

Consultee Response

Case Ref: DM/25/2046	Date: 22 January 2026
From: NatureSpace	Response: Precautionary Working Method Statement (PWMS)

This planning application is for: **Outline planning application for 4 detached dwellings, two of which have separate garage blocks.**

Summary

- The development falls within the red impact risk zone for great crested newts. Impact risk zones have been derived through advanced modelling to create a species distribution map which predicts likely presence. In the red impact zone, there is highly suitable habitat and a high likelihood of great crested newt presence.
- There are 12 ponds within 500m of the development proposal, the closest of which is located just over 250m away.
- There are several great crested newt records within 500m.

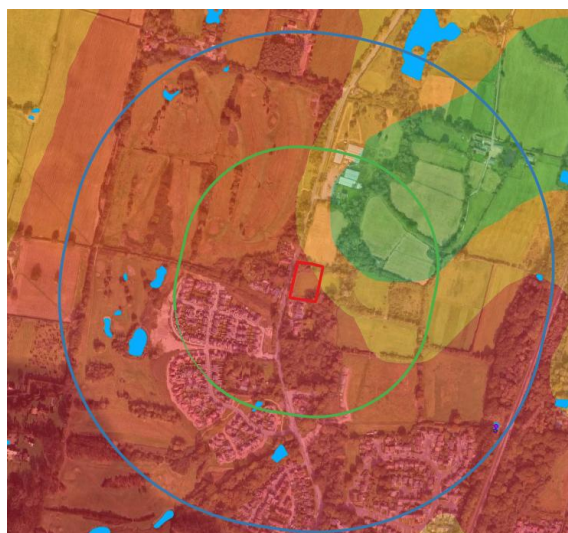


Figure above: Outline of the site (red) in the context of the surrounding landscape, including the Impact Risk Zones for GCN. Ponds are shown in light blue. A 250m buffer is shown around the site in green and a 500m buffer in blue. Contains public sector information licensed under the Open Government Licence v3.0.

Ecological Information

The applicant has provided an ecological report, *Preliminary Ecological Appraisal Report, Land Adjoining Evergreen, London Road, Hassocks, West Sussex, Urban Edge Environmental Consulting, December 2025*. Within this report it states that:

- *"The Proposed Development would result in permanent losses of up to c.029ha of modified grassland, bramble scrub and mixed scrub across the survey area, depending on the final extent and layout of proposals. These areas are of relatively low ecological value, but provide habitats suitable for a number of protected species (e.g. amphibians, nesting birds, badger, bats, hazel dormouse, and reptiles)."*

- *"The survey area contains predominantly sub-optimal terrestrial habitat for GCN, comprising mainly poor condition modified grassland with a short sward height. Grasslands of this nature are occasionally used by foraging or dispersing GCN but contain few shelter habitats and are unlikely to support high numbers, although if this habitat is left unmanaged it could quickly become suitable for great crested newts"*
- *"However, there were patches of more suitable habitat for this species, including the boundary hedgerow, scrub, log and rubbish piles (TN2 and TN3) and longer sward grassland towards the north-east boundary, which together provide small sections of potential foraging, shelter and hibernation habitats"*
- *"Pond P1 is the closest to the survey area at c.251m south-west, separated from the survey area by London Road."*
- *"GCN is not considered to present a constraint to the Proposed Development and no further surveys for this species are required."*

Conclusion and recommendation for conditions

The above ecological report has identified that the site contains some habitat features which could support foraging and dispersing GCN, as well as hibernacula features. The closest pond is located over 250m away, and is separated from the site by London Road. However it should be noted that London Road is only considered to be a partial barrier (high traffic during the day but no curbs). Due the presence of several ponds to the west of the site which have historically been positive for GCN, the lack of mitigation proposed here poses a risk to the species. There are some general protection and avoidance measures included within the report, however it is recommended that a Precautionary Working Method Statement for GCN is written by a suitably qualified ecologist and submitted to the LPA for approval. This statement should include vegetation clearance measures and instructions on what to do should GCN be discovered onsite. This statement should either be submitted prior to determination or secured via a pre-commencement such as below:

RAMs Condition:

"No development shall take place until a Precautionary Working Methods Statement (PWMS) detailing reasonable avoidance measures for great crested newts has been submitted to and approved by the Local Planning Authority. Works shall only be undertaken in accordance with the approved Method Statement."

Please note that Naturespace can be contacted at any time for a quote to enter the District Licensing scheme, which does not require further seasonally constrained newt survey work. More details on the District Licensing Scheme operated by the council can be found at www.naturespaceuk.com

Contact details: info@naturespaceuk.com

Relationship between NatureSpace and Mid Sussex District Council

Mid Sussex District Council holds a Great Crested Newt Organisational (or “District”) Licence granted by Natural England. This is administered by NatureSpace Partnership through their District Licensing Scheme as the council’s delivery partner. A dedicated ‘District Licensing Officer’ is employed by NatureSpace to provide impartial advice to the council and help guide them and planning applicants through the process. All services and arrangements are facilitated in an unbiased, independent and transparent manner. You can find out more at www.naturespaceuk.com

Legislation, Policy and Guidance

Reasonable Likelihood of Protected Species

Permission can be refused if adequate information on protected species is not provided by an applicant, as it will be unable to assess the impacts on the species and thus meet the requirements of the National Planning Policy Framework, December 2024, section 15, ODPM Circular 06/2005 or the Conservation of Habitats and Species Regulations 2017 (as amended). The Council has the power to request information under Article 4 of the Town and Country (Planning Applications) Regulations 1988 (SI1988.1812) (S3) which covers general information for full applications. CLG 2007 ‘The validation of planning applications’ states that applications should not be registered if there is a requirement for an assessment of the impacts of a development on biodiversity interests.

Section 99 of ODPM Circular 06/2005 states:

“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. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by development. Where this is the case, the survey should be completed and any necessary measures to protect the species should be in place, through conditions and / or planning obligations before permission is granted.”

Great crested newts

Great crested newts and their habitats are fully protected under the Conservation of Habitats and Species Regulations 2017 (as amended). Therefore, it is illegal to deliberately capture, injure, kill, disturb or take great crested newts or to damage or destroy breeding sites or resting places. Under the Wildlife and Countryside Act 1981 (as amended) it is illegal to intentionally or recklessly disturb any great crested newts occupying a place of shelter or protection, or to obstruct access to any place of shelter or protection (see the legislation or seek legal advice for full details). Local planning authorities have a statutory duty in exercising of all their functions to ‘*have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving and enhancing biodiversity,*’ as stated under section 40 of the Natural Environment and Rural

Communities Act 2006 (as amended), as well as a duty under the Conservation of Habitats and Species Regulations 2017 (as amended) to have regard to the requirements of the Habitats Directive. As a result, GCN and their habitats are a material consideration in the planning process.

Lifespan of Ecological Reports and Surveys

Validity of ecological reports and surveys can become compromised overtime due to being out-of-date. CIEEM Guidelines for Ecological Report Writing (CIEEM, 2017) states, if the age of data is between 12-18 months, *“the report authors should highlight whether they consider it likely to be necessary to update surveys”*. If the age of the data is between 18 months to 3 years an updated survey and report will be required and anything more than 3 years old *“The report is unlikely to still be valid and most, if not all, of the surveys are likely to need to be updated”*.