
Thank you for your consultation. District Licence Officers provide impartial advice to the council on great crested newts as the Council's delivery partner in the Great Crested Newt District Licensing Scheme.

From:	District Licence Officer- NatureSpace
Date:	21/10/2025
Application Reference:	DC/25/1146
Location:	Leonardslee Gardens Brighton Road Lower Beeding West Sussex RH13 6PP
Proposal:	Extension to the visitor entrance building to house a new ticket sales area and café; Infilling roof to the former generator block courtyard, re-roofing of the Alpine House and internal/external reconfigurations and link extension; Single storey winter garden conservatory to the Stable Block; Terrace extension to the east and internal/ external reconfigurations; Change of use from redundant staff offices and staff accommodation within the stable block to guest accommodation including extension to Honey Cottage; Change of use to the partial first floor of the Red House to staff accommodation; Small WC extension, reinstated chimney stack, and roof alterations to the Engine House; Lightweight wedding pavilion to the lawn, south of Leonardslee House; Landscaping changes including to the forecourt of Leonardslee House.
Response:	Subject to Conditions: Precautionary Working Methods

Conclusions

- The proposed development is in 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 is good connectivity between the application site and the wider landscape.
- Due to the presence of potential habitat being situated on and near the site, there is reasonable risk that great crested newts could be affected by the development.

Recommendations:

Prior to commencement the applicant should provide a precautionary working method statement to mitigate any potential impacts to great crested newts and their habitats, this can be included within a Construction Environmental Management Plan (CEMP) or submitted as an independent document. This should be written by a suitably qualified ecologist who can assess the potential impacts on site. The

applicant should be aware that should a great crested newt be discovered during works, all works must cease immediately and Natural England and/or a great crested newt licensed ecologist will be contacted immediately to provide further advice. A Natural England European Protected Species Mitigation Licence (EPSML) or Horsham District Council's Organisational District Licence might be required before works can recommence.

The applicant should be aware that for this application they have the option to completely remove the risk of stopping works and delays by entering the Horsham District Council's District Licence scheme. For more information on the Horsham District Council's District Licence scheme, administered by NatureSpace, please visit www.naturespaceuk.com.

A pre-commencement condition for the provision of a precautionary working statement in the form of Reasonable Avoidance Measures (RAMs)/Non-Licensed Method Statement (NLMS) for great crested newts by a suitably qualified ecologist has been provided below. A great crested newt informative has also been provided below.

Suggested Conditions:

Restrictions on commencement of development until specific protection measures are agreed

Condition: Prior to the commencement of any development a precautionary working method statement shall have been submitted to, and approved in writing by the Local Planning Authority. This is to include details of reasonable avoidance measures for great crested newts. The development shall proceed in accordance with the approved measures, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the survival of species protected by legislation and notable species that may otherwise be affected by the development. Protection of great crested newts and their breeding/resting places

Informative: The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to: deliberately capture, disturb, injure or kill great crested newts; damage or destroy a breeding or resting place; deliberately obstructing access to a resting or sheltering place. Planning consent for a development does not provide a defence against prosecution under these acts. Ponds, other water bodies and vegetation, such as grassland, scrub and woodland, and also brownfield sites, may support great crested newts. Where proposed activities might result in one or more of the above offences, it is possible to apply for a derogation licence from Natural England or opt into the Horsham District Council's District Licence. If a great crested newt is encountered during works, all works must cease until advice has been sought from Natural England, as failure to do so could result in prosecutable offences being committed.

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.