

Case Ref: DM/25/2716	Date: 09/12/2025
From: NatureSpace	Response: Holding objection – licence required
Recommendations: - The ecological report identifies a high potential for great crested newts within the site, given the pond on the development boundary, the pond network in the landscape and the habitats connecting them. - The applicant must obtain a licence to undertake works. There are 2 licensing options available: District Licensing or European Protected Species Licensing.	
These comments are in relation to DM/25/2716 for a Proposed three storey extension to provide further accommodation, meeting rooms and kitchen. Extension and change of use of stables to create further accommodation. Erection of conservatory to Lodge. New hard surface basketball and tennis court. Installation of solar panel arrays within the walled garden at Wickenden Manor Chilling Street Sharpthorne East Grinstead West Sussex RH19 4JB. Ecological Summary: The development is situated in the amber impact risk zone indicating that suitable habitat is present in the surrounding landscape. Site context: - There are 2 ponds on site and further waterbodies within 500m of the site boundary. - The ecological report returned a positive eDNA result for an onsite pond. - A licence has been recommended for the development Conclusion: The applicant has provided a Preliminary Ecological Appraisal and roost assessment (Arbtech, June 2025) which recommends further survey work for the onsite waterbodies. The applicant has commissioned eDNA surveys to be carried out on the waterbodies. The results have shown that one of the waterbodies on site has returned a positive record for great crested newts (Great crested newt eDNA sampling, Arbtech, June 2025). The report recommends a licence be acquired to undertake works, as the proposed development will cause significant ground disturbance and could indirectly impact the pond habitat on site, these could affect the habitat connectivity through the site. The report confirms there are two options available for licencing in Mid Sussex. The applicant has not indicated what licence option they wish to go for.	

It is therefore recommended that the applicant should provide further information in line with Natural England's [Standing Advice](#), to rule out impacts to great crested newts, or demonstrate how any impacts can be addressed through appropriate mitigation/compensation proposals.

Alternatively, should the applicant not wish to undertake further surveys, Horsham District Council have a District Licence scheme that can be used without the need to additional survey information. Should the applicant wish to receive a quote or further information then an enquiry can be made at www.naturespaceuk.com.

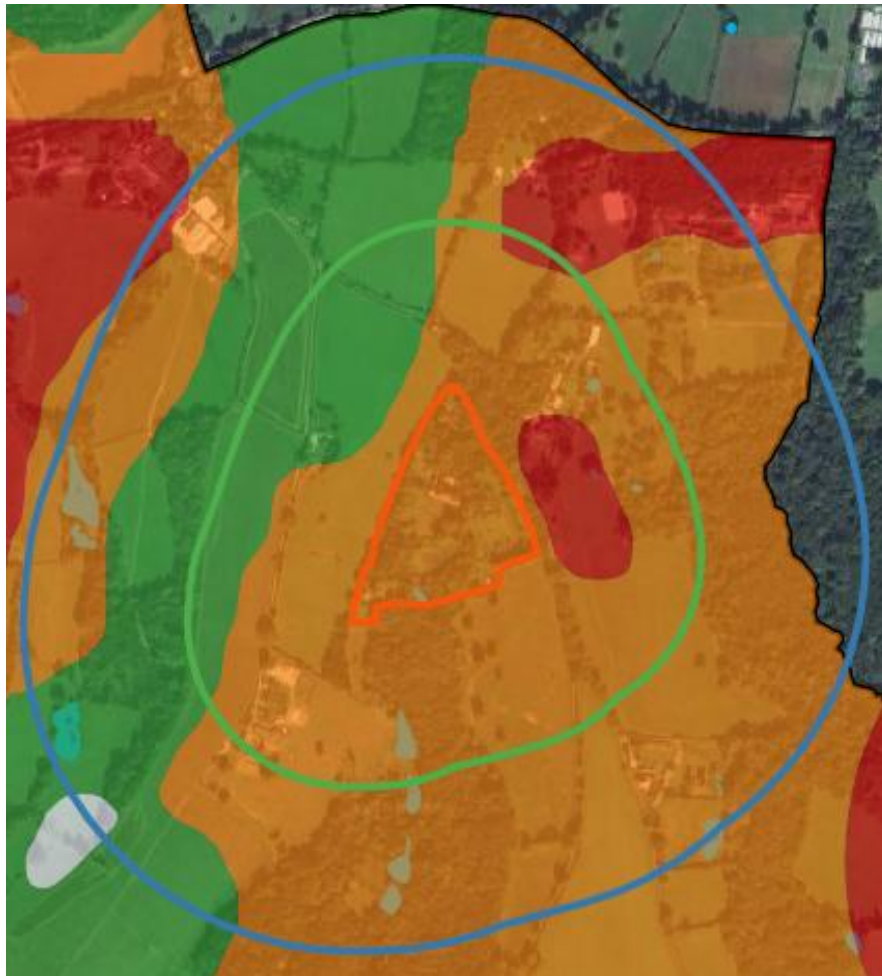


Figure above: Outline of the site (red) in the context of the surrounding landscape, including the Impact Risk Zones for great crested newt. Ponds are shown in light blue – not all ponds are visible on this map. A 250m buffer is shown around the site in green and a 500m buffer in blue. Contains public sector information licensed under the Open Government Licence v3.0.

Contact details: info@naturespaceuk.com

Relationship between NatureSpace and the Planning Authority

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 Licence 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 (2023), 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, great crested newt 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"*.

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