



**Horsham
District
Council**

Mr Toby Deacon
Lewis and Co Planning SE Ltd
Lewis and Co Planning
2 Port Hall Road
Brighton
BN1 5PD

Our ref: DISC/26/0096
Your ref: Small dole Pavilion BNG
Submission 2
Email: planning@horsham.gov.uk
Direct Line: 01403 215184
If Calling Please ask for: Kate Turner
Date: 15th May 2026

Dear Sir/Madam,

**Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure England)
Order 2015**

**Approval of details reserved by the standard BNG condition to approved application
DC/25/2115.**

Mackley Industrial Estate, Henfield Road, Small Dole, West Sussex

The Authority has considered your application, and I can confirm that the submitted information is acceptable pursuant to the following condition(s):

Biodiversity Net Gain Condition

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

Under Section 73(2D) of the Town and Country Planning Act 1990 (as amended) where -

- (a) a biodiversity gain plan was approved in relation to the previous planning permission ("the earlier biodiversity gain plan"), and
- (b) the conditions subject to which the planning permission is granted:
 - (i) do not affect the post-development value of the onsite habitat as specified in the earlier biodiversity gain plan, and
 - (ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat within the meaning of regulations made under paragraph 18 of Schedule 7A, do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier biodiversity gain plan.

the earlier biodiversity gain plan is regarded as approved for the purposes of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended) in relation to the planning permission.

Based on the information submitted in the planning application documents the Planning Authority considers that the earlier biodiversity gain plan approved under the previous planning permission would remain unaffected and continues to apply to this permission. Accordingly, no further approvals in relation to biodiversity gain are required in relation to this permission.

Statutory exemptions and transitional arrangements

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at <https://www.gov.uk/guidance/biodiversity-net-gain>.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

Date of approval - 15th May 2026

The development shall be implemented in accordance with the approved plans and details listed in the schedule below.

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Supporting Statement	BNG statement	LLD3774-ECO-REP-001-00-BNG	19.03.2026
Supporting Statement	BNG Plan	NONE	19.03.2026
Supporting Statement	Covering letter	NONE	19.03.2026

This letter constitutes a legal document which should be regarded as an addendum to the original planning application.

If you have any queries or require further information, please do not hesitate to contact the Case Officer.

Yours faithfully



Emma Parkes
Head of Development and Building Control