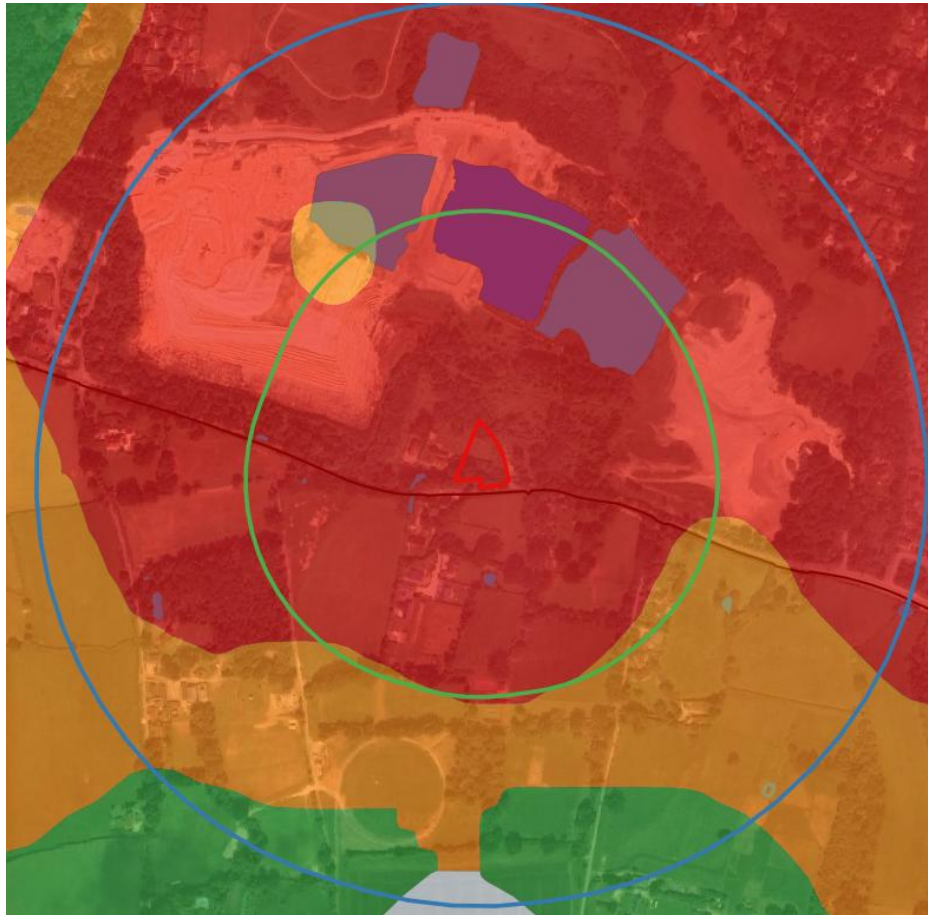


Case Ref: DC/25/1831	Date: 09/12/2025
From: NatureSpace	Response: Holding objection – further information or licence required
<p><b>Recommended Actions:</b></p> <p>Should the application look to be approved:</p> <ul style="list-style-type: none"> <li>- The applicant should seek to provide further information regarding ponds within 500m as per Natural England’s standing advice for great crested newts; or</li> <li>- The applicant should consider joining the councils district licence scheme to mitigate impacts to great crested newts and/or their habitats</li> </ul>	
<p><b>These comments are in relation to DC/25/1831 - Outline Planning Application with all matters reserved apart from access for 1no. 4-bedroom dwelling with associated private garden space, car parking and landscaping at Abbots Leigh Washington Road Storrington West Sussex RH20 4AF.</b></p> <p><b>Ecological Summary:</b></p> <p>The development is situated in the red impact risk zone indicating that highly suitable habitat is present in the surrounding landscape.</p> <p>Site context:</p> <ul style="list-style-type: none"> <li>- There are more than 10 ponds within 500m of the site boundary, one of which is within 50m of the proposed development boundary.</li> <li>- The site comprises of suitable terrestrial habitat with ponds in the wider landscape.</li> <li>- The site has connectivity with the wider landscape and the nearest waterbody.</li> </ul> <p><b>Conclusion:</b></p> <p>The applicant has provided an ecological document [Preliminary Ecological Appraisal, Abbotsleigh, PJC Consultancy, October 2024]. The report gives an overview of the habitats on site, consisting of suitable terrestrial habitat and hibernacula which could be used by newts during their terrestrial phase. A Habitat Suitability Index assessment has been carried out on the nearest waterbody and provides a score of 0.47 poor. Other nearby waterbodies were not subject to this assessment.</p> <p>HSI scores and a lack of records are being used to determine that GCN are unlikely to represent a constraint to the proposed development. However, HSI assessments are not a suitable replacement to GCN surveys. ARG UK Advice Note 5 (May 2010) states that <i>‘The system is not sufficiently precise to conclude that any particular pond with a high score will support newts, or that any pond with a low score will not do so.’</i> This is supported by a more recent study (Buxton et al. 2021), which <i>“found no evidence to support the use of low HSI scores as a justification to rule out direct occupancy assessment”</i> because <i>“there is considerable overlap in [HSI] scores for ponds with and without confirmed occupancy”</i>. Also, a lack of records does not mean an absence of GCN, it can simply mean that an area is under recorded.</p> <p>It is therefore recommended that the applicant should provide further information Provide further information (describe the information required), in line with Natural England’s <a href="#">Standing</a></p>	

[Advice](#), to rule out impacts to great crested newts, or demonstrate how any impacts can be addressed through appropriate mitigation/compensation proposals.

Alternatively, should the applicant not wish to undertake further surveys, Horsham District Council have a District Licence scheme that can be used without the need to additional survey information. Should the applicant wish to receive a quote or further information then an enquiry can be made at [www.naturespaceuk.com](http://www.naturespaceuk.com).



*Figure above: Outline of the site (red) in the context of the surrounding landscape, including the Impact Risk Zones for great crested newt. Ponds are shown in light blue – not all ponds are visible on this 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.*

More details on the District Licensing Scheme operated by the council can be found at [www.naturespaceuk.com](http://www.naturespaceuk.com)

Contact details: [info@naturespaceuk.com](mailto:info@naturespaceuk.com)

## Relationship between NatureSpace and the Local Authority

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 Newt 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](http://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 (2021), 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 as 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, 2019) 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”*.

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