

Consultee Response

Case Ref: DC/25/1312	Date: 25 September 2025
From: NatureSpace	Response: Licence recommended

Planning application: Land West of Ifield Charlwood Road Ifield West Sussex

Summary

- The development falls within the red impact risk zone for great crested newts. Impact risk zones have been derived through advanced modelling to create a species distribution map which predicts likely presence. In the red impact zone, there is highly suitable habitat and a high likelihood of great crested newt presence.
- There are 41 ponds within 500m of the development proposal, six of which are located onsite and six of which are adjacent to the red line boundary.
- There are several historical and more recent great crested newt records located onsite and within 250m and 500m
- Natural England Standing Advice guidance for local planning authorities advises that surveys on ponds up to 500m from development sites should be requested.

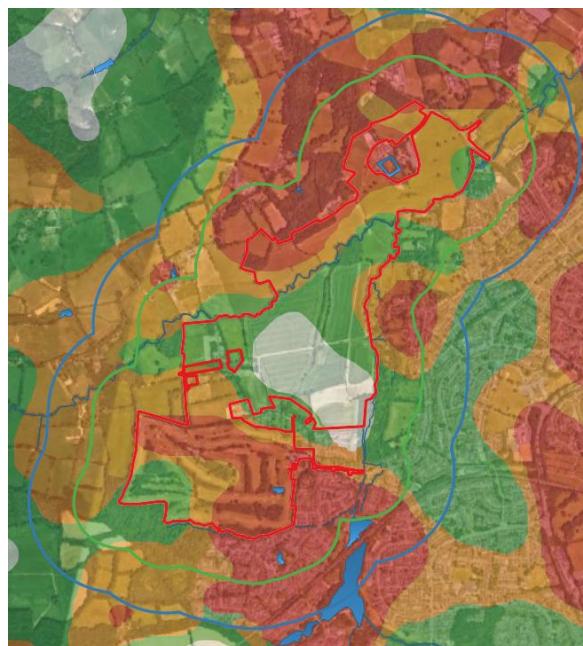


Figure above: Outline of the site (red) in the context of the surrounding landscape, including the Impact Risk Zones for GCN. Ponds are shown in light blue, not all ponds are visible on map. A 250m buffer is shown around the site in green and a 500m buffer in blue. Contains public sector information licensed under the Open Government Licence v3.0.

Ecological Information

The applicant has provided some ecological information in the form of:

- *Outline Construction Environmental Management Plan, West of Ifield, Crawley, Ramboll UK, July 2025, and*
- *Phase 1 Ecological Mitigation Strategy, West of Ifield, Crawley, Arcadis, July 2025*

Within these reports, it states that:

- *"Surveys were carried out in 2021 and 2022 with eDNA surveys being undertaken in 2021 providing a positive eDNA result of six waterbodies (Pond 2, Pond 3, Pond 3B, Ditch 3, Pond 5 and Pond 6). Negative results were obtained from four tested waterbodies (Ditch 1, Pond 1, Ditch 2 and Pond4)."*
- *"the population using the Site is considered to be a medium size population based on the Great Crested Newt Mitigation guidance, with the highest number of individuals being recorded on the Golf Course."*
- *"Whilst Great Crested Newts are present within the Proposed Development site boundary, district licensing is anticipated to be the proposed approach to be adopted and therefore Great Crested Newts are not considered further within this report and are envisaged to be addressed through District Level Licensing (DLL)"*
- *"As detailed earlier in this document, DLL is being considered in relation to great crested newts. However, in the event of traditional approaches being adopted, a development licence would be required from Natural England which would include the provision of a detailed method statement."*

Conclusion and recommendation for conditions

We are in agreement with the ecological reports above which state that a licence would be necessary due to the scale of the development, the number of onsite and nearby ponds, positive GCN presence onsite recorded and suitable onsite habitat. As stated within the above documents, the applicant has two licensing options which require further information to satisfy the LPA that GCN can be dealt with. Either:

- **The District Licensing route can be used** - in order to demonstrate that the impacts of the proposed development can be addressed through the Council's District Licence, a NatureSpace Report or Certificate must be submitted prior to determination. This method of licensing removes the need for survey work and provides compensatory habitats off site. This would provide certainty for the applicant, as their licensing route can be determined within 10 working days at any time of the year (more details can be found at www.naturespaceuk.com); or
- **The European Protected Species Licence (EPSL) route can be taken** - this may involve surveying* for great crested newts in the surrounding ponds and submitting a mitigation plan to the LPA to show how impacts on the species can be adequately addressed. This should be submitted prior to determination.

* Population size class assessments may need to be undertaken by a suitably qualified ecologist in accordance with Natural England's Standing (Great crested newts: advice for making planning decisions – GOV.UK). Appropriate mitigation and compensatory measures will then need to be identified to satisfy planning requirements and a site-based mitigation licence may be required. Surveys are seasonally constrained.

Please note that Naturespace can be contacted at any time for a quote to enter the District Licensing scheme, which does not require further seasonally constrained newt survey work. More details on the District Licensing Scheme operated by the council can be found at www.naturespaceuk.com

Contact details: info@naturespaceuk.com

Relationship between NatureSpace and Horsham District Council

Horsham District Council holds a Great Crested Newt Organisational (or "District") Licence granted by Natural England. This is administered by NatureSpace Partnership through their District Licensing Scheme as the council's delivery partner. A dedicated 'District Licensing Officer' is employed by NatureSpace to provide impartial advice to the council and help guide them and planning applicants through the process. All services and arrangements are facilitated in an unbiased, independent and transparent manner. You can find out more at www.naturespaceuk.com

Legislation, Policy and Guidance

Reasonable Likelihood of Protected Species

Permission can be refused if adequate information on protected species is not provided by an applicant, as it will be unable to assess the impacts on the species and thus meet the requirements of the National Planning Policy Framework (2023), ODPM Circular 06/2005 or the Conservation of Habitats and Species Regulations 2017 (as amended). The Council has the power to request information under Article 4 of the Town and Country (Planning Applications) Regulations 1988 (SI1988.1812) (S3) which covers general information for full applications. CLG 2007 'The validation of planning applications' states that applications should not be registered if there is a requirement for an assessment of the impacts of a development on biodiversity interests.

Section 99 of ODPM Circular 06/2005 states:

"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. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by development. Where this is the case, the survey should be completed and any necessary measures to protect the species should be in place, through conditions and / or planning obligations before permission is granted."

Great crested newts

Great crested newts and their habitats are fully protected under the Conservation of Habitats and Species Regulations 2017 (as amended). Therefore, it is illegal to deliberately capture, injure, kill, disturb or take great crested newts or to damage or destroy breeding sites or resting places. Under the Wildlife and Countryside Act 1981 (as amended) it is illegal to intentionally or recklessly disturb any great crested newts occupying a place of shelter or protection, or to obstruct access to any place of shelter or protection (see the legislation or seek legal advice for full details). Local planning authorities have a statutory duty in exercising of all their functions to '*have regard, so far is consistent with the proper exercise of those functions, to the purpose of conserving and enhancing biodiversity*', as stated under section 40 of the Natural Environment and Rural Communities Act 2006 (as amended), as well as a duty under the Conservation of Habitats and

Species Regulations 2017 (as amended) to have regard to the requirements of the Habitats Directive. As a result, GCN and their habitats are a material consideration in the planning process.

Lifespan of Ecological Reports and Surveys

Validity of ecological reports and surveys can become compromised overtime due to being out-of-date. CIEEM Guidelines for Ecological Report Writing (CIEEM, 2017) states, if the age of data is between 12-18 months, *“the report authors should highlight whether they consider it likely to be necessary to update surveys”*. If the age of the data is between 18 months to 3 years an updated survey and report will be required and anything more than 3 years old *“The report is unlikely to still be valid and most, if not all, of the surveys are likely to need to be updated”*.