



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

Our ref: 16226
Date: 27 April 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/26/0649
Location: The Paddock London Road Hassocks West Sussex
Proposal: Redevelopment of existing house to provide for 3 detached chalet height dwellings.

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: • Further ecology information on protected species • Mandatory Biodiversity Net Gain	☒
Recommend Refusal	☐
Subject to Natural England's formal comments on the conclusion of the LPA's Appropriate Assessment	☐

Summary

We have reviewed the Ecology and Biodiversity document (submitted March 2026) 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 Statutory Biodiversity Metric (October 2025).

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

Protected Species:

We understand from the Ecology and Biodiversity document (submitted March 2026) that a Biodiversity Net Gain Assessment was undertaken (including information on protected species) by Environmental Assessment Services Ltd., October 2025 and the submitted document provides a summary.

We are satisfied that this approach will likely be sufficient to address the ecological considerations for this application and provide an update following the previously approved application for this site (DM/21/2148). However, the original Preliminary Ecological Assessment and Biodiversity Net Gain Assessment (Environmental Assessment Services Ltd), with protected species considerations, will need to be submitted to the LPA prior to determination of this application.

The results of these surveys are required prior to determination because paragraph 99 of the ODPM Circular 06/2005 highlights that: *“It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.”*

Furthermore, the Local Planning Authority, as a competent authority, should have regard to the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended) when reaching planning decisions and must not leave this until the licence application stage. Therefore, if a European Protected Species Mitigation Licence is required for this application, appropriate mitigation measures to support the provision of the licence must also be outlined prior to determination to allow certainty to the LPA that a licence will likely be granted.

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 Statutory Biodiversity Metric (October 2025) and are not satisfied that appropriate information has been provided prior to determination. This is because of the reasons set out below:

- The submitted Statutory Biodiversity Metric – Calculation Tool is not accompanied by condition assessment. This is required to ensure that the habitats within the pre-development baseline have been recorded appropriately.
- A habitat map of the pre-development baseline has not been supplied in line with the Biodiversity Net Gain PPG. This should ideally be in line with UK Habitats Classification v2 criteria.

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, Mid Sussex are taking the approach that minor developments do not contain significant on-site enhancements and are not required to be monitored for a period of 30 years from the completion of development via a Habitat Management and Monitoring Plan (HMMP). As a result, we are satisfied an HMMP will not be required for the Biodiversity Gain Plan.

Additional Comments:

We support the proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended in the Ecology and Biodiversity document (submitted March 2026) to secure net gains for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024). The reasonable biodiversity enhancement measures should be outlined within a separate Biodiversity Enhancement Strategy and secured by a condition of any consent. Alternatively, the finalised product details, locations and heights of the proposed measures could be provided to support the planning application to avoid having to secure these bespoke enhancements via a further condition.

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 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.