Consultee Response

Case Ref: **DC/26/1212**	Date: 18/11/2026
From: NatureSpace	Response: Further information required

This planning application is for: **Demolition of 6no. existing agricultural buildings within the wider farm holding. Conversion of the existing brick stables into 5no. residential dwellings; erection of a new commercial building and erection of a new Sussex barn with landscaping and associated infrastructure works.**

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 17 ponds within 500m of the development proposal, the closest of which are located 5m north and 103m southeast

- There is direct connectivity between the development and surrounding features in the landscape.

- Natural England Standing Advice guidance for local planning authorities advises that surveys on ponds up to 500m from development sites should be requested.

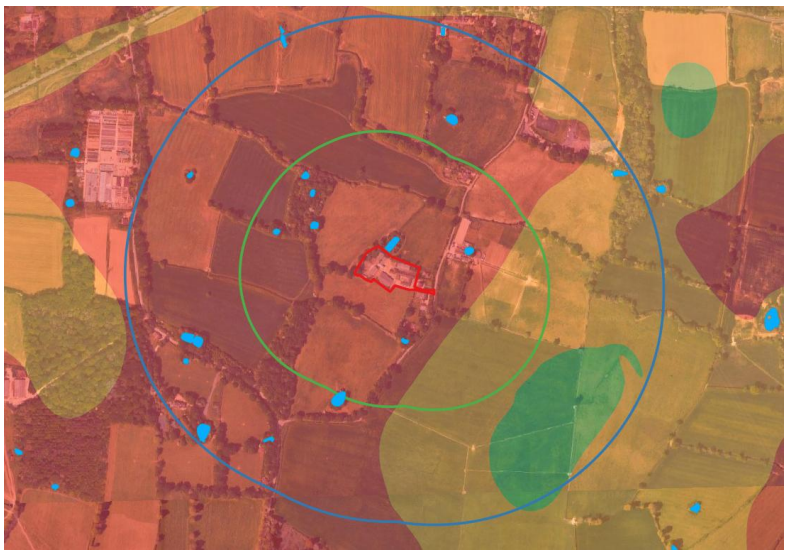


Figure above: Outline of the site (red) in the context of the surrounding landscape, including the Impact Risk Zones for GCN. Ponds are shown in light blue. A 250m buffer is shown around the site in green and a 500m buffer in blue. Contains public sector information licensed under the Open Government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

Ecological Information

The applicant has provided an ecological report, *Ecological Impact Assessment, Clock House Farm, Stonehouse Lane, Cowfold, Lizard Ecology, June 2026*. Within this report it states that:

© NatureSpace Partnership Limited 2026. This work is the copyright of NatureSpace Partnership Limited and is not to be reproduced, edited, modified or used for any purposes without express written permission from NatureSpace Partnership Limited.

- *"The site covers an area of c. 0.7ha and consists of a roughly rectangular plot which contains 7no. farm buildings with areas of associated hard standing. Due to lack of use, successional vegetation has begun to dominate some areas of the site. Boundary habitats of the site consisted of bramble and mixed scrub with several individual trees."*
- *"Significant areas of the hardstanding within the site were covered with successional vegetation as a result of a lack of ongoing management"*
- *"Areas of bramble scrub had been cleared prior to the updated site visit undertaken in 2026 "*
- *"The site is generally unsuitable for amphibians, given the developed nature of the area. Buildings and hard standing are the predominant habitat on site. However, the encroaching areas of scrub may offer some value as terrestrial habitats. "*
- *"A total of 16no. ponds were identified within 500m of the site"*
- *"As a precautionary approach, the closest pond to the site was subject to an eDNA survey on 18th May 2026 to rule out the presence of great crested newts. However, it was found that this pond was completely dry and likely to be ephemeral"*
- *"Additionally, the 5no. ponds nearest the site were found to be completely dry, further reducing the likelihood that any amphibians are present. The site is assessed as being of low value for amphibians"*
- *"Once mitigation measures are taken into account, the impact of the scheme shall be negligible "*

Conclusion and recommendations

Whilst the above report states that the five closest ponds were visited and found to be dry, the ecologist has since confirmed that actually only the closest pond (located 5m north) was visited. As stated within the above report, there are areas of suitable terrestrial habitat onsite which may offer value to amphibians by providing hibernacula/sheltering opportunities (although one section of scrub has now been cleared).

The nearest pond was visited earlier in the year during a period of significantly warm weather and was found to be dry, therefore eDNA survey could not be carried out at this time. This waterbody has therefore been ruled out as it has been assumed to be ephemeral. Given the dry conditions at the time, it is not clear how long the pond would usually hold water into the season, however it is important to note that ephemeral ponds do still have value for GCN as occasional drying can provide other benefits (e.g. killing predators). Additionally, there are several other ponds (at least seven) located within 250m of the site which have not been visited, and therefore no assessment of their suitability for GCN has been carried out. Should any of these waterbodies support GCN, it is considered likely that they would utilise the terrestrial habitats onsite (e.g. areas of ephemeral vegetation, cracked/overgrown areas of concrete, crevices within the buildings to be demolished).

We are therefore of the opinion that the applicant has not adequately evidenced a likely absence of GCN within the immediate landscape, and therefore it has not yet been demonstrated that the risk of development plans impacting the species is appropriately low for works to proceed under a non-licensed approach.

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:

© NatureSpace Partnership Limited 2026. This work is the copyright of NatureSpace Partnership Limited and is not to be reproduced, edited, modified or used for any purposes without express written permission from NatureSpace Partnership Limited.

- Submit a NatureSpace Report or Certificate to demonstrate that the impacts of the proposed development can be addressed through Horsham District Council's District Licence. This method of licensing often removes the need for survey work and onsite mitigation for great crested newts as it provides compensation habitats off site. This would provide certainty to 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

- Provide further information (information on the ponds located within 250m and those 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**; or

- If through survey work, it is determined that there is no suitable habitat impacted on site and the likelihood of great crested newts is very low, then a precautionary working statement in the form of Reasonable Avoidance Measures (RAMs)/Non-Licenced Method Statement (NLMS) strategy documents completed by a suitably qualified ecologist may be acceptable for the development.

*i.e., to show that any ponds within 500m are not suitable for great crested newts and/or show how any potential impacts can be avoided.

*To do so, surveys to determine presence/likely absence and 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) (and if using eDNA surveys, the Great Crested Newt Environmental eDNA Technical Advice Note (Natural England 2014)). If GCN are identified, appropriate mitigation and compensatory measures will need to be identified to satisfy planning requirements and a site-based mitigation licence may be required. Surveys are seasonally constrained.

Contact details: info@naturespaceuk.com

© NatureSpace Partnership Limited 2026. This work is the copyright of NatureSpace Partnership Limited and is not to be reproduced, edited, modified or used for any purposes without express written permission from NatureSpace Partnership Limited.

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, December 2024, section 19, 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

© NatureSpace Partnership Limited 2026. This work is the copyright of NatureSpace Partnership Limited and is not to be reproduced, edited, modified or used for any purposes without express written permission from NatureSpace Partnership Limited.

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".*

© NatureSpace Partnership Limited 2026. This work is the copyright of NatureSpace Partnership Limited and is not to be reproduced, edited, modified or used for any purposes without express written permission from NatureSpace Partnership Limited.