NATURESPACE PARTNERSHIP

CERTIFICATE NUMBER
NSP814HDC

NatureSpace Great Crested Newt District Licensing Scheme

Certificate

A CERTIFICATE DOES NOT PERMIT LICENSABLE WORKS TO COMMENCE. A FORMAL AUTHORISATION FROM HORSHAM DISTRICT COUNCIL TO WORK UNDER THEIR DISTRICT LICENCE MUST BE OBTAINED PRIOR TO COMMENCEMENT.

Date of certificate issue: **17th October 2024**

Development title: **Trueloves Field**

Developer name: **Mr and Mrs Cooper**

Development location (8 figure grid reference): **TQ 1612 3604**

Development address: **Trueloves Field, Marches Road, Kingsfold, West Sussex**

Planning application reference: **DC/24/1179**

Development plan reference: **"Trueloves Field: Impact plan for great crested newt District Licensing (Version 1)" dated 17th October 2024**

This certificate confirms that the above development (as proposed in the assessed development proposals on above plan) has been evaluated by NatureSpace Partnership and (if/when planning approval has been granted) can be covered under the District Licence (WML-OR136, or a 'Further Licence').

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This proposed development has been evaluated in relation to the terms and conditions of the District Licence and to the NatureSpace great crested newt strategy and no further compensation actions are required by the developer.

Once the planning authority has granted the developer an authorisation to cover works under their District Licence for great crested newts, licensable works may proceed at the site. The authorisation is a written letter, signed by the planning authority's signatory, and it forms a separate document to the planning permission Decision Notice.

Under the requirements of the District Licence, the planning permission must include the following planning conditions and informatives:

Planning condition: No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR136, or a 'Further Licence') and with the proposals detailed on plan "Trueloves Field: Impact plan for great crested newt District Licensing (Version 1)" dated 17th October 2024.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence (WML-OR136, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

Informative: It is recommended that the NatureSpace Best Practice Principles are taken into account and implemented where possible and appropriate.

Informative: It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority which permits the development to proceed under the District Licence (WML-OR136, or a 'Further Licence') are not licensed under the great crested newt District Licence. Any such works or activities have no legal protection under the great crested newt District Licence and if offences against great crested newt are thereby committed then criminal investigation and prosecution by the police may follow.

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The licence requires authorisations to specify which activities and operations are permitted from the list in Annex B of WML-OR136.

In this case, the **licensed activities and operations will be as follows: A5, A6, A7, A8, A11**

The following Protocol conditions will apply: P2, P3, P4, P5, P8, P11

Please see Annex 1 for full details of these activities and operations.

Once authorised, developers working under the District Licence also should note:

- 'Authorised developers' authorise (in writing) additional persons (e.g., employees, contractors) to act as 'Accredited Agents' under the District Licence;
- Authorised developers must ensure that all persons using the licence (including any Accredited Agents) must possess appropriate knowledge, training and experience to undertake licensed activities in accordance with the District Licence and accepted best practice;
- Developers must maintain a record of activities carried out under the District Licence and a list of any persons you authorise to act as 'Accredited Agents' - and provide a record of these activities and persons to Horsham District Council or NatureSpace Partnership in a timely manner;
- It is a condition of any authorisation under the District Licence that reasonable requests for permission to access the site will granted to employees and representatives of the Planning Authority and or Natural England for monitoring purposes;
- It is recommended that the attached Best Practice Principles are followed for all works on site.

Licensable acts which will be made lawful when an authorisation for the proposed development is issued under the District Licence:

Capture; Possess; Transport; Disturb; Killing & injuring; Damage & destroy resting places.

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SIGNED (on behalf of **Nature Space Partnership**)

by

[redacted]

PROJECT OFFICER

[redacted]

SENIOR OFFICER

Important:

This certificate is <u>not</u> an authorisation to work under a District Licence. Authorisations are issued separately by the Licensee (Horsham District Council), in writing once the development has been granted a valid planning permission.

District Licence expiry date note:

The District Licence (WML-OR136) is held by the Planning Authority, which is able to issue authorisations to developers with planning approval. All references to WML-OR136 within this document refer to the latest version of the licence as issued by Natural England. At the time of writing, this is referenced WML-OR136 (Version 1) issued on 22nd October 2023. The current District Licence is set to expire on 21st October 2028, at which point it will be renewed. The current 5-year limit on licence duration means that authorising documents will need to be amended as and when the licence is reissued by Natural England. The licence conditions expressly provide for 'Further Licences', and NatureSpace will manage the updating of this certificate and any authorisation documents at the appropriate time.

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Planning Appeals:

In the event that the proposed development is refused, and a subsequent appeal made to the Planning Inspectorate, the District Licence documents will need to be reconfirmed by NatureSpace and then submitted to PINs as part of the appeal documentation. The applicant should contact NatureSpace in the event of an appeal to expedite this. Failure to do so could mean that the development would not be able to receive authorisation under the District Licence if approved at appeal.

Enquiries:

For any enquiries relating to this report please contact NatureSpace Partnership:

Email: info@naturespaceuk.com

Tel: 01865 688307

Website: https://naturespaceuk.com/

For any enquiries relating to District Licensing, please contact either NatureSpace Partnership, your planning authority or Natural England - [redacted]

Annex 1. Activities, Operations and Protocols under a District Licence

The District Licence contains a 'Protocol for activities and operations affecting great crested newts within the licensed area' (see Annex B of the licence) – which contains a list of activities, operations, and licensable acts. The full list in the District Licence does not apply in every authorisation under the District Licence. This report details the activities, methods and acts which would be permitted for the proposed development, based on the impacts as assessed.

Permitted activities and operations under the District Licence (subject to receiving planning approval and written authorisation from the planning authority):

A5 Capture, exclusion, and relocation of great crested newts from terrestrial habitat (by hand, hand searches of suitable features and/or destructive searches, night/torch searching, exclusion fencing (including upright and one-way temporary amphibian fencing). NB: This includes fence installation and removal.

A6 Relocating great crested newts at imminent risk of harm on Development Land (by hand, hand searches and/or destructive searches)

A7 Site clearance - including removal of vegetation, hard- standing, buildings and landscaping

A8 Removal of rubble and log piles and other potential hibernacula

A11 Construction activities

Note that in this case, the activities and operations referenced A5 are not required under the licence, but will be included in the authorisation, to legally permit those activities should you have need for them (e.g., if you wish to install temporary amphibian fencing at any location to reduce risks to great crested newts during works).

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Protocols

Annex B of the District Licence is a 'Protocol for activities and operations affecting great crested newts within the licensed area' and includes a number of additional 'Protocol conditions'. The full list does not apply in every authorisation under the District Licence. This report details the 'Protocol conditions' which would apply to this site, based on the impacts as assessed.

Protocol conditions (which would apply upon authorisation):

P2 Certain activities permitted by this licence require ecological expertise. Activities subject to this condition can only be carried out by an ecologist with an appropriate Great Crested Newt Survey Licence or under the direct supervision of such a person.

P3 Where licence or protocol conditions refer to publications, licence users are expected to refer to the most up to date iteration available. Natural England can direct users to the relevant iterations.

P4 The biosecurity guidelines in Amphibian Disease Precautions: A guide for UK fieldworkers, Advice Note 4 (available from www.arguk.org) must be observed by all licence users.

P5 Great crested newts must not be relocated outside the Licensed Area, over a distance greater than 1 kilometre or beyond a significant physical barrier to dispersal without the permission of Natural England.

P8 Persons capturing newts under this licence are expected to follow the advice on welfare considerations for capture programmes in the 'Great Crested Newt Mitigation Guidelines' available from Natural England.

P11 Great crested newts are not to be translocated to Compensation Land or other locations within the Licensed Area unless the terrestrial and/or aquatic habitats are suitable for great crested newts. The suitability of the site is to be confirmed by a suitably qualified person (e.g., an ecologist with a great crested newt survey licence).

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