

Case Ref: F/25/99188	Date: 12/05/2025
From: NatureSpace	Response: Precautionary approach

This planning application is for Construction of 2No. semi-detached two bedroom retirement bungalows | Willow Mead, Wildern Lane, Hedge End, SO30 4RB

Summary

- The development falls within the 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 amber impact zone, there is suitable habitat and a high likelihood of great crested newt presence.
- There are 3 ponds within 500m of the development proposal with the closest being located 15m south. Please note that not all ponds may be shown on the map below.

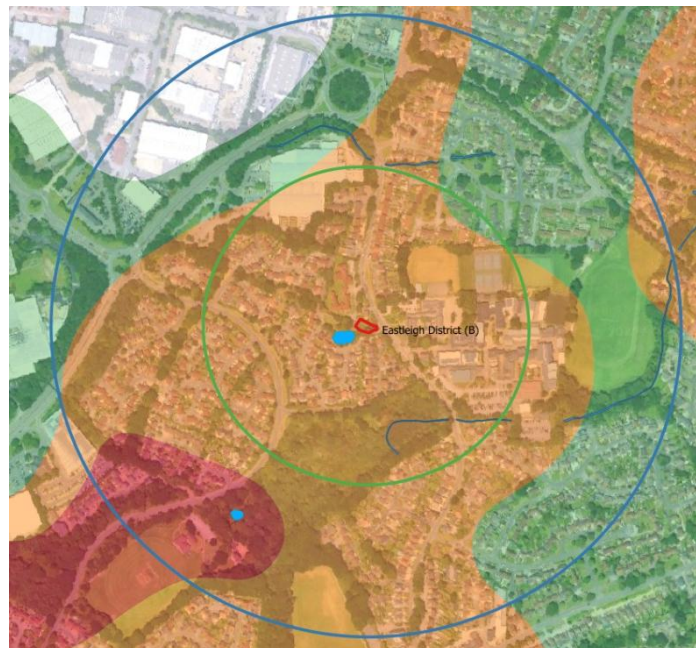


Figure above: Outline of the site (red) in the context of the surrounding landscape, including the Impact Risk Zones for great crested newts. Ponds are shown in light blue. A 250m buffer is shown around the site in green and a 500m buffer in blue. Contains public sector information licensed under the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

Ecological Information

The applicant has provided an Updated Ecological Report for LAND AT WILLOW MEAD, WILDERN, HEDGE END, (Aluco Ecology Ltd, March 2025). This report it states that:

- Ordnance Survey (OS) mapping and aerial photography was consulted for ponds within 500m of the scheme. Two waterbodies have been identified within 500m of the site. These are:
 - Merlin Gardens Pond. This pond is owned and managed by the Town Council and is present within 15m of the site, to the south west. The pond has been subject to

recent management and was assessed by the original ecological appraisal (So Ecology, 2023), including undertaking a Habitat Suitability Index (HSI), which assess the pond as being of poor quality for GCN. This was reviewed for the update assessment and is considered still valid. The isolated nature, recent management without licensing, and poor-quality potential in the HSI assessment suggests that GCN are unlikely to be present in the waterbody.

- Goodalls Pond, Wildern Nature Reserve LNR. This pond is c350m from the site to the south west. It was subject to GCN survey in 2019 with a negative result. At the time the pond was also scored poor quality in HSI assessment. Given this result, its relatively isolated nature, and the distance of the pond from the site, with fragmentation from urbanisation, and that there are more suitable terrestrial habitats around the pond, it is unlikely that amphibians from this pond would use habitats on site.
- On this basis it is considered unlikely that GCN would be present on site.
- Technical Appendix 4 Reptile & Amphibian and Other species Pre-Construction Ecological Method Statement contains precautionary working recommendations for the site.

The applicant has also provided a Great Crested Newt Survey Report, (*Aluco Ecology Ltd, May 2025*). To summarise the report:

- The ponds within 250m of the site were tested via eDNA in 2025 both of which returned a negative result.
- With the negative results of the eDNA survey, it is considered that there are no changes from the conclusions of the previous ecological reporting, with an absence of Great Crested Newts from the two waterbodies, and the impact assessment and mitigation for the scheme is therefore still valid. A mitigation method statement for protected and notable species is proposed prior to construction, and the site includes enhanced hedging along the northern boundary, as well as a Biodiversity Net Gain assessment and requirement to meet 10% gain in habitats.

Conclusion

I am satisfied with the ecological reports and agree with the conclusion of the Great Crested Newt Survey Report. A mitigation method statement for protected and notable species is proposed and that is considered appropriate for the likely low impacts of the works.

I recommend that a compliance condition be used to ensure the measures are complied with. The precautionary measures should be produced by a suitable qualified ecologist and submitted to the planning authority either before determination or after determination, if secured by a pre-commencement condition.

The application site lies within an amber impact zone as per the modelled district licence impact map, which indicates that there is highly suitable habitat for great crested newts within the area surrounding the application site. Therefore, I recommend the use of the following informative:

“The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this

legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.”

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 Partnership 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 Newt 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 (2021), 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, 2019) 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"*.