

Great Crested Newt Consultation Response

Application Ref:	O/26/101177	Date:	12/05/2026	From:	NatureSpace
Site Address:	Land At Holly Tree Farm, Boorley Green, Eastleigh, SO32 2DD				
Proposal:	Outline application with all matters reserved (apart from access) for the construction of up to 280 dwellings (Use Class C3) and associated provision of public open space, play area, landscaping, earth works, surface water drainage, infrastructure works and vehicle access off Maddoxford Lane following removal of existing buildings and structures.				
Documents/Drawings:	• Ecological Impact Assessment (Parts 1, 2 and 3) - Ecological Planning & Research Ltd • Planning Statement				
Response:	Precautionary Working Method Statement				

Summary:

I am satisfied that if this application was to be approved then it would be unlikely to have any impact upon great crested newts and/or their habitats.

I recommend the use of the following informative:

“There is a low risk that great crested newts (GCN) may be present at the application site. It is considered to be unreasonable to require the applicant to submit a survey because this could be considered disproportionate to the scale and the likely impacts of the development. However, the application site lies in the red and amber impact zone as per the modelled district licence map, which indicates that there is highly suitable habitat for GCN within the area surrounding the application site. Therefore, anyone undertaking this development should be aware that GCN and their resting places are protected at all times by The Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Planning permission for development does not provide a defence against prosecution under this legislation or substitute the need to obtain a protected species licence if an offence is likely. If a GCN is discovered during site preparation, enabling or construction phases, then all works must stop until the advice of a professional/suitably qualified ecologist and Natural England is obtained, including the need for a licence.”

The following recommendations are also provided to further reduce the likelihood of impacts on this species:

- Any trenches left overnight should be covered or provided with ramps to prevent GCN from becoming trapped.
- Any building materials such as bricks, stone etc. should be stored on pallets to discourage GCN from using them as shelter.
- Any demolition materials should be stored in skips or similar containers rather than in piles on ground.

Reasons: To safeguard biodiversity as set out by the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, NPPF (2023), Circular 06/2005.

Ecological information:

This planning application is for the construction of up to 280 dwellings (Use Class C3) and associated provision of public open space, play area, landscaping, earth works, surface water drainage, infrastructure works and vehicle access off Maddoxford Lane following removal of existing buildings and structures.

- The development falls within the red and amber 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 and amber impact zones, there are highly suitable habitats and a high likelihood of great crested newt presence.
- There are four ponds within 500m of the development proposal, with the nearest pond located 90m north east of the site. Please note that not all ponds are shown on the map below.
- There is direct connectivity between the waterbodies/terrestrial habitat in the landscape and the development site, which could aid great crested newt dispersal into the development site.
- Natural England Standing Advice guidance for planning authorities advises that surveys on ponds up to 500m from development sites should be requested



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.

Conclusion:

We are satisfied with the information provided relating to the above application and that great crested newts and/or their habitats are unlikely to be impacted if the proposal was to be approved.

We agree with the recommendation as written within the submitted Ecological impact appraisal (paragraphs 7.14 to 7.18) to produce a Construction and Ecological Management Plan/ Precautionary Working Methods Statement.

This must be written by a suitably qualified ecologist and submitted to the Local Planning Authority for approval prior to determination or secured in a condition such as below:

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.”

Contact Details: info@naturespaceuk.com

Relationship between NatureSpace and Eastleigh Borough Council

Eastleigh Borough 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), 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 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*”.