

From: James Caldwell <james@virtueland.co.uk>
Sent: 23 January 2026 16:48:36 UTC+00:00
To: "Joanne Fisher" <Joanne.Fisher@midsussex.gov.uk>
Subject: Re: DM/25/2474 - Land South Hammerwood Road, Ashurst Wood
Importance: High

Dear Joanne,

My apologies for the delay in responding on this point. Our response is below for Nature Space, but notwithstanding the vast difference between two professional opinions here, I would be most grateful to catch up with you on your progress with the application generally. Many thanks, James

With regards to the response from Nature Space, it is an extremely disappointing response, because it does not seem to take into account the information provided back by our ecologists. They have picked out various points and they do not seem to take into account our ecologist's professional judgement here or the physical constraints of the site, despite the fact that they have carefully considered GCN potential on this site and that they have visited and surveyed the site. Nature Space have not even visited as far as we are aware.

With regards to their responses (**with our reply in bold**):

1. The applicant has determined that the site does not provide opportunity for GCN due to the dominance of cherry laurel and a resultant lack of ground flora. As stated in our original comments, there are many sheltering and hibernating opportunities for the species due to the presence of tree root hollows/cracks and crevices within stems, dead wood, fallen debris and any rotting stumps. These are key habitats for great crested newts, a lack of ground flora in this instance does not make the site unsuitable. - **This is not correct and it is a major simplification of Ecology Partnership's response, their site specific surveys and professional opinion, avoiding some of the information provided. Our ecologists highlighted the lack of sheltering and hibernating opportunities on the site and they also highlighted that the presence of deep vehicle tracks further reduces habitat suitability, making the site extremely difficult for GCN to traverse. The tracks are extensive on the site (as seen by the planning officer) and some are up to 0.5m deep, with vertical banks, which would make it practically impossible for GCN to overcome. Our professional ecologists have also highlighted that the site is bounded by a road to the north, with kerbs with drainage holes. In addition, the site is bounded by a close board fence to the east. To the west is poor quality (managed/mown) garden and beyond this is residential properties with fencing/solid boundary treatments. The residential properties to the east of the site (Yewhurst Close) are bound by 6ft closed fencing. To the south (with reference to a pond being located 220m to the south in the original response from Nature Space), there is a very steep incline up to the site (off site but in the owners control, so we can provide access for Nature Space). If GCN did make it onto the site, they would**

become stuck by the deep tracks on the site. If suitable and safe habitat is not available GCNs will not be able to hibernate or forage effectively, leading to mortality. And to breed and reach the ponds to the north, they would either be scuppered by the drainage holes on the road, killed by traversing the road by traffic (Hammerwood Road is busy and the junction to School Lane leading to the school is opposite the site), or if past this, stopped going further by the bounded residential properties to the north of Hammerwood Road. Our ecologists surveys, findings and conclusions were based on their extensive knowledge of GCN and most importantly, their site surveys, yet we believe that that Nature Space are making their judgements without even surveying the site (and surrounding private land) themselves. They also dismiss key information provided by Ecology Partnership in their response and it is unreasonable not to take into account ALL of the facts here before making any judgements.

2. The applicant also references a buffer of 50m around a pond as providing the core terrestrial habitat for GCN. However GCN utilise a variety of habitats/land uses within 500m of breeding ponds, and indeed demonstrate dispersal distances beyond 1000m. The ponds closest to this site are around the 250m mark and so well within dispersal distance, additionally they are well connected to the development site through woodland with no significant barriers. **Nature Space know very well that the requirements for surveying ponds around 250m and beyond and the importance of dispersal distances in guidance is very much subject to whether there are "no obvious barriers". Yet they dismiss the evidence provided by our ecologists relating to the site and the obvious barriers presented. Furthermore, Ecology Partnership quite clearly provided evidence as to why the eDNA record 450m to the northeast of the site was likely to be incorrect, and also the one 100m north of the site.**

It is quite clear that Ecology Partnerships conclusions are based on site specific findings and surveys. They have researched the ponds/eDNA records highlighted by Nature Space and they have detailed the limited terrestrial habitat and the obvious dispersal barriers on and around the site. They provide clear evidence as to why GCN are unlikely to traverse this site. They have also detailed RAMs during habitat clearance as an additional precaution. This site does not provide a suitable habitat for GCN, there is no water on or close to the site, and it is extremely unlikely that they traverse the site. We would welcome organising a visit for Nature Space so that they can see the site themselves and they can discuss these matters with our ecologists once they have surveyed if it would be helpful.

We note that the information that informs the IRZ is not publicly available and that it indicates a highly suitable habitat in a very large sweeping area, yet each site within the red zone (together with its connectivity) should be taken on its own merits with regards to protected species. The red zoning of this site contradicts the surveys undertaken on the site, both in terms of connectivity and in terms of habitat, and it does not take into the obstacles that are present that limit dispersal.

A site visit should clarify exactly what Ecology Partnership are saying and that this site cannot support aquatic habitat or suitable terrestrial habitat for GCN to either live in or traverse, however, we would be pleased to consider any further records or evidence that Nature Space may wish to highlight. We are reluctant to try and eDNA ponds so far away given the obvious dispersal barriers presented by the site (and in line with standing advice), but we welcome their further response.

Whilst writing (and without prejudice to our ecologists response), we would also be interested to find out which ponds Nature Space think would be beneficial to survey (in light of the feedback provided by Ecology Partnership on the disputed records highlighted) and also to hear what the cost of entering into the district licensing scheme would be please.

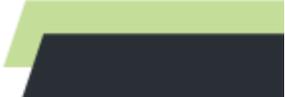
With kind regards,

James



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From: Joanne Fisher <Joanne.Fisher@midsussex.gov.uk>

Sent: 05 January 2026 14:43

To: James Caldwell <james@virtueland.co.uk>

Subject: DM/25/2474 - Land South Hammerwood Road, Ashurst Wood

Dear James,

Happy New Year. I hope you had a good Christmas break.

Please find attached the response from NatureSpace in respect of Great Crested Newts (GCN's). In this they are requesting further information as they are not satisfied with the details set out in the technical note dated 1st December and consider that there are many sheltering and hibernating opportunities for the species within the site due to the presence of tree root

hollows/cracks and crevices within stems, dead wood, fallen debris and any rotting stumps. I would agree with their view in respect of sheltering and hibernating opportunities on the site for GCN's. Therefore, further information is required as previously set out in their consultation response of the 11th November which I have attached for ease of reference, and at present there is insufficient evidence to demonstrate that there will no impact to great crested newts and/or their habitat.

I look forward to receiving further information from you in respect of this.

Kind regards

Joanne

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