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

Our ref: 14191
Date: 6 February 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/26/3112
Location: Ludham Farm Cinder Hill Lane Horsted Keynes Haywards Heath
Proposal: Change of use of land for the siting of a riding arena 60m x 30m, including 6 external lights on poles, ancillary to the existing private equestrian use of the site. (Updated plans and further information, including ecology and BNG, received 11.03.2025, 28.04.2025, 15.05.2025, 23.05.2025, 17.07.2025, 05.01.2026 and 12.01.2026)
(Revised description agreed 12.01.2026)

Thank you for re-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 Preliminary Ecological Appraisal Report (ROAVR Group, March 2025) supplied by the applicant, relating to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate mitigation.

In addition, we have reviewed the Statutory Biodiversity Metric – Calculation Tool relating to mandatory biodiversity net gains.

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

- The Condition Assessment sheet for the on-site Other Neutral Grassland has not been provided to accompany the Statutory Biodiversity Metric – Calculation Tool. This is necessary to ensure that the pre-development baseline has been assessed correctly in line with the BNG PPG.

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. 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, it is indicated that the Council does not consider that significant on-site enhancements are present for minor development. Therefore, a HMMP or legal agreement will not be required for on-site measures.

However, we note that the applicant has proposed off-site measures in the blue line boundary (modified grassland to traditional orchard). Therefore, it is indicated that the off-site enhancements would need to be registered on the [biodiversity gain site register](#). This would also require a HMMP and legal agreement to be secured with the Council to allow the site to be registered. Therefore, we recommend that the applicant should seek opportunities to secure off-site units via a habitat bank already registered on the biodiversity gain site register in the first instance. However, all post-intervention values can be finalised as part of the Biodiversity Gain Plan.

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 contact us if you have any queries in relation to this advice.

Your 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.