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A new licensing scheme for great crested newts

A developer's guide

'**District Licensing**' for great crested newts is a brand new system of licensing that provides developers with a quicker, cheaper and risk-free way of dealing with great crested newts when they are applying for planning permission.

Through **NatureSpace**, seven Local Planning Authorities in the South Midlands (see map) can now authorise development at the same time as granting planning permission. The new voluntary scheme will operate from February 2018 and is open to all developers. If you enter the scheme all your survey and mitigation needs are covered under the District Licence – giving you complete legal certainty and saving you time and money.

If you are applying for, or preparing to apply for, planning permission in the South Midlands, or would simply like to know more about District Licensing for great crested newts, see our website or contact Sarah Garratt on 07722 942709 or at sarah.garratt@naturespaceUK.com.



The current system

The current method of managing conflicts between newts and development is through two separate systems (planning permission and species licensing) that normally allows development to proceed only after extensive survey, mitigation and compensation measures have been done. The legal requirements can impose significant costs for building developers through delays, newt surveys (and waiting for newt surveys), and mitigation schemes (at an average cost of £250k each). The current approach to great crested newts is costly and time-consuming for developers, resource-intensive for planning authorities, and of little value to newts.

The new system

A new approach to protecting great crested newts was announced by Natural England in 2017 with three key changes:

- moving away from protection of individual animals at specific sites and towards protecting whole populations across the landscape
- delegating to Local Planning Authorities the ability to authorise both species licensing and planning permission *at the same time*
- replacing piecemeal actions by developers with an effective overall conservation strategy.

Under this new approach in the South Midlands all the work to survey for newts and create new habitat for newts is done in advance by NatureSpace, so developers can simply buy into the scheme with a fixed payment according to the calculated impact of their development on newts. The new approach offers complete certainty and significant savings for all forms of development that are likely to



encounter great crested newts, and an insurance plan even for those that aren't. The new system is quicker and cheaper for developers, more efficient and transparent for planning authorities, and delivers effective conservation for great crested newts.



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Is it mandatory?

No, the new system is entirely voluntary. If developers wish to, they can continue to commission their own newt surveys and apply to Natural England for their own individual newt licences.

How does it work?

Developers contact NatureSpace and pay for a certificate (or report) that they submit with their planning application. Any future impact that they have on newts is then covered under the 'District Licence'.

The charge to developers is proportionate to their likely impact on great crested newt populations, which depends on where the development is and how large it is.

Where the likely impacts on newts are low (especially in the white and green risk zones – 60% of the region - see map on back page), the developer will pay to NatureSpace a one-off charge and receive a certificate. This certificate means that no further actions are necessary with respect to great crested newts.

When the impacts of development are potentially higher (either because the development is large or because it is situated in a red or amber zone – see map), then the developer pays a standard fee to NatureSpace to analyse the specific details of the development. In many cases, this analysis will show that no further payments are necessary and the developer will simply submit the NatureSpace report alongside his planning application. In some cases though, where it is found that significant impact is likely, the developer will be required to make a second payment, and this must then be done at least 6 months prior to commencement of development.



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How do I get planning permission and what will it cost?

Simply submit the accredited NatureSpace certificate or report (which will have been registered with the LPA) to prove you have entered the District Licence scheme and apply for planning permission just as you normally would. There is nothing else you need to do to deal with any great crested newt issues.

Charges will vary according to the size of the development and its location. The table below shows the process and range of charges. For large developments in sensitive areas charges are capped at £90k*, but for most applications (i.e. developments of <10 houses in the white or green zones) the only cost is a fixed charge of £1k.

Whatever the appropriate charge is calculated to be, it is set out in advance, giving you complete certainty on all future costs relating to newts *before* you apply for planning permission.

Step	White zone (all) and Green zone (minor)	Green zone (major) and Amber & Red zones (all)
1	Developer contacts NatureSpace and pays standard first payment according to development size £1 - £10k.	
2	NatureSpace issue GCN certificate	NatureSpace run GCN metric, calculate impact and second payment level, and issue report
3	Developer submits certificate with planning application	Developer submits report with planning application
4	(If permission granted) LPA authorises developer under District Licence	(If permission granted) second payment conditioned
5		Developer makes second payment to NatureSpace (6 months before commencement) to discharge condition
		£0 - £90k*
6		LPA authorises developer under District Licence

* for exceptionally large applications in the red zone only, the level is uncapped

Do I have to do my own newt survey?

No, no newt surveys are necessary, which means the whole process can run at any time of the year and there are never any delays to



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your development – saving you time and money. Basic environmental information is required to allow the metric to be run and, in some cases, further information allows refinement of (a reduction in) the estimated impacts – so it is to your advantage to supply this information, usually through your environmental consultant, where it is available.

Do I then have to apply to Natural England after I get permission?

No. Provided your development proposal meets the requirements for the district licence scheme, the LPA can authorise your development under their own District Licence – you do not need to separately apply to Natural England.

What happens if I subsequently find newts?

Developers that have entered the scheme are covered by the District Licence – just as if they had applied for and secured a standard site-based licence under the existing system. No further mitigation action is required and any actions you take with respect to newts, as long as they comply with the planning permission and the licence conditions, are covered by the District Licence.

Do I have to do any newt mitigation or compensation on my development site?

In most cases, no. There may sometimes be mitigation requirements (e.g. timing restrictions, or a need to retain an area of particularly important habitat) but on-site requirements are invariably reduced.

How long do I need to pay for management and monitoring after my development has been completed?

You don't. There will be no long-term financial responsibilities or any other requirements for you. Economies of scale mean that the payment you make to the scheme will deliver all long-term monitoring and management, and this will be delivered by NatureSpace.



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Can I publicise my involvement in the scheme?

Yes, we would be pleased to help with a range of publicity material should developers wish to publicise their financial support of the South Midlands great crested newt conservation strategy.

Why is it only happening in the South Midlands?

District Licensing is being rolled out nationally over the next two years. Further regional schemes are expected in 2019.

The great crested newt map for the South Midlands

