
Thank you for your consultation.

Case Ref: DC/26/0355	Date: 14/04/2026
Location: Land To The Rear of The Copse Worthing Road Horsham West Sussex RH13 9AT	Response: Holding Objection- further information required
Proposal: Construction of up to 23 residential dwellings, (including 9 affordable homes), including access, parking, landscaping and other associated infrastructure works.	
Recommendation(s): I partially agree with the information provided; however, the eDNA surveys are from 2024, so are two years old now. It may be necessary to update them before work begins on site or to provide explanations as to why the survey results are still valid. This is to ensure that mitigation is based on up-to-date information. I do recommend that further information is submitted on Pond 3, which is located on the cusp of the 250m with connectivity to the site. The presence or absence of the species in this pond is unknown. If they are present, then there are no barriers to prevent the terrestrial dispersal of the species onto the site. Therefore, in line with the guidance from Natural England (Great crested newts: District Level Licensing for development projects, Natural England, 2025), there is a reasonable likelihood that great crested newts will be impacted by the development proposals and therefore, the applicant must either: • District Licence - Submit a NatureSpace Report or Certificate to demonstrate that the impacts of the proposed development can be addressed through the Council's District Licence (more details can be found at www.naturespaceuk.com); or • Further survey information - Provide further information on the ponds with ecological connectivity to the site, 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 * 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.	
Sender Contact Details: Info@naturespaceuk.com	

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. Standing advice on District Licences from Natural England is available [here](#).

You can find out more at www.naturespaceuk.com

Ecological Information:

The applicant has submitted a ecological Impact Assessment (Lizard Ecology, December 2025). To summarise this report:

- The most recent record for GCN was from 2018 located c. 200m south of the site (Pond 2). This record consisted of 6no. adults.
- eDNA analysis of water samples taken from ponds 1, 2 and 4 in 2024 returned negative results for GCN environmental DNA in all tested ponds, suggesting the likely absence of this species within these waterbodies and in the local area.
- The terrestrial habitats present on site, dominated by grassland and woodland likely offer moderate habitat suitability for amphibians including GCN.
- Overall, the habitats onsite were assessed as of moderate potential value to amphibians including GCN but the results of the eDNA analysis indicate likely absence of GCN.

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 suitable habitat and a high likelihood of great crested newt presence.
- There are approximately 14 ponds within 500m of the development proposal with the closest being located adjacent to the north of the site
- There are great crested newt records within 250m.

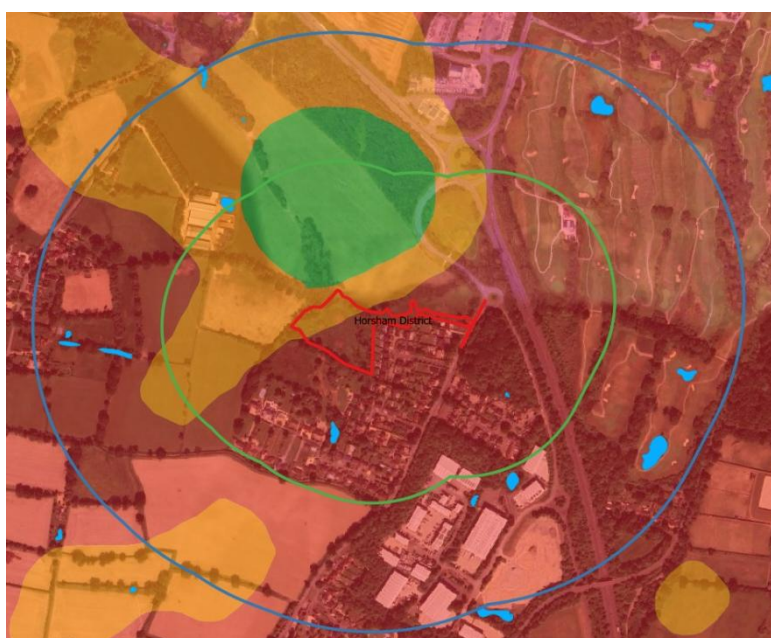


Figure above: Outline of the site (red) in the context of the surrounding landscape, including the Impact Risk Zones for GCN. Ponds are shown in light blue. A 250m buffer is shown around the site in green and a 500m buffer in blue. Contains public sector information licensed under the Open Government Licence v3.0.

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 (December 2024, Section 15), 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, 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".