



Date: 20 August 2025

Our ref: 06122

Andrew Watt  
Mid Sussex District Council  
Oaklands Road  
Haywards Heath  
West Sussex  
RH16 1SS

By email only: Planning Department, [planninginfo@midsussex.gov.uk](mailto:planninginfo@midsussex.gov.uk)

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*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.*

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**Application:** DM/24/2214  
**Location:** Lingworth 17 Oathall Road Haywards Heath West Sussex  
**Proposal:** Change of use from dwelling (Use Class C3) to care home (Use Class C2) including erection of side and rear extensions to the main building and roof extension above existing garage to the coach house (Amended plans received 20 February 2025)

Thank you for re-consulting Place Services on the above full application.

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

### Summary

We have reviewed the Phase 2 Bat Survey report (BatScan Ltd, June 2025) supplied by the applicant, relating to the likely impacts of development on roosting bats. We are satisfied that

potential impacts of development on roosting bats are negligible, and that the mitigation recommended within will be sufficient to minimise potential impacts on bats.

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 BNG metric and BNG report (EAS Ltd, September 2024) and are not satisfied that appropriate information has been provided prior to determination. This is because of the reasons set out below:

- The baseline habitat map does not match the baseline habitats within the BNG metric. It appears that the post-intervention habitat has been mapped as the baseline.
- There are some inaccuracies in baseline habitat areas, e.g. the ornamental pond proposed for removal does not show any habitat loss.
- Evidence of condition assessments has not been provided for the on-site ponds.

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, as well as the following information:

- a) The completed metric calculation tool showing the calculations of the pre-development and post-intervention biodiversity values.
- b) Pre and post development habitat plans.
- c) Legal agreement(s)
- d) Biodiversity Gain Site Register reference numbers (if using off-site units).
- e) 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:

- The post-intervention habitat map does not match the post-intervention habitats within the BNG metric.

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.

**Hallie Rees MSci (Hons)**

A Current Qualifying Member of CIEEM  
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Place Services at Essex County Council  
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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.*