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

Our ref: 11976
Date: 21 May 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/25/2569
Location: Land North Of Jeremys Cottage Jeremys Lane Bolney Haywards Heath
Proposal: Proposed erection of two new dwellings and associated landscaping.

Thank you for consulting Place Services on the above application.

No ecological objection	☐
No ecological objection subject to attached conditions	☒
Further information required/Temporary holding objection	☐
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 Version V1 (Phlorum Limited, August 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 updated Biodiversity Gain Plan (April 2026), Proposed Landscaping

Plan Drawing Number 1758 3.011 Rev D (Landivar Architects, February 2026), updated Pre-development Baseline Map (submitted April 2026), Availability Certificate for Registered Off-Site Biodiversity Units No FVO-MTT-VSG (Biodiversity Exchange, February 2026) and updated Small Sites Metric – Calculation Tool (submitted April 2026).

Previously reviewed documents include the Biodiversity Gain Plan (February 2026), updated Pre-development Baseline Map (submitted February 2026), and updated Small Sites Metric – Calculation Tool February 2026).

We note from the Preliminary Ecological Appraisal Version V1 (Phlorum Limited, August 2025) that Buildings B1 (main house), B4 (wooden stable) and B5 (single storey building) have negligible bat roost potential and that Buildings B2 (temporary building) and B3 (L shaped building) will be retained. We also note that the trees on site will be retained. Therefore, we agree that no further surveys for bats are required.

We support the non-licensed Precautionary Method Statement for Hazel Dormouse in Sections 5.15 and 5.16 of the Preliminary Ecological Appraisal Version V1 (Phlorum Limited, August 2025), which needs to be secured by a condition of any consent.

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 Sections 5.11, 5.13 of the Preliminary Ecological Appraisal Version V1 (Phlorum Limited, August 2025), which needs to be secured by a condition of any consent.

We are now satisfied that there is sufficient ecological information available to support determination of this application. 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 Preliminary Ecological Appraisal Version V1 (Phlorum Limited, August 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 Hazel Dormouse, reptiles and mobile protected and Priority species.

With regard to mandatory biodiversity net gains, it is highlighted that we support the submitted updated Biodiversity Gain Plan (April 2026), Proposed Landscaping Plan Drawing Number 1758 3.011 Rev D (Landivar Architects, February 2026), updated Pre-

development Baseline Map (submitted April 2026), Availability Certificate for Registered Off-Site Biodiversity Units No FVO-MTT-VSG (Biodiversity Exchange, February 2026) and updated Small Sites Metric – Calculation Tool (submitted April 2026). 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, 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.

With regard to the post-intervention matters to be secured as part of the Biodiversity Gain Condition:

- We welcome the applicant's intention to purchase off-site units as indicated by the submission of the Availability Certificate for Registered Off-Site Biodiversity Units No FVO-MTT-VSG (Biodiversity Exchange, February 2026).
- We note that the Proposed Landscaping Plan Drawing Number 1758 3.011 Rev D (Landivar Architects, February 2026) has now been updated to indicate that all of the tree planting will take place within the red line boundary.
- The Proposed Landscaping Plan Drawing Number 1758 3.011 Rev D (Landivar Architects, February 2026) now reflects the post-intervention habitat map.

We also support the proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024). Reasonable biodiversity enhancement measures are a separate matter to mandatory biodiversity net gains and the finalised details should be outlined within a separate Biodiversity Enhancement Strategy to be secured as 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 Preliminary Ecological Appraisal Version V1 (Phlorum Limited, August 2025), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the non-licensed Precautionary Method Statement for Hazel Dormouse in Sections 5.15 and 5.16 and the Precautionary Method Statement for reptiles and mobile protected and Priority species in Sections 5.11, 5.13 of the Preliminary Ecological Appraisal Version V1 (Phlorum Limited, August 2025). This avoids impacts on European Protected Species and 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 in the Preliminary Ecological Appraisal Version V1 (Phlorum Limited, August 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.