

Date: 07 April 2025
Our ref: 507059
Your ref: DM/25/0014, DM/25/0015



Mid Sussex District Council

BY EMAIL ONLY

Customer Services
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Dear Steven King

Planning consultation: Outline planning application (appearance, landscaping, layout and scale reserved) for the erection of up to 200 dwellings, and associated infrastructure including new access points off of Turners Hill Road with associated spine roads and car and cycle parking; the provision of open space and associated play facilities; utilities infrastructure, surface water drainage features, and associated features.

Location: Land West Of Turners Hill Road And South Of Huntsland Turners Hill Road Crawley Down West Sussex.

Thank you for your consultation on the above dated 18th March 2025, which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON ASHDOWN FOREST SPA

As submitted, the application could have potential significant effects on Ashdown Forest Special Protection Area (SPA). Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

- Reassurance within the 'Initial conclusion of the appropriate assessment' that the bespoke mitigation will be managed and maintained in perpetuity or if not, a further assessment be undertaken within the Appropriate Assessment (AA)
- Amendment of the reference to the bespoke mitigation being a Suitable Alternative Natural Greenspace (SANG) within the 'Initial conclusion of the appropriate assessment' section

Without this information, Natural England may need to object to the proposal.
Please re-consult Natural England once this information has been obtained.

Natural England's further advice on designated sites/landscapes and advice on other issues is set out below.

Additional Information required

Habitats Regulations Assessment (HRA)

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process, and a competent authority should have regard to Natural England's advice.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for any adverse effects, it is the advice of Natural England that **it is not possible** to ascertain that the proposal will not result in adverse effects on the integrity of the sites in question.

Natural England advises that the assessment does not currently provide enough information and/or certainty to justify the assessment conclusion and that your authority should not grant planning permission at this stage.

Further assessment and consideration of mitigation options is required, and Natural England provides the following advice on the additional assessment work required.

Ashdown Forest Special Protection Area (SPA)

Under 'Policy DP17: Ashdown Forest SPA and SAC', Stage 2 of the HRA states that bespoke mitigation measures will need to be in place before occupation of the development and must be managed and maintained in perpetuity. This should be clarified, particularly in relation to the proposed bespoke mitigation measures being managed and maintained in perpetuity, within the 'Initial conclusion of the appropriate assessment'. If the open space cannot be secured "in perpetuity", then this needs to be addressed further in the AA as to whether the development's open space could still result in no adverse effect on integrity to Ashdown Forest Special Protection Area (SPA).

Natural England recommend the wording of SANG under the 'Initial conclusion of the appropriate assessment' is amended as it is stated that open space will not be a formal SANG within the 'Mitigation approach – SANG' section.

Other advice

In addition, Natural England would advise on the following issues.

Protected Landscapes

The proposed development is for a site within or close to a nationally designated landscape namely High Weald National Landscape (defined in legislation as an Area of Outstanding Natural Beauty).

Natural England has concluded that impacts on the nationally designated landscape and the delivery of its statutory purpose to conserve and enhance the area's natural beauty can be determined locally by the local planning authority, with advice from its landscape or planning officers, and from the relevant National Landscape Partnership or Conservation Board.

Natural England is not confirming that there would not be a significant adverse effect on landscape or visual resources or on the statutory purpose of the area, only that there are no landscape issues which, based on the information received, necessitate Natural England's involvement.

We advise that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below. Your decision should be guided by paragraph 182 and 183 of the National Planning Policy Framework, which requires great weight to be given to conserving and enhancing landscape and scenic beauty within National Landscapes, National Parks, and the Broads and states that the scale and extent of development within all these areas should be limited. Paragraph 183 requires exceptional circumstances to be demonstrated to justify major development within a designated landscape and sets out criteria which should be applied in considering this proposal.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the relevant National Landscape Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the area's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the National Landscape is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose.

Furthermore, [Section 245](#) (Protected Landscapes) of the Levelling Up and Regeneration Act 2023 places a duty on relevant authorities (which includes local authorities) in exercising or performing any functions in relation to, or so as to affect, land in a National Park, the Broads or an Area of Outstanding Natural Beauty in England, to seek to further the statutory purposes of the area. This duty also applies to proposals outside the designated area but impacting on its natural beauty.

The relevant National Landscape body (Conservation Board or Partnership) may be able to offer advice in relation to the duty, including on how the proposed development aligns with and contributes to delivering the aims and objectives of the area's statutory management plan.

Further general advice on the protected species and other natural environment issues is provided at Annex A.

If you have any queries relating to the advice in this letter please contact me on annabel.widdop@naturalengland.org.uk.

Should the applicant wish to discuss the further information required and scope for mitigation with Natural England, we would be happy to provide advice through our [Discretionary Advice Service](#).

Please consult us again once the information requested above, has been provided.

Yours sincerely

Annabel Widdop
Sussex & Kent