



Cheshire
Wildlife Trust



ces ecology
consultant ecologists

Developer information note:

A new scheme for Great Crested Newt licensing in Cheshire

You may be aware that a new scheme for Great Crested Newt (GCN) mitigation has just been launched for Cheshire. It's called 'District Level Licensing' and it's now available for developments brought forward in the planning authority districts of Cheshire East and Cheshire West & Chester. National roll-out will take place over the coming years, however, Cheshire is second only to Kent in this innovative new scheme that's been developed by Natural England with input from CES' parent organisation, Cheshire Wildlife Trust.

The conventional route for licensed GCN mitigation will still remain available, however, Natural England's new scheme is set to provide greater benefits to developers and Great Crested Newts alike. That's because it's designed to work at landscape scale; allowing more compensatory habitat to be provided away from development sites, which will allow for more of the development site to be utilised without the delays associated with GCN survey and on-site mitigation. This new approach marks a step away from protecting the individual newt and focuses on providing greater benefits for the population at a county level.

The District Level Licensing approach has a number of major benefits these include:

1. No site specific GCN survey effort is required to inform GCN District Level Licensing.
2. A request can be submitted to Natural England to consider a proposed development site for inclusion under GCN District Level Licensing at a very early stage in the planning process (prior to any planning application being submitted).
3. Confirmation from Natural England that a proposed development can proceed under the GCN District Level Licensing approach will enable the Local Planning Authority to determine any planning application submitted that has implications for GCN.
4. As part of GCN District Level Licensing approach there is no requirement for the developer to implement onsite GCN mitigation measures i.e. there is no requirement to install newt fencing and no requirement to implement/deliver a 30, 60 or 90 day GCN trapping program.
5. As part of the GCN District Level Licensing approach there is no requirement for the developer to provide onsite habitat compensation areas or features specifically for GCN.
6. Natural England will detail, in their request response, the monetary sum that needs to be paid by the developer in order to appropriately compensate the impacted GCN population via offsite habitat provision. This sum will be arrived at using a standard metric that will be applied in a uniform manner to all proposed developments.

7. The offsite habitat compensation will be provided by the relevant habitat delivery agency (appointed by Natural England).

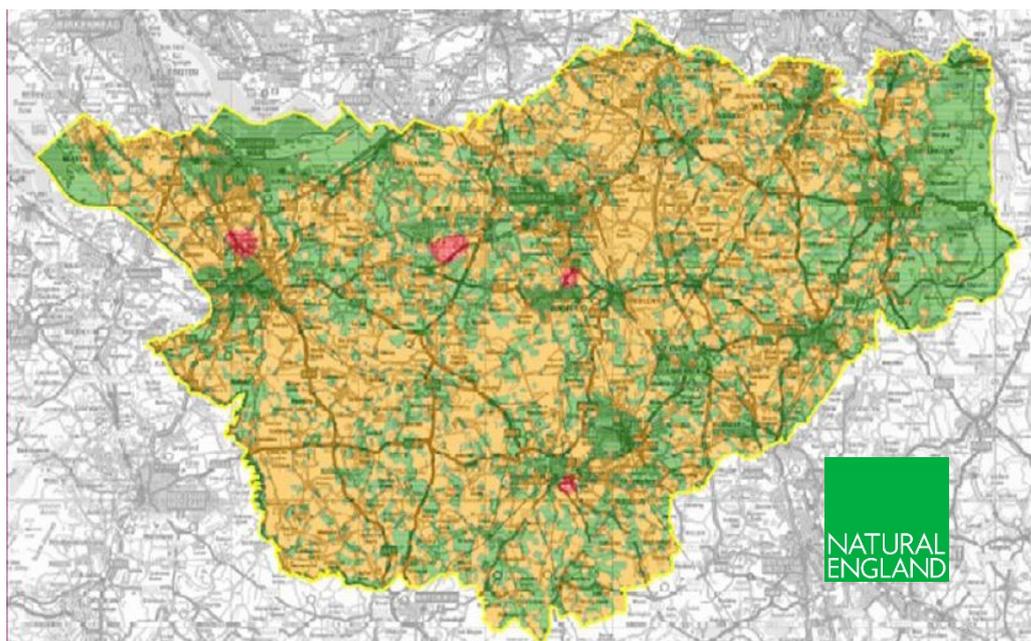
8. The developer will pay the monetary sum, detailed in the request response, directly to Natural England following the grant of planning permission and prior to the commencement of the proposed development works.

For developments entering into the new scheme, once a compensation payment has been paid to Natural England, a site-based licence will be issued to provide legal protection for the developer should any GCN be killed or injured at the development site, or their resting sites be destroyed – this is to be expected in some instances. If GCN are discovered during development works, then they may be captured by site workers and released at the edge of the site out of harm's way. When a site-based licence is issued, Natural England will encourage participating developers to follow best practice guidance for the protection of GCN, but there will be no legal requirement to capture or exclude newts from the site.

Separate to Natural England's duties in conserving the Great Crested Newt, the local planning authority may require ponds to be retained on-site (advised) and/or the implementation of non-licensed amphibian mitigation measures. However, these will not be onerous as they are not required to maintain the conservation status of GCN - this will be addressed by the developer's compensation payment and the habitat creation that it funds.

Around 85% of the compensation payment will be spent on habitat creation, management and monitoring. There will be no long-term liability for the developer once the compensation payment has been paid - all habitat creation, management and monitoring will be undertaken by Natural England's appointed delivery bodies. In Cheshire East, Cheshire Wildlife Trust has been appointed to act as the habitat delivery body.

Natural England has produced a GCN Risk Zone map for Cheshire, which consists of three risk zones: Green: where there is a low likelihood of GCN presence; Amber: where GCN are expected to be present, and; Red: where GCN populations of national importance are known to be present.



District Level Licensing will not be available in the Red Zones, which covers less than 1% of Cheshire across just 4 sites. Developments in the Amber Zone will typically pay a compensation rate twice as much compared to equivalent sites in the Green Zone because their impacts on GCN are predicted to be greater. The Amber Zone covers the majority of Cheshire and most of the county's ponds lie within this zone.

The scheme has been devised to deliver at least four new ponds for every occupied pond that is 'functionally lost' to GCN as a result of development. Indirect impacts on off-site ponds will also be factored in to the compensation payment.

There are in the region of 20,000 ponds in Cheshire and on average 1 in 3 are 'used' by GCN. Whilst development undoubtedly impacts upon GCN and their ponds, the main reason for the continued decline of this species nationally is the deterioration of neglected farmland ponds as they scrub over and dry out. The scheme aims to address this downward trend and compensate for development impacts on GCN by restoring farmland ponds and creating new ones at a rate greater than which they are lost to development. Participating landowners will receive an incentive payment and enter into an agreement to ensure that the compensatory ponds they help provide remain suitable for GCN for at least 25 years.

The developers' compensation payment to Natural England will be calculated according to a number of factors, including the Risk Zone in which the site lies, the number of ponds on and within 250m of the site, and if GCN survey data is available for the site and surrounding ponds. CES will be happy to advise our clients on the likely costs of entering into District Level Licensing before submitting a formal cost enquiry to Natural England, for which a fee of £800 will be charged. We expect that in most instances District Level Licensing will prove to be the most cost-effective in the long-term and will provide greater benefits for Cheshire's Great Crested Newt population.