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Great Crested Newt Survey Report

Land North of High Winds, Reeds Lane, Southwater, West Sussex, RH13 9DQ

September 2026

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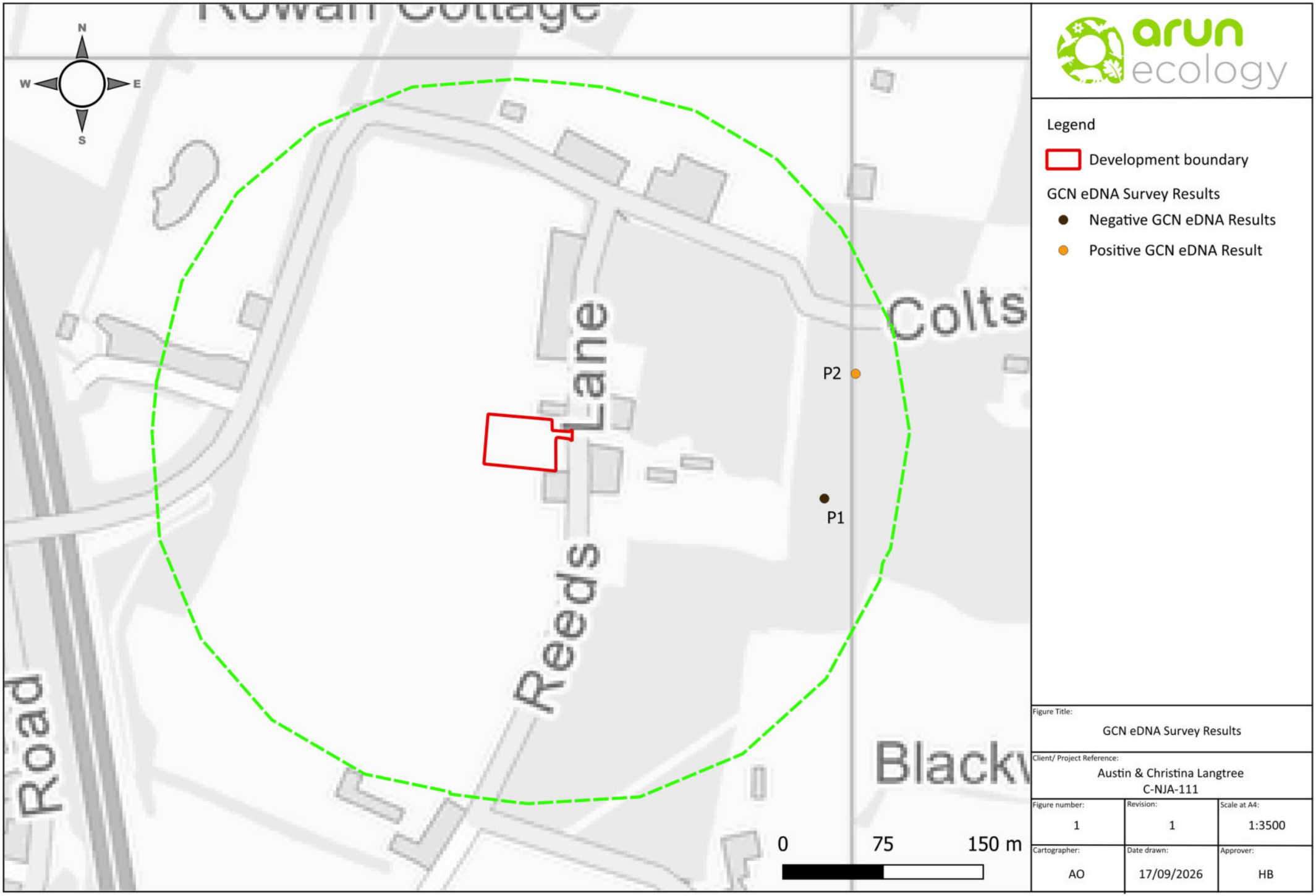
N
W
E
S
Reeds Lane
Colts
Road
P2
P1
0
75
150 m
Legend
Development boundary
GCN eDNA Survey Results
Negative GCN eDNA Results
Positive GCN eDNA Result
Figure Title:
GCN eDNA Survey Results
Client/ Project Reference:
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1. Summary and Recommendations

Proposals	• Arun Ecology Ltd was appointed by Austin & Christina Langtree ('the Client') to undertake GCN eDNA surveys for a proposed development (grid reference: TQ 16761 27714) at Land North of High Winds, Reeds Lane, Southwater, West Sussex, RH13 9DQ. • The proposals include the construction of a new residential dwelling, garage and driveway; and associated landscaping within the development boundary.
Surveys	• Great crested newt eDNA surveys were undertaken at two ponds located within 250 m of the development boundary in June 2026. Pond P1 is located 195 m from the development boundary and Pond P2 is located 215 m from the development boundary.
Impact assessment	• A negative eDNA result was returned for Pond P1, indicating the likely absence of GCN from this pond. • A positive eDNA result was returned for Pond P2, confirming the presence of GCN. • As the proposed development has the potential to result in adverse impacts on GCN during the construction phase, it will require authorisation under a GCN licensing scheme before the works can proceed lawfully.
Recommendations	**The recommendations below represent a summary only. The full recommendations are outlined in Section 6.** • The proposed works should be undertaken under an appropriate GCN licence to ensure that the development proceeds lawfully. • This can be achieved either by applying for a European Protected Species Licence (EPSL) or by joining HDCs District Level Licensing (DLL) scheme.

2. Introduction

2.1.1 Arun Ecology Ltd was appointed by Austin & Christina Langtree ('the Client') to undertake a Great Crested Newt (GCN) Survey for a proposed development (grid reference: TQ 16761 27714) at Land North of High Winds, Reeds Lane, Southwater, West Sussex, RH13 9DQ. The above address is hereafter referred to as 'the site'.

2.1.2 The local planning authority for the site's location is Horsham District Council (HDC).

2.2 Development proposals

2.2.1 Planning consent is sought for a development (as shown on Sloane & Brown Drawing No. 1491/01 Rev E), which comprises:

- The construction of a new residential dwelling, garage and driveway; and
- Associated landscaping within the development boundary.

2.2.2 The proposals above are hereafter referred to collectively as 'the development' in this report. The defined red line planning boundary is hereafter referred to as the 'development boundary'.

2.3 Ecology Background

2.3.1 A Preliminary Ecological Appraisal (PEA) comprising a desk study search and a UK Habitat Classification (UKHab) Survey was undertaken at the site by Arun Ecology Ltd in April 2026 (Arun Ecology Ltd, 2026). The main findings relevant to this report are as follows:

- Records of great crested newt (GCN) were returned from the desk study search within 1 km of the development boundary and eleven ponds were identified within 500 m of the development boundary, two of which were located within 250 m of the development boundary.
- Suitable GCN terrestrial habitat was recorded within the development boundary, including the other neutral grassland and the native hedgerow with trees. There were also two brash piles within the development boundary that provided suitable resting places for GCN.

2.3.2 It was concluded that GCN could be encountered within the development boundary and that the habitat has the potential to form part of the terrestrial habitat of any nearby GCN population.

2.3.3 As such, GCN eDNA surveys were recommended for all ponds that fall within 250 m of the development boundary to determine the impacts of the development.

2.3.4 Based on the scale of the development proposals, survey of ponds within 250 m of the development boundary was considered proportionate in accordance with Natural England's Standing Advice.

2.3.5 As an alternative to undertaking GCN surveys in line with Natural England's standing advice, the option for the scheme to join the Natural England GCN District Level Licence (DLL) was also recommended.

2.3.6 Prior to undertaking the eDNA surveys, one of the ponds identified during the desk study (grid reference: TQ 16876 27883) was confirmed to no longer be present. However, an additional pond, which was not shown on OS mapping, was identified within 250 m of the site.

2.4 Brief and Objectives

2.4.1 Arun Ecology Ltd was commissioned by the Client to undertake GCN eDNA surveys of the two ponds located within 250 m of the development boundary (see Figure 1).

2.4.2 The key objectives of the GCN eDNA survey are to:

- Determine the presence or probable absence of GCN at each pond;
- Collect information to determine whether the proposed development is likely to result in adverse impacts on GCN and to inform the need for further survey, mitigation and/or licensing.

2.4.3 The brief was to:

- Conduct a GCN eDNA survey at each of the two ponds located within 250 m of the development; and
- Produce a technical report, supported by mapping, detailing the survey methodology, results and any survey limitations. The report will also evaluate the relevant legislation and planning policy and provide recommendations to enable the development to proceed lawfully.

3. Method

3.1 General Approach

3.1.1 GCN eDNA surveys were conducted at both ponds identified within 250 m of the development boundary (see Figure 1).

3.1.2 All GCN eDNA samples were collected in accordance with the methodology set out in Defra Science and Research Project WC1067 (Biggs *et al.*, 2014) and the sampling instructions provided by RSK ADAS, the accredited laboratory responsible for analysing the samples. The surveys were undertaken during the recognised eDNA survey season (15th April to 30th June).

3.1.3 A positive eDNA result indicates that great crested newts are present within the waterbody or have been present in the recent past, as eDNA typically persists within the aquatic environment for approximately 7–21 days. A negative result indicates that great crested newt DNA was not detected within the sample and that the species is presumed likely absent from the waterbody at the time of sampling.

3.2 Sample collection

3.2.1 At each waterbody, surveyors collected twenty 30 mL water samples from locations distributed around the pond margin using the sterile ladle supplied within the sampling kit, producing a combined sample of approximately 600 mL.

3.2.2 Samples were collected whilst standing on the pond bank or pond margin without entering the water. Where full access to the pond perimeter was not possible, samples were collected from the maximum accessible proportion of the pond margin in accordance with the approved eDNA sampling protocol. The twenty individual samples were pooled into a single sterile, self-supporting plastic sampling bag.

3.2.3 The pooled water sample was homogenised by gently shaking the bag to ensure that eDNA was evenly distributed throughout the sample. Six 15 mL subsamples were then pipetted into sterile tubes containing 35 mL of ethanol to preserve the eDNA prior to laboratory analysis.

3.3 Analysis

3.3.1 The preserved samples were returned to the Arun Ecology Ltd office at ambient temperature, stored in a refrigerator and subsequently transported to an accredited laboratory for analysis.

3.3.2 Samples were analysed using quantitative real-time polymerase chain reaction (qPCR), which amplifies a species-specific DNA sequence to determine whether GCN eDNA is present, resulting in either a positive or negative detection.

3.4 Survey Dates and Weather Conditions

3.4.1 Details of the GCN eDNA surveys, including the survey date and prevailing weather conditions, are provided in Table 1.

Table 1 – GCN survey information and weather conditions.

Pond ID	Survey type	Date	Survey timings		Temperature (°C)		Rain	Wind (Beaufort Scale)
			Start	Finish	Start	Finish		
P1	eDNA	16/06/2026	13:00	13:10	20	20	No	2
P2	eDNA	16/06/2026	13:15	13:20	20	20	No	2

3.5 Survey Limitations

3.5.1 Full access to the perimeter of Ponds P1 and P2 was not possible. However, samples were collected from the maximum accessible proportion of each pond margin in accordance with the approved eDNA sampling protocol.

3.5.2 In our professional opinion, the survey data obtained are sufficient to inform an assessment of the likelihood of the proposed development resulting in adverse effects on GCN.

3.6 Surveyors

3.6.1 The GCN eDNA samples were collected by Hannah Baker MSc, BSc (Hons), ACIEEM and Amy Oldham BSc (Hons). Hannah Baker has a GCN class 1 Natural England licence. Both surveyors are adequately trained to carry out GCN eDNA surveys in accordance with the approved survey methodology.

4. Results

4.1.1 The results of the GCN eDNA surveys undertaken within 250 m of the development boundary are summarised in Table 2 and shown in Figure 1.

Table 2 – Summary of GCN eDNA survey results.

Waterbody ID	Waterbody type	Grid reference	Distance from development boundary	eDNA sample collected	Sample ID	Percentage of pond edge sampled	GCN eDNA result	Notes
P1	Pond	TQ169812 7671	195 m	Yes	ADAS-13353	75%	Negative	Pond P1 is located to the east of the development boundary and is separated by a small country road. The pond is situated within a parcel of lowland mixed deciduous woodland. Approximately 25% of the pond edge was inaccessible due to a bank and vegetation.
P2	Pond	TQ170052 7750	216 m	Yes	ADAS-13354	75%	Positive	Pond P2 is located northeast of the development boundary and is separated by a small country road. The pond is situated within a parcel of lowland mixed deciduous woodland to the north of Pond P1. Approximately 25% of the pond edge was inaccessible due to a bank and vegetation.

5. Legislation and Planning Policy Evaluation

5.1 Background

5.1.1 The purpose of this section is to evaluate the legislation and planning policy relevant to the proposed development, based on the results of the GCN eDNA surveys.

5.2 Great Crested Newts

5.2.1 As set out in Appendix I, great crested newts (GCN) and their breeding sites and resting places are protected. Based on the results of the GCN surveys, the following legislation and planning policy are considered relevant to the proposed development:

- Conservation of Habitats and Species Regulations 2017 (as amended);
- Wildlife & Countryside Act, 1981 (as amended);
- Natural Environment & Rural Communities Act 2006;
- Countryside Right of Ways Act 2000;
- National Planning Policy Framework (2026); and
- Horsham District Council Local Plan (2015).

5.2.2 In addition to the above, ODPM Circular 06/2005 is also relevant to the proposed development, as outlined in Appendix I.

Evaluation of the Development Proposals

5.2.3 Great crested newts are presumed likely absent from Pond P1, which is located approximately 0.19 km from the development boundary, based on the negative GCN eDNA survey result.

5.2.4 Great crested newts have been confirmed to be present within Pond P2, located approximately 0.22 km from the development boundary, based on the positive GCN eDNA survey result.

5.2.5 The development could contravene the legislation outlining the protection of GCN for the following reasons:

- The habitat within the development boundary is reasonably likely to form part of the terrestrial habitat of a nearby GCN population and will be partially removed as part of the development; and

- There is potential for construction works to result in the killing, injury or disturbance of individual GCN.

5.2.6 Recommendations are provided in Section 6.2 of this report to ensure that the proposed development can proceed in accordance with the relevant legislation protecting GCN.

5.3 Ecological Enhancement

5.3.1 In accordance with the NPPF (2026), developments should incorporate appropriate measures to conserve and enhance biodiversity. The ecological enhancements outlined in the PEA report (see Arun Ecology, 2026) will ensure the proposed development is compliant with national and local planning policy.

5.3.2 No further ecological enhancement recommendations are made within this report.

6. Requirements and recommendations

6.1 Background

6.1.1 This section is based upon the results of all GCN surveys undertaken to date and includes recommendations following the mitigation hierarchy (avoidance, mitigation and compensation; BSI, 2013) on how the development can proceed lawfully with respect to GCN.

6.2 Licencing

6.2.1 GCN have been confirmed to be present at a pond located approximately 0.22 km from the development boundary. Ideally, impacts to GCN should be avoided wherever possible and habitat with suitability for GCN should be retained. However, the proposed development cannot entirely avoid impacts to potential GCN habitat and, therefore, there is a risk of an offence being committed under the Conservation of Habitats and Species Regulations 2017 (as amended).

6.2.2 It is therefore recommended that the proposed works are undertaken under an appropriate GCN licence to ensure that the development proceeds lawfully.

6.2.3 This can be achieved either by applying for a European Protected Species Licence (EPSL) or by joining Horsham District Councils District Level Licensing (DLL) scheme administered by NatureSpace. Both options are outlined below.

District Level Licence (DLL) Scheme

6.2.4 The proposed development is located within an area covered by the Great Crested Newt District Licensing (DLL) Scheme administered by NatureSpace Partnership on behalf of HDC. The DLL Scheme provides an alternative to a traditional European Protected Species Mitigation Licence by delivering strategic compensation for impacts to great crested newts at a landscape scale, rather than requiring site-specific mitigation and compensation.

6.2.5 The applicant can apply to join the Scheme at any time of year and further great crested newt presence/absence or population size class surveys are not required to enter the scheme. An application should be made to NatureSpace Partnership, providing details of the proposed development and its potential impacts on great crested newts and their habitats. NatureSpace Partnership will assess the development to determine its eligibility for the scheme, the potential impacts on great crested newts, the applicable scheme fee and any on-site requirements that may apply.

European Protected Species Mitigation licence

6.2.6 If the proposed development does not proceed through the District Level Licensing (DLL) Scheme, a European Protected Species Mitigation Licence (EPSML) from Natural England should be obtained prior to the commencement of works.

6.2.7 To support an EPSL application, further GCN surveys would be required at Pond P2 to determine the size of the breeding population and inform the mitigation strategy. These surveys can only be undertaken during the recognised survey season, between mid-March and the end of June.

6.2.8 An EPSL would require the preparation of a detailed mitigation strategy demonstrating how impacts to GCN will be avoided, mitigated and compensated.

6.2.9 The licence application must be approved by Natural England before any works likely to affect GCN or their habitats commence.

7. Conclusion

7.1.1 Great crested newts are presumed likely absent from Pond P1 and confirmed present within Pond P2 following the results of the eDNA surveys. Although the proposed development does not affect breeding habitat, it will result in the loss of terrestrial habitat that has the potential to support commuting, foraging and resting great crested newts. However, the development can proceed lawfully, provided that an appropriate licence is obtained prior to the commencement of works.

7.1.2 Subject to the implementation of the recommendations set out within this report, including obtaining an appropriate licence, the proposed development can proceed in accordance with relevant legislation and planning policy relating to the protection of GCN.

8. Bibliography

8.1.1 Arun Ecology Ltd (2025) Land North of High Winds, Reeds Lane, Southwater, West Sussex, RH13 9DQ.

8.1.2 Biggs, J., Ewald, N., Valentini, A., Gaboriaud, C., Griffiths, R.A., Foster, J., Wilkinson, J., Arnett, A., Williams, P. and Dunn, F. (2014). Analytical and Methodological Development for Improved Surveillance of the Great Crested Newt. Defra Science and Research Project WC1067. Freshwater Habitats Trust, Oxford.

8.1.3 BSI (2013). BS 42020:2013 Biodiversity – Code of practice for planning and development. British Standards Institution, London.

8.1.4 CIEEM (2022). Code of Professional Conduct. Chartered Institute of Ecology and Environmental Management, Winchester.

8.1.5 HDC (2015) Horsham District Council Adopted Local Plan.

Appendix I – Legislation & Planning Policy

8.2 Background

8.2.1 This section provides a summary of the legislation and planning policy that could be relevant to the development. Where possible we have limited this section to the areas relevant to this report. This means the legislation and planning policy outlined below is not included in its entirety.

8.2.2 This section does not constitute legal advice, and only represents the interpretation and professional judgement of the ecologists named in this report, on the legislation and planning policy considered relevant to the development.

8.3 Conservation of Habitat and Species Regulations 2017 (as amended)

8.3.1 The Conservation of Habitats and Species Regulations 2017 transposes the EC Habitats Directive and some elements of the EC Bird Directive into national law in England and Wales. The objective of the Habitats Directive is to protect biodiversity through the conservation of natural habitats and species of wild fauna and flora. The directive lays down rules for the protection, management and exploitation of such habitats and species.

Protected Species

8.3.2 The regulations include provisions that prohibit certain actions affecting species listed under Annex IV of the Habitat Directive. It is a criminal offence for a person to 'intentionally or recklessly' take the following action:

- Deliberately capture, injure or kill any wild animal of a European Protected Species (EPS);
- Deliberately disturb wild animals of any such species in such a way as to be likely to affect significantly the local distribution or abundance of the species to which they are likely to belong;
- Deliberately take or destroy eggs of any such wild animal;
- Deliberately pick, collect, uproot or destroy a wild plant of an EPS; and
- Keep transport, sell or exchange, or offer for sale or exchange, any live or dead wild animal or plant of an EPS, or any part of or anything derived from such an animal or plant.

8.3.3 The disturbance of such animals includes in particular; any disturbance that is likely to impact their ability;

- To survive, to breed or reproduce, or to rear or nurture their young;
- In case of animals of a hibernating or migratory species, to hibernate or migrate; or
- To affect significantly the local distribution or abundance of the species to which they belong.

Protected Sites

8.3.4 The Conservation of Habitats and Species Regulations, 2017 puts an obligation on the appointed appropriate authority for England & Wales to establish priorities for a network of nationally important sites.

8.3.5 The aforementioned sites, often referred to as European protected sites are formed of two types of sites, Special Protection Areas (sites specifically designated for birds) and Special Areas of Conservation (specifically designated for fauna and flora). The objective is for all species and habitats covered by these sites to contribute towards the maintenance and restoration of their favourable conservation status.

8.3.6 Designation can include but is not limited to the following reasons:

- A natural habitat type specified in Annex I of the Habitat Directive;
- A species specified in Annex II of the Habitats Directive;
- For the coherence of the national network of protected sites; and
- For threats of degradation or destruction to which the sites are exposed.

8.4 The Wildlife and Countryside Act, 1981 (as amended)

8.4.1 The Wildlife and Countryside Act, 1981 (as amended) primarily transposes the UK Government's obligations under the Bird Directive and Bern Convention into law. The act outlines provisions for the protection of nationally important sites for nature conservation and provides protection at different levels for certain animals and plants, including certain prohibitions.

Protection of Animals

8.4.2 Part 1 – Section 9 of the act includes certain prohibitions for the protection of certain animals named in schedule 5. In summary offences include:

- If any person intentionally or recklessly kills, injures or takes any wild animal included in schedule 5;
- If any person has in his possession or control any live or dead wild animal included in schedule 5, or any part of, or anything derived from, such an animal;
- If any person intentionally or recklessly damages or destroys, or obstructs access to, any structure or place which any wild animal included in schedule 5 uses for shelter or protection; or
- Disturb any such animal while it is occupying a structure or place which it uses for that purpose; and
- Sells, offers or exposes for sale, or has in their possession or transports for the purpose of sale, any live or dead wild animal included in schedule 5, or any part of, or anything derived from, such an animal, or publishes or causes to be published any advertisement likely to be understood as conveying that they buy or sell, or intends to buy or sell, any of those things.

8.5 Countryside Right of Ways Act 2000 (CRoW Act)

8.5.1 The Countryside Right of Ways Act 2000 (CRoW Act) makes provisions for public access, amends the law for public rights of ways and amends existing law on nature conservation and the protection of wildlife as well as makes further provisions for Areas of Outstanding Natural Beauty.

Wildlife Legislation

8.5.2 Part III of the CRoW Act, 2000 includes provisions for wildlife protection and nature conservation and includes amendments to the Wildlife & Countryside Act, 1981.

8.5.3 Schedule 9 of the CRoW Act, 2000 increases powers for the protection and management of SSSI. There are increased powers for appropriate authorities to secure management agreements for SSSI. A duty is placed on public bodies to have regard for the continued conservation and enhancement of SSSI. Furthermore, there are increased penalties for the prosecution of wildlife crime, including for third parties that damage SSSI.

8.5.4 Schedule 12 of the CRoW Act, 2000 makes certain offences under the provision of the Wildlife and Countryside Act, 1981 arrestable. Greater powers are given to police and appointed wildlife inspectors under the CRoW Act, 2000 and enables heavier penalties for the prosecution of wildlife crime.

8.6 Natural Environment & Rural Communities Act 2006 (NERC Act)

8.6.1 The Natural Environment and Rural Communities Act (NERC), 2006 is primarily intended to implement key aspects of the Governments Rural Strategy published in July 2004. It also addresses a wider range of issues relating broadly to the natural environment.

Section 40

8.6.2 Section 40 of the NERC Act, 2006, places a duty on any public authority and statutory undertaker to have due regard for the conservation and enhancement of biodiversity when delivering their functions, extending the provisions outlined under section 74 of the CRoW Act, 2000.

8.6.3 The policy goes on to state that conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population of that habitat.

Section 41

8.6.4 Section 41 of the NERC Act, 2006 requires the secretary of state in consultation with Natural England to outline Species of Principal Importance (SPI) and Habitats of Principal Importance (HPI) that in their opinion are important for the conservation of biodiversity.

8.6.5 The secretary of state is required to:

- Take such steps as appear to the secretary of state to be reasonably practicable to further the conservation of the living organisms and types of habitats included in any list published under this section; or
- Promote the taking by others of such steps.

8.6.6 The NERC Act, 2006 also provides some amendments to the Wildlife & Countryside Act, 1981 (as amended) and includes provisions for enforcement powers and the protection of SSSI.

8.7 National Planning Policy Framework (2026)

8.7.1 The National Planning Policy Framework (NPPF, Ministry of Housing Communities and Local Government, 2026) sets out the Governments planning policies for England and how these should be applied. The NPPF contains policies for plan-making and national decision-making policies which are material considerations in the determination of planning applications.

8.7.2 The NPPF supplements Government Circular: Biodiversity and Geological Conservation 06/2005 (Office of the Deputy Prime Minister, 2005).

Conserving and Enhancing the Natural Environment

8.7.3 Chapter 19 of the NPPF concerns conserving and enhancing the natural environment. Its objective is to influence the design and location of development to support nature's recovery and wider environmental outcomes, safeguard important habitats, species and landscapes, and recognise the role of natural capital in delivering sustainable growth.

Identifying Environmental Opportunities and Safeguards

8.7.4 **Policy N1**: Identifying environmental opportunities and safeguards is a plan-making policy which states that development plans should safeguard and enhance the natural environment and reflect the wider benefits provided by natural capital and ecosystem services. In doing so, plans should make use of Local Nature Recovery Strategies, Protected Landscape Management Plans, River Basin Management Plans, National Forest Strategies, Community Forest Plans and other relevant evidence.

8.7.5 Policy N1 requires development plans to identify the hierarchy of international, national and locally designated sites and areas of landscape, biodiversity and geodiversity importance, together with other environmentally important features such as chalk streams. Plans should also identify opportunities for the conservation, enhancement and recovery of landscapes, sensitive waterbodies, habitats and priority or threatened species, including through habitat restoration, nature-based solutions and the creation and strengthening of ecological networks.

8.7.6 Development should be directed towards land of least environmental value where this is consistent with other policies in the NPPF. This includes avoiding and minimising harm to designated sites of importance for nature and taking account of areas identified within Local Nature Recovery Strategies as potential opportunities for environmental restoration.

8.7.7 Policy N1 also states that development plans should establish standards for green infrastructure provision, drawing upon Natural England's Green Infrastructure Standards for England where appropriate.

8.7.8 Development plans should only set local biodiversity net gain requirements exceeding the statutory biodiversity net gain requirement where these relate to specific site allocations and are fully justified and deliverable. Such local requirements should not extend to categories of development which are exempt from statutory biodiversity net gain.

Improving the Natural Environment

8.7.9 **Policy N2**: Improving the natural environment is a national decision-making policy. It states that, in order to contribute positively to the natural environment and support nature's recovery, development proposals should consider the environmental qualities of the land, including its habitats, landscape character and the natural beauty of the countryside, and identify opportunities to conserve or enhance these qualities, including through biodiversity net gain where applicable.

8.7.10 Development proposals should take suitable opportunities to connect to and strengthen ecological networks extending beyond the development site, drawing upon measures identified within Local Nature Recovery Strategies, National Forest Strategies, Community Forest Plans and other relevant assessments where present.

8.7.11 Existing natural features of visual, historic or nature conservation value, including established trees and hedgerows, should be conserved and enhanced where possible, with appropriate landscaping used to integrate development into its surroundings.

8.7.12 Green infrastructure and nature-based solutions should be used to secure multiple benefits, including for biodiversity, surface-water and pollution management, climate-change mitigation and adaptation, and recreation.

8.7.13 Development proposals should minimise adverse impacts on biodiversity and include features which support priority or threatened species, such as swifts, bats and hedgehogs. Development proposals should incorporate integrated nest boxes, commonly known as swift bricks, unless there are compelling technical reasons which prevent their use or would make them ineffective.

8.7.14 Green infrastructure and other features supporting nature should be appropriately located and designed to minimise the risk of future failure, with suitable measures in place for any necessary long-term management.

8.7.15 Policy N2 retains the mitigation hierarchy. Where significant harm to biodiversity resulting from development cannot be avoided, adequately mitigated or, as a last resort, compensated for, the development should be refused.

8.7.16 Development proposals may provide biodiversity enhancements exceeding the statutory biodiversity net gain objective. However, such additional gains should only be required where this is established through an up-to-date development plan policy relating to a specific site allocation. Decision-makers should not give weight to other development plan policies requiring biodiversity gains beyond the statutory framework, including policies seeking such gains from development which is exempt from statutory biodiversity net gain.

Trees in New Development

8.7.17 **Policy N3**: Trees in new development recognises the benefits that trees provide for biodiversity, climate-change mitigation and adaptation, and the character and quality of the built environment.

8.7.18 Development proposals should provide tree-lined streets unless there are strong reasons why this would be inappropriate and should incorporate trees in other suitable locations.

8.7.19 The selection and location of trees should take account of highways and infrastructure requirements, the needs of users of public spaces, climate-change adaptation and other environmental benefits. Appropriate arboricultural advice should be sought where necessary to ensure that suitable trees are planted in suitable locations.

8.7.20 Provision should also be made for the long-term maintenance of both existing and newly planted trees forming part of the development.

Protected Landscapes

8.7.21 **Policy N4:** Protected Landscapes states that development within Protected Landscapes should be limited in scale and extent and sensitively located and designed to avoid harm to their statutory purposes and special qualities. Substantial weight should be given to conserving and enhancing the natural beauty of these areas and to conserving and enhancing wildlife and cultural heritage within National Parks and the Broads.

8.7.22 Major development within Protected Landscapes should be refused other than in exceptional circumstances and where it can be demonstrated to be in the public interest. Consideration should include the need for the development; the scope for locating the development outside the Protected Landscape or meeting the need in another way; and any detrimental effects upon the environment, landscape and recreational opportunities and the extent to which these could be moderated.

8.7.23 Where major development is exceptionally approved within a Protected Landscape, measures should be taken to mitigate potential adverse impacts on its special qualities and statutory purposes, including features such as tranquillity and dark skies. Development within the setting of a Protected Landscape should also be sensitively located and designed to avoid or minimise adverse impacts.

Maintaining the Character of the Coast

8.7.24 **Policy N5**: Maintaining the character of the coast states that development proposals should maintain the character of undeveloped areas of coast, including land designated for its landscape, habitat or heritage value, while improving public access

where appropriate. Development should not hinder completion or maintenance of the King Charles III England Coast Path National Trail.

8.7.25 Development within areas defined as Heritage Coast which do not already fall within a Protected Landscape should be consistent with the special character of the area and the importance of its conservation. Major development within Heritage Coast areas should not be supported unless it is compatible with the area's special character.

8.7.26 Where development is located within a Coastal Change Management Area, Policy F9 should also be taken into consideration.

Areas of Particular Importance for Biodiversity and Geodiversity

8.7.27 **Policy N6**: Areas of particular importance for biodiversity and geodiversity provides specific decision-making principles for sites of international, national and local nature conservation importance and for irreplaceable habitats.

8.7.28 Development proposals affecting a site of international importance, which for the purpose of Policy N6 is a habitats site, should be refused unless an appropriate assessment concludes that the proposal would not adversely affect the integrity of the site, the relevant Habitats Regulations derogation tests can be satisfied and/or the impacts on the relevant protected features are being addressed through an applicable Environmental Delivery Plan and the developer has committed to paying the nature restoration levy.

8.7.29 Development proposals affecting a Site of Special Scientific Interest (SSSI) should only be supported where there would be no adverse effect, either individually or in combination with other developments, upon the features of special scientific interest; where the benefits of development in the proposed location clearly outweigh both the likely impacts upon the SSSI and any broader effects upon the national network of SSSIs; or where the relevant impacts are being addressed through an applicable Environmental Delivery Plan and nature restoration levy.

8.7.30 Development proposals affecting a site of local importance, including a Local Nature Reserve, Local Wildlife Site, Local Geological Site or equivalent designation identified in the development plan, should only be supported where there would not be a significant adverse effect upon the integrity of the site, or where the benefits of the development in the proposed location clearly outweigh the likely impacts upon the features which make the site valuable for nature conservation.

8.7.31 Irrespective of a site's nature conservation designation or status, development proposals resulting in the loss or deterioration of irreplaceable habitats, such as ancient woodland and ancient or veteran trees, should be refused unless there are wholly exceptional reasons and a suitable compensation strategy is provided.

8.7.32 Policy N6 applies to development both within and outside a designated area where the development could affect the identified biodiversity or geodiversity value of that area.

Priority or Threatened Species

8.7.33 The NPPF defines 'priority or threatened species' as species which are particularly vulnerable to the impacts of development. This includes, but is not limited to, species of principal importance in England identified under Section 41 of the Natural Environment and Rural Communities Act 2006, species listed in Schedules 2 and 5 of the Conservation of Habitats and Species Regulations 2017, and species protected under the Wildlife and Countryside Act 1981.

Ground Conditions and Pollution

8.7.34 **Policy P3**: Living conditions and pollution states that development proposals should be appropriate for their location, taking account of the likely effects, including cumulative effects, of pollution upon health, living conditions and the natural environment, whether these effects occur on or off-site. Consideration should be given to the sensitivity of the site and the surrounding environment.

8.7.35 Development proposals should avoid giving rise to, or contributing to, unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site. Adverse effects should be avoided where possible or otherwise mitigated to an acceptable degree, and opportunities should be taken to reduce existing pollution where possible.

8.7.36 Development proposals should limit adverse impacts from artificial light upon local amenity, intrinsically dark landscapes and nature.

Development proposals should also assess and mitigate impacts where development could have an unacceptable adverse effect upon water quality, particularly in relation to sensitive waterbodies such as chalk streams.

8.8 Biodiversity and Geological Conservation Circular 06/2005

8.8.1 Biodiversity and geological conservation circular 06/2005 provides administrative guidance on the application of the law relating to planning and nature conservation as it applies in England. It complements the national planning policy in the NPPF, 2026 and the Planning Practice Guidance. Broadly the guidance covers designated sites, the conservation of habitats and species, including outside of designated sites, protected species by law and the duties and powers used by planning authorities.

8.8.2 Paragraph 82 of the guidance states that 'in determining the application for development that is covered by up-to-date standing advice, a planning authority must take into account this standing advice'.

Protected Species and Planning

8.8.3 Paragraph 98 of the guidance states 'the presence of a protected species is a material planning consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat'.

8.8.4 Paragraph 98 also states that 'they (the planning authority) should consider attaching appropriate planning conditions or entering into planning obligations under which the developer would take steps to secure the long-term protection of the species.

8.8.5 Paragraph 99 of the guidance goes on to state: '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'. Paragraph 99 also states that 'this is justified only, where there is a reasonable likelihood of the species being present and affected by the development.'

8.9 Horsham District Council Adopted Local Plan (2015)

8.9.1 This section includes the deliberate inclusion of revisions made to Policy 31 outlined below under the draft HDC Local Plan (2020). This has been undertaken in view of recent legislative changes in the UK and additional local requirements that are reasonably likely to be considered at determination for this planning application.

Policy 25

8.9.2 Policy 25 sets out Horsham District Councils (HDCs) commitment to protecting the Natural Environment and Landscape Character. Policy 25 states:

8.9.3 The Natural Environment and landscape character of the District, including the landscape, landform and development pattern, together with protected landscapes and habitats will be protected against inappropriate development. The Council will support development proposals which:

8.9.4 Protects, conserves and enhances the landscape and townscape character, taking into account areas identified as being of landscape importance, the individual settlement characteristics, and maintains settlement separation.

8.9.5 Maintain and enhances the Green Infrastructure Network and addresses any identified deficiencies in the District.

8.9.6 Maintains and enhances the existing network of geological sites and biodiversity, including safeguarding existing designated sites and species, and ensures no net loss of wider biodiversity and provides net gains in biodiversity where possible.

8.9.7 Conserve and where possible enhance the setting of the South Downs National Park.

Policy 31

8.9.8 Development will be supported where it can demonstrate that it maintains and enhances the existing network of green infrastructure, the Nature Recovery Network, natural capital and biodiversity. Proposals that would result in the loss of existing green infrastructure or part of the Nature Recovery Network will be resisted unless it can be demonstrated that new opportunities will be provided that mitigates or compensates for this loss and ensures that the ecosystem services of the area are retained.

8.9.9 Proposals will be expected to retain and enhance existing freshwater features, hedgerows, trees and deciduous woodland and the provision of additional hedgerow and tree planting will be sought subject to appropriate consideration of local and wider context, habitats and species.

8.9.10 Where the felling of a tree is necessary, for example due to disease, replacement planting with a suitable species and location to retain the link with the wider network of habitats and Green Infrastructure, will be required.

8.9.11 Development proposals will be expected to remove invasive species and will be required to contribute to the enhancement of existing biodiversity and deliver, as a minimum, a 10% net gain through the delivery of appropriate on-site biodiversity net gain or, where this is not practicable, to off-set the delivery to the Nature Recovery Network.

8.9.12 Proposals should create and manage appropriate new habitats, taking into account pollination, where practicable. The Council will support new development which retains and /or enhances significant features of nature conservation on development sites. The Council will also support development which makes a positive contribution to biodiversity, and where appropriate the Nature Recovery Network, through the creation of green spaces, and linkages between habitats to create local and regional ecological networks and allow the movement of wildlife through development sites.

8.9.13 Particular consideration will be given to the hierarchy of sites and habitats in the District as follows:

- Special Protection Area (SPA) and Special Areas of Conservation (SAC);
- Sites of Special Scientific Interest (SSSI) and National Nature Reserves (NNRs);
- Local Wildlife Sites (LWS), Local Nature Reserves (LNRs) and any areas of Ancient Woodland, traditional orchards, local geodiversity or other irreplaceable habitats not already identified in a & b above.

8.9.14 Where development is anticipated to have a direct or indirect adverse impact on sites or features of importance to nature conservation, development will be refused unless it can be demonstrated that:

- The objectives of a site's designation, where applicable, and integrity of the area will not be undermined;
- The reason for the development clearly outweighs the need to protect the value of the site; and,
- That appropriate mitigation and compensation measures are provided.

8.9.15 Any development with the potential to impact Arun Valley SPA or The Mens SAC will be subject to a Habitats Regulation Assessment to determine the need for an Appropriate Assessment. In addition, development will be required to be in accordance with the necessary mitigation measures for development set out in the HRA of this plan.

8.10 Bibliography – Appendix I

8.10.1 Countryside and Rights of Way Act 2000 (c.37). (Online). Available at: https://www.legislation.gov.uk.

8.10.2 JNCC (2022). Conservation Designations for UK Taxa. Joint Nature Conservation Committee. (Online). Available at: https://hub.jncc.gov.uk.

8.10.3 Ministry of Housing, Communities and Local Government (2026). *National Planning Policy Framework.* (Online).

8.10.4 Natural Environment and Rural Communities Act 2006. (Online). Available at: https://www.legislation.gov.uk.

8.10.5 Office of the Deputy Prime Minister (2005). ODPM Circular 06/2005: Biodiversity and Geological Conservation – Statutory Obligations and Their Impact within the Planning System. Norwich: HMSO. Available at: https://www.gov.uk/government/publications/biodiversity-and-geological-conservation-circular-06-2005.

8.10.6 The Conservation of Habitats and Species Regulations 2017 (as amended). (Online). Available at: https://www.legislation.gov.uk.

8.10.7 Wildlife and Countryside Act 1981 (as amended). (Online). Available at: https://www.legislation.gov.uk