



Date: 10 November 2025

Our ref: 10023

Rachel Richardson
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West Sussex
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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. 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/25/1857
Location: Shepherds Cottage Stuccles Farm Twineham Lane Sayers Common
Proposal: Retrospective change of use from agricultural land to residential garden land and change of use of the barn and stable building to residential ancillary accommodation.

Thank you for consulting Place Services on the above change of use application.

No ecological objection	<input type="checkbox"/>
Recommend approval subject to attached conditions	<input type="checkbox"/>
Further information required/Temporary holding objection for Mandatory Biodiversity Net Gains	<input checked="" 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 documents supplied by the applicant and note no information has been submitted in relation to ecology other than for Biodiversity Net Gain.

We have also reviewed the information submitted to meet the requirements of mandatory biodiversity net gains, which includes the Biodiversity Net Gain Assessment (Tim Moya Associates, July 2025) and Statutory Biodiversity Metric (July 2025). We note that the Biodiversity Net Gain Assessment (Tim Moya Associates, July 2025) contains the Baseline Habitat Plan, Proposed Habitat Plan and the Habitat Condition Assessments.

We are not satisfied that there is sufficient ecological information available for determination of this application with regard to Biodiversity Net Gain. The reasons for this are 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 (Tim Moya Associates, July 2025) and Statutory Biodiversity Metric (July 2025) and are not satisfied that appropriate information has been provided prior to determination. This is because of the reasons 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.

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, we note that the post-intervention values have been provided and that no significant on-site enhancements are proposed in the proposals. As a result, we are satisfied that HMMP is not likely to be required by legal obligation or a condition of any consent for a period of up to 30 years.

Additional comments

We understand from the submitted documents, including the Application Form and the Planning Statement (Brighter Planning Consultancy, January 2025), that the proposal relates only to clarification of the defined areas for residential use and those for agriculture. We highlight that if any works will take place to the cottage or the barn to the east of the cottage, then any impact to bats must be assessed, according to the 4th Ed. Bat Surveys for Professional Ecologists Bat Conservation Trust (Collins ed., 2023). This information would be required prior to determination in order to inform any mitigation requirements or the need for further surveys. This type of assessment can be undertaken at any time of the year by a qualified ecologist.

We also recommend that reasonable biodiversity enhancements for protected, Priority and threatened species should be identified and implemented 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 need to be outlined within a separate Biodiversity Enhancement Strategy and 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 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.

