Natural England's formal comments on the conclusion of the LPA's Appropriate Assessment	<input type="checkbox"/>

Summary

We have reviewed the Bat Emergence Survey Report (Lizard Landscape Design and Ecology, August 2025) and Preliminary Ecological Appraisal (Lizard Landscape Design and Ecology, June 2025) relating to the likely impacts of development on designated sites, protected and Priority species & habitats and identification of appropriate mitigation measures and mandatory Biodiversity Net Gain.

We have also reviewed the information submitted relating to mandatory biodiversity net gains, including the Biodiversity Net Gain Statement Revision 01 (Lizard Landscape Design and Ecology, November 2025) and Statutory Biodiversity Metric (May 2025). We note that the Biodiversity Net Gain Statement Revision 01 (Lizard Landscape Design and Ecology, November 2025) contains Figure No. 01 - Baseline Habitat Map, Figure 02 – Proposed Habitat Plan and Appendix A – Condition Assessment for Existing Habitats.

We note from the Bat Emergence Survey Report (Lizard Landscape Design and Ecology, August 2025) that the two bat emergence surveys in June 2025 on Buildings B01 (wooden storage shed) and B02 (cabin style building) confirmed the likely absence of any bat roosts within the buildings and understand that there are no trees on site. We therefore agree that no further surveys for bats are required. We also note that Section 5.4.5 of the Preliminary Ecological Appraisal (Lizard Landscape Design and Ecology, June 2025) confirms that the lighting design complies with guidelines in [Guidance Note:08/23 \(Institute of Lighting Professionals\)](#).

We support the Precautionary Method Statement for reptiles and mobile protected and Priority species (including Hedgehog, which is a Priority and threatened species) in Sections 5.4.2 and 5.4.6 of the Preliminary Ecological Appraisal (Lizard Landscape Design and Ecology, June 2025). This should be secured by a condition of any consent and implemented in full.

We are satisfied that there is sufficient ecological information available to support determination of this application. However, please note that 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](#).

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation measures identified in the Bat Emergence Survey Report (Lizard Landscape Design and Ecology, August 2025) and Preliminary Ecological Appraisal (Lizard Landscape Design and Ecology, June 2025) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly those recorded in the locality, including bats, reptiles and mobile protected and Priority species.

With regard to mandatory biodiversity net gains, it is highlighted that we support the submitted Biodiversity Net Gain Statement Revision 01 (Lizard Landscape Design and Ecology, November 2025) and Statutory Biodiversity Metric (May 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 satisfied that 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) 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, it is indicated that no significant on-site enhancements are expected to be present for this application. Therefore, a HMMP or legal agreement for significant on-site enhancements will be required for this application.

We are generally satisfied that the post-intervention values are realistic and deliverable. However, it is recommended that the following matters will need to be considered by the applicant as part of the biodiversity gain condition:

- The calculations show that a net loss of biodiversity will be caused by the proposed development. Therefore, the applicant will need to secure off-site biodiversity units from a Biodiversity Gain Site registered on the Biodiversity Gain Site Register. These off-site units will need to be allocated to Biodiversity Gain Site to demonstrate sufficient information to discharge the Biodiversity Gain Plan. Alternatively, Statutory Biodiversity Credits could be secured from the Government as a last resort.

We also support the proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended in the Preliminary Ecological Appraisal (Lizard Landscape Design and Ecology, June 2025) 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 Strategy and should be secured by a condition of any consent.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended) and delivery of mandatory Biodiversity Net Gain.

Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013. We recommend that 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 measures and/or works shall be carried out in accordance with the details contained in the Bat Emergence Survey Report (Lizard Landscape Design and Ecology, August 2025) and Preliminary Ecological Appraisal (Lizard Landscape Design and Ecology, June 2025), 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 reptiles and mobile protected and Priority species in Sections 5.4.2 and 5.4.6 of the Preliminary Ecological Appraisal (Lizard Landscape Design and Ecology, June 2025), 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 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 STRATEGY

“Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Preliminary Ecological Appraisal (Lizard Landscape Design and Ecology, June 2025), shall be submitted to and approved in writing by the local planning authority.

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

- a) Purpose and conservation objectives for the proposed enhancement measures;*
- b) detailed designs or product descriptions to achieve stated objectives;*
- c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);*

- d) *persons responsible for implementing the enhancement measures; and*
- e) *details of initial aftercare and long-term maintenance (where relevant).*

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.”

Reason: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 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) 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 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.