



Date: 3 July 2026
Our ref: 18856

Katherine Williams
Mid Sussex District Council
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

By email only: 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/26/1377
Location: Land At Mill Lane Sayers Common West Sussex
Proposal: Proposal for 9 new build homes

Thank you consulting Place Services on the above application.

No ecological objection	☐
Recommend approval subject to attached conditions	☐
Further information required/Temporary holding objection on: Mandatory Biodiversity Net gains	☒
Recommend Refusal	☐
Subject to Natural England's formal comments on the conclusion of the LPA's Appropriate Assessment	☐

Summary

We have reviewed the Preliminary Ecological Appraisal (Arbtech Consulting Ltd., March 2026), relating to the likely impacts of development on designated sites, protected and Priority species & habitats and identification of appropriate mitigation measures.

We have also reviewed the information submitted relating to mandatory biodiversity net gains, including the Biodiversity Net Gain Assessment (Arbtech Consulting Ltd., May 2026) and Statutory Biodiversity Net Gain – Calculation Tool (May 2026). We note that habitat degradation has occurred and the baseline biodiversity value has been taken from historic Google Earth images and evidence from the Preliminary Ecological Appraisal (Arbtech Consulting Ltd., March 2026). We also note that Appendix 1 comprises the derived Baseline Habitat Plan, Appendix 2 comprises the Post Development Habitat Plan and Appendix 5a comprises the Baseline Habitat Condition Sheets in the Biodiversity Net Gain Assessment (Arbtech Consulting Ltd., May 2026).

We are not satisfied that appropriate information with regard to mandatory biodiversity net gains has been supplied for the application prior to determination. The reason for this is outlined below:

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 Biodiversity Net Gain Assessment (Arbtech Consulting Ltd., May 2026) and Statutory Biodiversity Net Gain – Calculation Tool (May 2026) and are not satisfied that appropriate information has been provided prior to determination. This is because of the reason set out below:

- The submitted habitat map does not match the red line boundary for this application. Therefore, we are not certain that the pre-development baseline contained within the Statutory Biodiversity Metric – Calculation Tool has been completed appropriately for this application. As a result, we recommend that an updated habitat map and calculations must be supplied to ensure this matches the redline boundary for this application. Although the submitted habitat map does match the red line boundary on

the planning portal, it does not match the Existing OS and Block Plan Drawing No 1795 1.001_Rev C (Landivar Architects, January 2026), which shows an access road to the west through a line of trees.

Where mandatory biodiversity net gains apply, 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.

As a result, a Biodiversity Gain Plan should be submitted prior to commencement which should include the following information for non-phased development:

- Biodiversity Gain Plan form, using the Government's template: <https://www.gov.uk/government/publications/biodiversity-gain-plan>.
- The completed metric calculation tool showing the calculations of the pre-development and post-intervention biodiversity values.
- Completed pre-development and post-development habitat maps.
- Information regarding [Habitat degradation](#) (where required).
- Information regarding [Irreplaceable habitat](#) (where required).

In addition, the following information may also be required depending on whether the development contains significant on-site enhancements or whether off-site options or Statutory Biodiversity Credits are required:

- A [Habitat Management and Monitoring Plan](#) (HMMP) for significant on-site enhancements or offsite measures in blue line boundary land.
- Legal agreement for monitoring and management of significant on-site enhancements or off-site measures in blue line boundary land.
- Evidence of off-site units being allocated to a Biodiversity Gain Site on the [Biodiversity Gain Site Register](#).
- Evidence of proof of purchase of [Statutory Biodiversity Credits](#).

It is highlighted that Mid Sussex are taking the approach that minor developments do not contain significant on-site enhancements and are not required to be monitored for a period of 30 years from the completion of development via a Habitat Management and Monitoring Plan (HMMP). As a result, we are satisfied an HMMP will not be required for the Biodiversity Gain Plan.

Additional Comments

We note from the Preliminary Ecological Appraisal (Arbtech Consulting Ltd., March 2026) that there are no buildings on site and that the scattered trees on site will be retained. However, we highlight that if any trees will be impacted by the access road to the west which is not shown on the baseline habitat plan, then further investigation will be required.

We support the non-licensed Precautionary Method Statement for Hazel Dormouse in the Preliminary Ecological Appraisal (Arbtech Consulting Ltd., March 2026). This is because the broadleaved woodland previously on site would have provided suitable habitat for this species and there is suitable habitat connected to this site. This should be secured by a condition of any consent and implemented in full.

We also support the Precautionary Method Statement for reptiles and mobile protected and Priority species (including Hedgehog, which is a Priority and threatened species) in the Preliminary Ecological Appraisal (Arbtech Consulting Ltd., March 2026). This is because the application will result in the loss of -0.5ha of other broadleaved woodland. This should be secured by a condition of any consent and implemented in full.

We also support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Preliminary Ecological Appraisal (Arbtech Consulting Ltd., March 2026) and is secured by a condition of any consent to avoid impacts to foraging and commuting bats. This must follow the [Guidance Note 8 Bats and artificial lighting](#) (The Institute of Lighting Professionals & Bat Conservation Trust). In summary, it is highlighted that the following measures should be implemented for the lighting design, which could be informed by a professional ecologist:

- 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 in the Preliminary Ecological Appraisal (PJC Consultancy Ltd., December 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 Layout and should be secured by a condition of any consent.

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](#). 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 do not hesitate to contact us if you have any queries in relation to this advice.

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.

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.

