From: Laura Downs <Laura.Downs@naturespaceuk.com>
Sent: 19 March 2026 19:30:00 UTC+01:00
To: "Nicola.Pettifer" <Nicola.Pettifer@horsham.gov.uk>
Subject: Re: Late consult- DC/24/1620

Good afternoon Nic,

Thank you for re-consulting us on the above application. I have reviewed the applicant's latest information (*NatureSpace Partnership consultee response dated 4th December 2025, Land at Slinfold Stud, Stane Street, Slinfold, West Sussex, Arun ecology, 18th December 2025)* and have the following comments in response:

As stated by the applicant, under regulation 43 is it an offence to deliberately kill or injure a Great Crested Newt, or deliberately disturb or damage a resting place of a Great Crested Newt. We are in agreement that the Impact Risk Zone, development scale and proximity to nearby records would not automatically determine that the above offences will be committed, they are however important considerations and alongside the ecological information for a site must be accounted for when considering the likelihood of such an instance. In this case, the ecological information for the site which we are trying to highlight is the dense presence of ponds within the landscape at all aspects of the site, the recent proven presence of GCN within the landscape at a distance far below the dispersal distance needed to be considered for developments, and the presence of sub-optimal but still suitable habitat onsite which can be utilised by GCN.

When the applicant was given the option of DL or surveys, we agree that this was not a test of DL/licence eligibility but rather and as the applicant states, to help determine whether an offence was likely and whether a licence would be required in order for onsite activities to proceed lawfully. As GCN presence was identified within a waterbody in such close proximity to the site, and with a lack of survey information on any of the other numerous ponds within the landscape, it was assumed that an offence was likely. The applicant has instead suggested that Reasonable Avoidance Measures would be a suitable form of mitigation in this instance. As stated in our previous comments due to the close proximity of GCN presence, we believe the only way to prevent GCN from using the site or being harmed by activities would be through temporary amphibian fencing which would constitute a licensable activity in this situation.

The applicant has stated that assumptions made within the PEA have been superseded by the terrestrial surveys undertaken for the site. However the site suitability as stated within the PEA would remain relevant (i.e. *the site is located near to several ponds with known GCN populations and* ***includes suitable resting places/terrestrial habitat for GCN"****).* The PEA goes on to state that this means it is possible that GCN could be encountered as they transition through the site. As we previously noted, the terrestrial surveys which were undertaken subsequently have been used to rule out this possibility. Although these surveys are not understood to be an accepted method to do so and we would not agree that this could overrule a demonstrated presence within 35m of the site.

To summarise, we are still of the opinion that a licence would be the most sensible route here in order to avoid an offence being committed. At this stage in discussions, we believe we have had the opportunity to fully state our recommendations and therefore defer to the LPA's decision on whether they are satisfied that GCN have been appropriately addressed. If the LPA decides that a licenced route is not necessary, then a condition to secure Reasonable Avoidance Measures would be required as a minimum.

Best wishes,

Laura Downs *(she/her)*
District Licensing Officer (Great Crested Newts) – West Sussex

NatureSpace Partnership
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From: Laura Downs <Laura.Downs@naturespaceuk.com>
Sent: 24 December 2025 10:12
To: Nicola.Pettifer <Nicola.Pettifer@horsham.gov.uk>
Subject: Re: Late consult- DC/24/1620

Hi Nic,

Thank you for passing on the applicant's response, I have included the points below to address their points and hopefully explain why we have come to this conclusion:

- Firstly the applicant believes that our comments are in conflict with the ecology teams comments as the ecology team has not raised GCN as a concern. It is important to note however that Place Services have been instructed by the LPA not to address GCN concerns as they leave such matters to NatureSpace (there is a section which can be found within their comments which state this). Additionally, the ecology teams comments from earlier this year are from HDC ecology who only deal with BNG (to my knowledge). They therefore also do not discuss GCN matters, and as such lack of reference to the species in both parties' comments does not mean GCN are not a consideration for the development. We therefore don't believe our comments are in conflict with the council

- In our previous comments, the applicant was given the option of a licence or surveys, surveys which needed to prove likely absence to demonstrate that a licence would not be required. Due to access issues, it is recognised that the applicant was only able to survey one of the numerous ponds which surround the site. Despite this fact, the single surveyed pond came back positive for GCN anyway. And therefore the applicant has evidenced likely presence rather than absence, and from the original two options is now left with the option of obtaining a licence.

- It is acknowledged that the positive pond is further away from the development than the whole RLB might suggest, however this pond is still well within dispersal distance. Additionally, as mentioned above there are a number of other ponds within close proximity which are unsurveyed but may also be positive for GCN

- The applicant's report details pitfall trapping exercises which have been undertaken to try to demonstrate that GCN are not dispersing across the site, however it is important to note that this is not a recognised terrestrial survey technique to rule out GCN presence/traversing across site. Similarly, artificial refugia surveys (typically undertaken for reptiles) are also not considered a suitable survey method for GCN when presence has already been confirmed. This is why the conclusion reached by the report has not been accepted

- The applicant has suggested that RAMS in this instance would suitably mitigate risks to the species. Due the positive pond within such close proximity to the site, a measure which might be able to prevent GCN from crossing the site would be amphibian fencing, however this would require a licence to be utilised (and particularly removed) in this instance anyway.

- The applicant has referenced these points whereby low impact but presence-confirmed sites should not require a licence:
    - *The footprint does not support GCN,*
    - *There is no breeding or resting habitat affected,*
    - *The risk of an offence is low*

- It is our opinion that the last bullet point does not apply in this case. Due to the high number of past GCN records and the recent record from the applicant located adjacent to the boundary, as well as the numerous ponds within the landscape which surround the site in nearly all directions, the potential for GCN to be crossing the site is very high and cannot be appropriately mitigated for under RAMS. We therefore still recommend that a licence is obtained

- As the applicant has stated, when they enquired into the DL scheme the projected fees for this development could have been very high, and as such the District Licence may not be financially feasible for this development. This is understandable, and as such we feel it important to highlight again that the EPSL is still an option here and may be a more viable option

I hope that this has explained our reasoning and why we are maintaining our stance in this instance. Should you or the applicant have any further points or questions, please do get in touch

Best wishes,

Laura Downs *(she/her)*
District Licensing Officer (Great Crested Newts) – West Sussex

Season's Greetings from NatureSpace!

Please note I will be away for the festive period from the 23rd of December to 4th of January. Any messages received during this time will be picked up when I return.

NatureSpace Partnership
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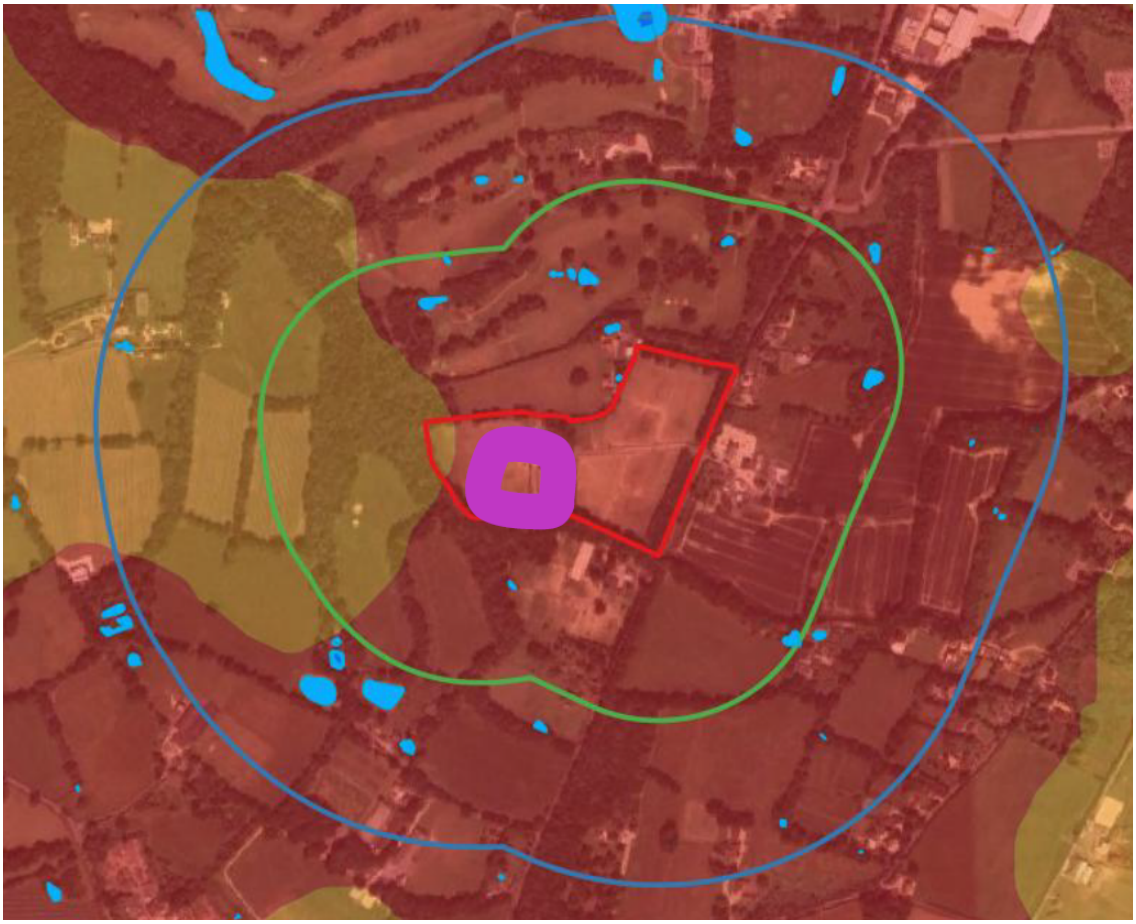
From: Nicola.Pettifer <Nicola.Pettifer@horsham.gov.uk>
Sent: 11 December 2025 12:55
To: Laura Downs <Laura.Downs@naturespaceuk.com>
Subject: RE: Late consult- DC/24/1620

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Dear Laura

I've raised a re-consultation through the system, but I also wanted to attach the applicant's rebuttal to the GCN comments raised, along with a plan (as referenced by the applicant). In the context of the risk zones, I've added the proposed development in purple (stable block, horse walker, sand school, parking area) which helps clarify the applicant's response.

Would you be able to review the applicant's response, please?



King regards

Nic

Nicola Pettifer
Senior Planning Officer

Telephone: 01403 215238
Email: Nicola.Pettifer@horsham.gov.uk

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From: Laura Downs <Laura.Downs@naturespaceuk.com>
Sent: 04 December 2025 15:22
To: Nicola.Pettifer <Nicola.Pettifer@horsham.gov.uk>
Subject: Re: Late consult- DC/24/1620

Good afternoon Nic,

Thank you, i'm on the mend! Please find attached our comments, please reconsult us as required

Best wishes,

Laura Downs *(she/her)*
District Licensing Officer (Great Crested Newts) – West Sussex

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From: Nicola.Pettifer <Nicola.Pettifer@horsham.gov.uk>
Sent: 03 December 2025 17:19
To: Laura Downs <Laura.Downs@naturespaceuk.com>
Subject: RE: Late consult- DC/24/1620

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Dear Laura

That's fine, thank you. Hope you've recovered.

Kind regards
Nic

Nicola Pettifer
Senior Planning officer

Telephone: 01403 215238
Email: Nicola.Pettifer@horsham.gov.uk

Horsham District Council

Horsham District Council, Albery House, Springfield Road, Horsham, West Sussex RH12 2GB
Telephone: 01403 215100 (calls may be recorded) www.horsham.gov.uk Chief Executive: Jane Eaton

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From: Laura Downs <Laura.Downs@naturespaceuk.com>
Sent: 03 December 2025 17:18
To: Nicola.Pettifer <Nicola.Pettifer@horsham.gov.uk>
Subject: Late consult- DC/24/1620

Good evening Nic,

I'm very sorry about this, I have been on sick leave this week and have gotten slightly behind, I will need to respond to the consultation request for the above application tomorrow if you are still able to accept it then. Apologies again.

Best wishes,

Laura Downs *(she/her)*
District Licensing Officer (Great Crested Newts) – West Sussex

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