



Date: 8 September 2026
Our ref: 21611

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

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/26/2053
Location: The Prince Albert Copthorne Bank Copthorne Crawley
Proposal: Sever land and erect convenience store with associated access and parking. Retain public house with revised pub garden layout.

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 on: • Bats (European Protected Species) • 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 Ecological Impact Assessment (supermarket) (LC Ecological Services, May 2026) supplied by the applicant, relating to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate mitigation.

We have also reviewed the information submitted relating to mandatory biodiversity net gains, including the Biodiversity Net Gain Report (supermarket) (LC Ecology Services, May 2026). We note that Appendix III comprises Baseline habitats, Appendix IV comprises the condition assessment sheets and Appendix V comprises Proposed habitats in the Biodiversity Net Gain Report (supermarket) (LC Ecology Services, May 2026).

We are not satisfied that there is sufficient ecological information available for determination of this application and recommend that details of survey results, mitigation and enhancement measures are required to make this proposal acceptable. In addition, 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:

European Protected Species: bats

We note from the Existing Site/ Location/ Block Plan Dwg no. 23-144-P2-01 Revision A (UAN Architecture Ltd., February 2026) and the Proposed Site Plan Dwg no. 23-144-P2-02 Revision A (UAN Architecture Ltd., February 2026) that there is an 'Outdoor kitchen' south of the container which it appears will be demolished. We request clarification as to whether this has been subject to a Preliminary Roost Assessment for potential impacts to bats.

This information is therefore required to provide the LPA with certainty of likely impacts on legally protected species and be able to secure appropriate mitigation either by a mitigation licence from Natural England or a condition of any consent. This will enable the LPA to demonstrate compliance with its statutory duties, including its biodiversity duty under s40 NERC Act 2006 (as amended) and prevent wildlife crime under s17 Crime and Disorder Act 1998.

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 Biodiversity Net Gain Report (supermarket) (LC Ecology Services, May 2026) and are not satisfied that appropriate information has been provided prior to determination. This is because of the reasons set out below:

- The application is not supported by a Statutory Biodiversity Metric – Calculation Tool (Excel version). This is required to ensure that the habitats within the pre-development baseline have been recorded appropriately.

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 does not include any significant on-site enhancements.

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:

- The current calculations indicate there will be a loss of onsite habitat units which is contrary to the Mid Sussex District Plan 2021-2039 DPN2, current legislation and national policy which all require an increase of 10% BNG. Therefore, we support the recommendation in Section 8.0 of the Biodiversity Net Gain Report (supermarket) (LC Ecology Services, May 2026) for the purchase of offsite biodiversity units from a habitat bank registered on the Biodiversity Gain Site Register to achieve a net gain of at least 10% and satisfy trading rules. Evidence that the offsite units have been allocated to the relevant habitat bank will be required prior to the discharge of the Biodiversity Gain Condition. Alternatively, the applicant could secure Statutory Biodiversity Credits via the Government at a last resort.

Additional comments:

It appears from the Ecological Impact Assessment (residential) (LC Ecological Services, May 2026) that there are no buildings on site and that no trees on site will be removed. Therefore, we agree that no further surveys for bats are required.

We support the implementation of the precautionary measures within the Ecological Impact Assessment (residential) (LC Ecological Services, May 2026). However, we also note that Section 5.32 of the Ecological Impact Assessment (residential) (LC Ecological Services, May 2026) states that there are records of Slow worm and Grass snake within 2km of the site, that there is suitable habitat on-site for reptiles within the hedgerow bases of the southern site boundary and within long sward grassland, and the native hedgerow is to be removed. Therefore, we would recommend that additional precautionary measures are secured for reptiles, which should be secure as 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.

AI may have been used in the preparation of this response, but its use will be limited to basic proof-reading, grammar, and spelling correction. This response has been reviewed by the author(s). If you have any queries, please [contact us](#) for information about our AI guidance.

