

Case Ref: DC/25/1394	Date: 09/12/2025
From: NatureSpace	Response: Recommends - further survey effort or licence

**Recommendations:**

- The ecological survey information submitted recommends the provision of further survey work to determine if great crested newts and/or their habitats would be impacted by the proposal. The addendum confirms habitats are the same so surveys still recommended.

Should the application look to be approved:

- The applicant should seek to provide further information regarding ponds within 500m as per Natural England's standing advice for great crested newts; or
- The applicant should consider joining the councils district licence scheme to mitigate impacts to great crested newts and/or their habitats

**These comments are in relation to DC/25/1394 for the Demolition of existing dwelling and erection of replacement three-bed farmhouse style dwelling with detached garage. Demolition of workshop (with extant planning permission for change of use to residential dwelling - DC/23/1549) and erection of a replacement three-bed residential dwelling with detached garage and change of use of land from paddock to incidental residential curtilage at Sir Roberts Farm Goose Green Lane Goose Green West Sussex RH20 2LW.**

**Ecological Summary:**

The development is situated in the red impact risk zone indicating that highly suitable habitat is present in the surrounding landscape.

Site context:

- There are 10+ ponds within 500m of the proposed development areas.
- On site habitat comprises primarily of grassland and hardstanding.
- The ecological report submitted recommends further survey work required.

**Conclusion:**

The applicant has provided an ecological document [Preliminary Ecological Appraisal, Phlorum, 2022] and an updated addendum letter dated 17<sup>th</sup> November from Arun Ecology. The addendum letter confirmed that a site visit had taken place in March 2025 to confirm onsite habitats remained the same as previously surveyed for bats.

The 2022 report confirms there are terrestrial opportunities on site for great crested newts and recommends further survey effort for great crested newts to confirm next steps.

It is therefore recommended that the applicant should provide further information Provide further information (describe the information required), in line with Natural England's Standing 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.*

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 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, great crested newt 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*”.

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