



Date: 17 December 2025

Our ref: 11807

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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/25/2994
Location: Philpots Manor School Hook Lane West Hoathly East Grinstead
Proposal: Proposed extension of existing school car park to improve highway safety. Associated landscape and biodiversity improvements.

Thank you for consulting Place Services on the above application.

No ecological objection	☐
Recommend approval subject to attached conditions	☐
Further information required/Temporary holding objection: 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 documents supplied by the applicant and note no ecological assessment has been provided. As a result, we have carried out a desk study to determine the likely impacts upon designated sites, protected and Priority species / habitats. This included a review of local records, Magic Maps and aerial imagery.

We have also reviewed the information submitted relating to mandatory biodiversity net gains. This includes the Statutory Biodiversity Metric – Calculation Tool, the pre-development baseline habitat map and the post-intervention habitat map.

We are satisfied that the proposals are unlikely to impact upon designated sites, protected and Priority species / habitats. However, please note that we have no comments on Great Crested Newts, as we have been instructed to leave this to the NatureSpace Partnership on the Council's request.

However, 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:

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 submitted BNG information and are not satisfied that appropriate information has been provided prior to determination. This is because of the reasons set out below:

- Condition assessments for the pre-development baseline have not been submitted. Therefore, this is required prior to determination to allow the LPA to ensure that a appropriate pre-development baseline.
- The habitat maps do not match the location plan, which includes the site access. This is unlikely to affect the overall units score if this area is classified as 'developed land; sealed surface'. However, the metric values should be taken from the entire red line boundary.

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) Habitat Management and Monitoring Plan (HMMP) for significant on-site enhancements or habitats in blue line boundary.
- e) Legal agreement(s)
- f) Biodiversity Gain Site Register reference numbers (if using off-site units).
- g) Proof of purchase (if buying statutory biodiversity credits at a last resort).

We note that post-intervention values have also been provided. As a result, it is recommended that the following matters will also need to be addressed as part of the biodiversity gain condition:

- In addition, it is considered that the use of 'Lowland meadow' for the post-intervention values will not likely be feasible in any situation. This is because this habitat contains a very high distinctiveness and is an extremely difficult habitat to create. The habitat requires 16 species per m2 with species that reflect specific grassland communities (e.g. NVC MG5), with at least four positive indicators for lowland meadows present within the sward. As a result, this is not considered realistic or deliverable. As a result, we consider that enhancement to 'Other neutral grassland' to be a more reasonable approach, but this will mean that a 10% measurable biodiversity net gain will not be deliverable on-site.
- Further professional judgement will also be required for the use of medium strategic significance values, in the absence of Sussex Local Nature Recovery Strategy.

In addition, it is indicated that Mid Sussex are taking the approach that minor development 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). However, if it is agreed that Lowland Meadows is deliverable, we would recommend that this is considered a significant on-site enhancement and managed and monitored via a legal agreement / HMMP.

As a result, we recommend that the applicant reviews the BNG proposals as part of the Biodiversity Gain Condition and may have to secure off-site enhancements via a habitat bank registered on the biodiversity gain site register.

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,

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.

