

District Licensing Scheme for great crested newts

Any development within 500m of a pond may affect newts

Great crested newt populations have declined significantly over recent decades due to habitat loss. The species spend most of their life on land in habitats such as woodland, hedgerows, grassland and scrub, but return to freshwater ponds in the spring to breed. They are generally found within 500m of ponds, although they can travel much further than this – up to 1.6km. Great crested newts and their habitats are protected under UK and European legislation, therefore planning authorities must consider the species as part of the planning application process. Where impacts on newts may arise, developers should obtain a licence to make their activities lawful and ensure that the impact on the species will be mitigated.

What is District Licensing?

District licensing benefits great crested newts by creating new or better habitats in targeted areas to increase and re-connect populations at the landscape scale. For developers, it's a simpler, quicker process than standard mitigation licensing because individual surveys are not required, so there is no need to wait for the survey window in the spring. If great crested newts are found during development works, the licence permits moving the newts out of harm's way without having to stop works or apply for another licence.

Natural England have produced a guidance document for all planning authorities using the District Licensing Scheme – available to view [here](#). This explains that planning authorities can rely on the 'Impact Risk Zone' map to identify where great crested newts are likely to occur. In the higher risk areas (red and amber zones), planning applicants must set out how risks to great crested newts will be dealt with. This may be through the Council's District Licence (the scheme is administered by NatureSpace), or by applying separately to Natural England for a standard mitigation licence. You can read more about the Impact Risk Zone maps on the NatureSpace website [here](#).

In summary, unless it can be definitively demonstrated that there is no risk to great crested newts or their habitats, there are now three licensing options in Eastleigh Borough. These are:

- Joining the District Licence Scheme and being authorised by Eastleigh Borough Council shortly after planning permission has been approved; or
- Applying directly to Natural England for a licence post-planning; or
- By working with a registered ecologist under the low impact class licence.

Using the Council's District Licence

- Eastleigh Borough Council holds a Great Crested Newt District (or "Organisational") Licence, designed by NatureSpace and granted by Natural England, under which developments can now be authorised.
- If you wish to use the District Licence, you must apply before or during the planning process, otherwise amendments or variations to planning permission would be necessary and this can cause delays in project timescales.
- To find out more about the District Licensing Scheme, contact NatureSpace to receive a free quotation. The first stage fee to join the scheme is based on the location (i.e. which impact risk zone) and scale of the development. Once paid, a detailed assessment of the development proposals will be carried out to determine associated costs, timings, mitigation and compensation requirements. To understand more about the process, visit www.naturespaceuk.com/district-licensing/the-process
- The best way of joining the District Licensing Scheme and becoming authorised by the Council under the District Licence is to submit your NatureSpace Report or Certificate with your planning application so that the required planning conditions are attached to planning permission. This is by far the quickest and simplest route. However, if you already

have planning permission and there is a reason why you'd like to consider joining the District Licensing Scheme, then there are options available to you – please submit an enquiry to NatureSpace to find out more.

- Under the District Licensing Scheme, habitat compensation is delivered by the Newt Conservation Partnership, who take the responsibility for habitat creation as well as long-term monitoring and management from the developer. Compensation through the scheme delivers landscape-scale conservation for great crested newts. To learn more about the conservation strategy and read case studies on habitat delivered by the scheme, visit www.naturespaceuk.com/conservation

District Licensing Scheme contact:

www.naturespaceuk.com

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Natural England standard mitigation licence

- Planning permission needs to be in place before a licence application can be submitted to Natural England.
- Full great crested newt surveys of ponds within 500m of the development site would be required during the survey season from mid-March to mid-June (up to end of June for eDNA surveys) to establish presence/likely absence of great crested newts. A population size class assessment (involving six survey visits throughout the survey season) may also be needed.
- Where great crested newts are present, details of surveys, impact assessment, mitigation and compensation must be submitted to, and approved by, the planning authority as part of a planning application to comply with legislation and planning policies.
- Once planning permission has been granted, a licence application would need to be prepared and submitted to Natural England, including details of impacts, mitigation, compensation, management and monitoring. This would need to demonstrate (amongst other things) that compensation would not be detrimental to the great crested newt population.

Natural England Licencing contact:

www.gov.uk/government/publications/great-crested-newts-apply-for-a-mitigation-licence

Non-licensed route

- In some cases, the risk of impacting great crested newts may be considered to be so low that a licence is not necessary. A precautionary method of working, including reasonable avoidance measures (RAMs) to avoid offences and the need for a licence, may still be required.
- However, if great crested newts are subsequently discovered, all works must cease, and Natural England or a professional/suitably qualified and experienced ecologist must be contacted for advice on any special provisions before continuing (including the need for a licence). It is illegal to move great crested newts without a licence. A licence is likely to be required before works can recommence. Depending on what works have been undertaken and what activities still need to take place, the District Licensing Scheme may not be relevant and a standard mitigation licence may be the only option. However, the District Licensing Scheme can be used post-planning (with an amendment of the original permission), so an enquiry can still be submitted to investigate this option.