



Date: 14 September 2026
Our ref: 21579

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Mid Sussex District Council
Oaklands Road
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West Sussex
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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/26/1613
Location: Land Parcel Adj. To Worsell Drive Copthorne West Sussex
Proposal: Full planning application at two parcels of land adjacent to Worsell Drive, Copthorne, each accessed from existing bell-mouth junctions at Worsell Drive and Langridge Way, for the erection of new homes (Use Class C3) including affordable homes; internal access roads, landscaping and associated infrastructure

Thank you for consulting Place Services on the above choose an 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 documents supplied by the applicant, relating to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate mitigation. This includes the following:

- Ecological Impact Assessment (EcIA) (SLR Consulting Limited, November 2025), including appendices A – G.

In addition, we have reviewed the submitted information relating to mandatory biodiversity net gains, which includes the Statutory Biodiversity Metric – Calculation Tool and the BNG Covering Letter (SLR Consulting Limited, December 2025)

We note that the proposals are linked to a previous application (13/04127/OUTES) with the land proposed as school site and doctors surgery. As a result, we note that Google Earth imagery shows that disturbance of the site has occurred in relation to this planning permission.

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:

- The Statutory Biodiversity Metric – Calculation Tool is not accompanied by condition assessments of the on-site habitats, including the river condition assessment in line with Morph survey methodology.
- The grassland on-site for both the northern and southern parcels have been recorded as 'Modified grassland'. However, the species recorded do not clear meet the UK Habitats Classification definition of 'Modified grassland'. Therefore, to ensure that the habitat pre-development baseline is not being undervalued, the applicant should provide further justification on the grassland and why the habitat should not be recorded as 'Other neutral grassland'. It is highlighted that UK Habitats Classification criteria for modified grassland contains the following summarised broad criteria:
 - Contains abundant Perennial rye-grass (*Lolium perenne*), with White clover (*Trifolium repens*).
 - Typically supports fewer than nine vascular plant species per m² and lacks the diversity and types of species associated with Other neutral grassland.
 - Grasses make up 75% of the cover.
 - Most broadleaved species associated with high fertility.
- We note that from Google Earth imagery, habitat degradation has likely occurred following works associated with the previous application (13/04127/OUTES). As a result, we would expect that the applicant's provide further justification on whether the proposals have likely resulted in a loss of on-site biodiversity value ('degradation') and whether the baseline calculations and baseline date should be amended.

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](#).

Based on the submitted post-intervention values as they are currently submitted and Government Guidance on what constitutes a significant on-site enhancement, it is suggested that this includes the following habitats:

- Creation of 0.032ha of Other neutral grassland in good condition
- Creation of 0.092ha of Mixed scrub in poor condition
- Creation of individual trees (equivalent to 0.285ha) in poor condition
- Creation of 0.071km of Species-rich native hedgerow in poor condition

The decision on whether significant on-site enhancements are present is ultimately up to the Council. Where present, the maintenance and monitoring of significant on-site enhancements should be secured via planning obligation for a period of up to 30 years from the completion of development. This will be required at application stage or concurrent with the discharge of the Biodiversity Gain Condition. The monitoring of the post-development habitat creation / enhancement will need to be provided to the LPA at years 1, 3, 5, 10, 15, 20, 25, 30, unless otherwise specified by the LPA. Any remedial action or adaptive management will then be agreed with the LPA during the monitoring period to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.

We are generally satisfied that the post-intervention values are realistic and deliverable. However, it is recommended that the following matters will need to be considered by the applicant as part of the biodiversity gain condition:

- We note that the Statutory Biodiversity Metric – Calculation Tool indicates that off-site habitat creation will be undertaken in blue line boundary land. It is not clear where this off-site habitat creation will be undertaken and the off-site unit will need to be secured via a planning obligation and registered on the Biodiversity Gain Site Register. As a result, it is recommended that the finalised proposals must be set out as part of the Biodiversity Gain Plan, along with securing off-site units for watercourse units. Alternatively, the applicant could secure Statutory Biodiversity Credits at a last resort.
- We note that Other neutral grassland in good condition is proposed to be creation. Therefore, we would expect that the HMMP to be clear on how this will

condition level will be achieved, to ensure that the proposed habitat creation is realistic and deliverable.

Additional comments:

We have reviewed the Ecological Impact Assessment (EclA) (SLR Consulting Limited, November 2025) and are satisfied with the conclusions of the assessment with regard to Irreplaceable habitat, protected and Priority species / habitats. As a result, we recommend that the finalised measures should be secured via a Construction Environmental Management Plan (CEMP: Biodiversity) to be secured as a condition of any consent.

However, 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](#).

If external lighting is required, we recommend that a Wildlife Friendly Lighting Strategy is implemented for this application to avoid impacts from light disturbance. This should be secured by a condition of any consent and implemented in full. Therefore, technical specification should be submitted prior to occupation, which demonstrates measures to avoid lighting impacts to foraging / commuting bats, which are likely to be present within the local area. This should summarise the following measures recommended by Guidance Note:08/23 (Institute of Lighting Professionals) will be implemented:

- 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 recommend that reasonable biodiversity enhancements for protected, Priority and threatened species should be identified by a suitably qualified ecologist and implemented to secure net gains for biodiversity, as outlined in the National Planning Policy Framework

(August 2026) N2 Part F. 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,

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.

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