
Thank you for your consultation.

Case Ref: DC/26/0207	Date: 14/04/2026
Location: The Hyde, Rusper Road, Ifield West, Sussex, RH11 0LN	Response: No objection – subject to RAMs
Proposal: Outline Application for redevelopment of the site to provide up to 7 dwellings, infrastructure, ancillary parking and landscaping with all matters reserved except access	
Recommendation(s): If the development should be permitted then a condition must be used to secure reasonable avoidance measures to ensure mitigation is carried out. The authority can choose to request this prior to determination, or if they wish they can secure provision of precautionary working method statement via condition to be approved before development commences.	
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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	

Summary including ecological information:

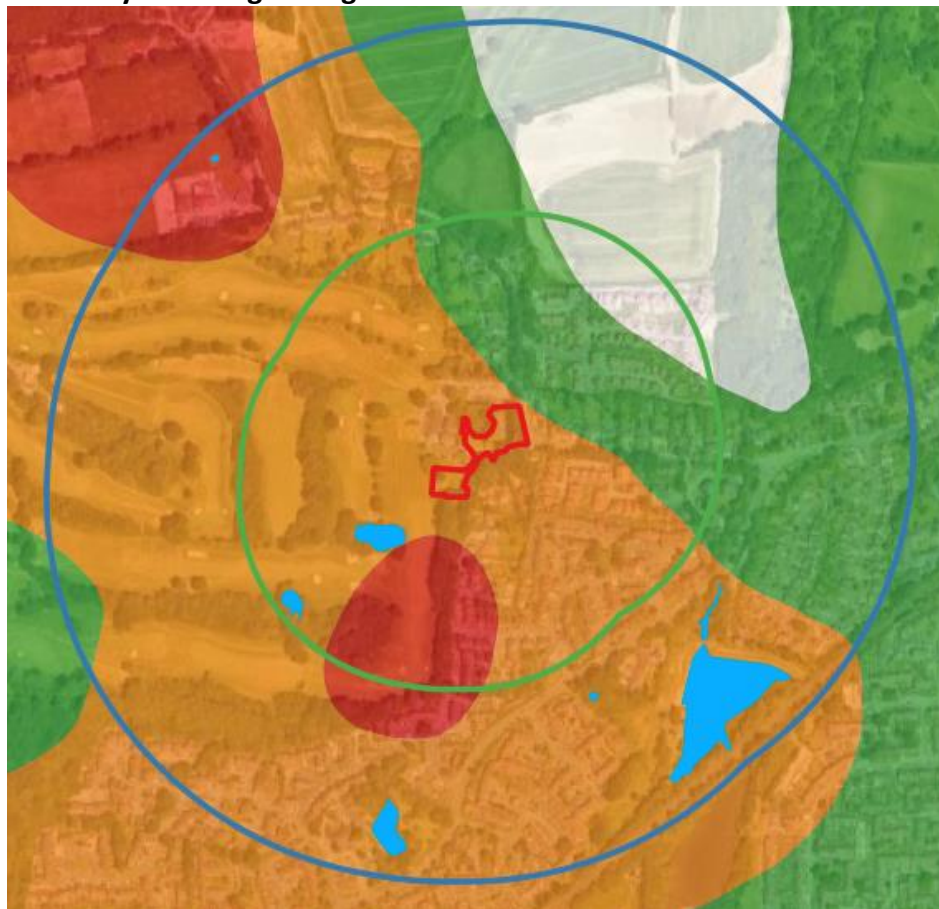


Figure above: Outline of the site (red) in the context of the surrounding landscape, including the Impact Risk Zones for GCN. Ponds are shown in light blue. A 250m buffer is shown around the site in green and a 500m buffer in blue. Contains public sector information licensed under the Open Government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

- The development falls within the amber 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 amber impact zone, there is suitable habitat and a high likelihood of great crested newt presence.
- There are 7 ponds within 500m of the development proposal, one of which falling within 60m from the site boundary.
- 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.

Ecological Information

The applicant has provided an ecological report, [Preliminary Ecological Appraisal eDNA Survey, Land at The Hyde; The Ecology Partnership; 07/2025]. Within this report it states that:

- *“The majority of the site, comprised of short-sward grassland, is considered unsuitable for GCN. One seasonal pond is present on site which scored ‘good’ on the GCN habitat suitability test. There are other ponds in the local landscape which were not surveyed.”*
- *“Whilst the site fall within the red NatureSpace Impact Risk Zone, which suggests a high likelihood that GCN are present in this area the on site pond tested negative for GCNs. It is therefore considered that GCNs are not present within the pond and therefore unlikely to persist within the suboptimal terrestrial habitats which surround the pond.”*
- *“Ponds P2 and P3 are located c. 65m and c. 220m south-west of site, respectively. These could not be tested for GCNs. However, these are separated from the site by mown grassland of the golf course. This habitat is sub optimal for CGNs.”*
- *“Taking this into consideration, it is considered that no additional surveys are necessary and no further mitigation measures are required. However, it is recommended that Reasonable Avoidance Measures (RAMS) are carried out when undertaking ground works on site.”*

The terrestrial habitat types described within the site have the potential to be suitable foraging and migrating habitat for great crested newts. Should GCN be present at ponds with connectivity to the site, they may well use the site during their terrestrial dispersal phase, increasing the risk of encountering/killing/injuring great crested newt populations.

Conclusions and recommendation for conditions:

We agree with the provided ecological information and recommend either a precautionary working method statement is secured via condition to be approved before development commences or is provided prior to determination.

If the applicant wishes to completely avoid any risks relating to great crested newts, they have the option to enquire for the Council’s District Licence, which provides full legal cover for any impacts to great crested newts and therefore removes the risk of having to stop works if great crested newts are found on site. More details on the District Licensing Scheme operated by the council can be found at <https://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), 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, 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".