

From: Laura Downs <Laura.Downs@naturespaceuk.com>
Sent: 14 May 2026 14:00:00 UTC+01:00
To: "Stuart Malcolm" <stuart.malcolm@midsussex.gov.uk>
Subject: DM/25/3067 | Land West Of Kings Business Centre Reeds Lane Sayers Common West Sussex

Good afternoon Stuart,

Thank you for reconsulting us on the above application. The applicant has submitted some further ecological information in the form of, *GCN technical note Land West of King Business Centre, Reeds Lane, Sayers common (DM/25/3067), Ecology Solutions, April 2026*, which states that:

- *"Regarding the 21 ponds located within 500m and NatureSpace's assertion that Natural England (NE) Standing Advice guidance advises that surveys on ponds up to 500m from development sites should be requested, the actual wording of the standing advice is as follows: "Surveys of water bodies within 250m of the development are usually sufficient." Developers may need to increase this to 500m if there are no obvious barriers to GCN dispersing into the wider environment. " 1*
- *" All ponds to the east of the Application Site that were not subject to eDNA survey are at distances of at least 250m (>400m in most cases) from the Application Site and separated by residential development and roads which would act as a barrier to dispersal."*
- *" As demonstrated by the Aspect Ecology surveys, GCN are known to use artificial reptile refugia. Reptile surveys therefore act as a secondary survey method for GCN. Reptile surveys completed by Ecology Solutions at the Application Site in 2024 and on the adjacent development site (to the east) in 2017 and 2022 recorded no presence of GCN" .*
- *" Regarding the ponds to the west associated with AV Trade headquarters, access was requested to survey these ponds in 2024, however access was denied. The closest of these ponds as stated by NatureSpace is located (P1) approximately 30m from the western site boundary and the ditch that is present along this boundary. This ditch was subject to eDNA testing by Ecology Solutions in 2024 and previously in 2020 in support of the adjacent development site. On both occasions the ditch returned a negative result for vegetation GCN . Furthermore, the surrounding around the offsite ponds to the west to be regularly mown for amenity value."*
- *" It is considered that the justification provided above is sufficient to presence of GCN within the Application Site. Taking into consideration the comments provided by Place Services at Essex Country Council and the justification provided above, it is considered that there is no ecology reason why planning permission could not be granted."*

The applicant has referenced Natural England's guidance regarding the distance at which ponds surveys should be requested and has correctly noted that dispersal barriers will impact this

distance. 250m can in some cases be sufficient should there be a presence of obvious barriers to waterbodies up to 500m. The applicant has therefore not provided sufficient justification as to why the cluster of several ponds to the west, the closest of which is only 30m away, has been ruled out from consideration when most are well within 250m and well connected to the development site. In situations where access has not been granted as is the case here, GCN presence must be assumed within these waterbodies, it does not mean the ponds can be discounted from the assessment. Should GCN be present in a pond 30m from the site, the risk of an offence being committed as a result of the development works would be considered to be very high.

In addition to the ponds associated with the neighbouring Trade headquarters, there are further ponds within 250m and 500m to the west with no obvious barriers impacting their connectivity to the site, and for which no survey information has been provided. We are satisfied that P8, P9 and P1 (ditch) have been adequately assessed and ruled out via eDNA.

In summary, there are a number of waterbodies surrounding the site where no survey information has been provided, and for which the closest and of highest concern is only 30m away, far below the 250m recommended threshold. As only 2 ponds and one ditch have been eDNA'd here, we do not believe that the applicant has adequately demonstrated the level of risk for GCN offences associated with this development, and therefore does not have enough information to evidence how alternative routes such as a PWMS would be an appropriate option here. Where survey information has not been provided, a precautionary approach must be applied which assumes GCN presence. In line with our previous comments, we therefore recommend that further information is still required.

Best wishes,

Laura Downs (*she/her*)

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