

SODC comments on Eastfield House and Newts, 15th March 2023

Dear Councillor Dragonetti,

Thank you for your email.

As you note, the permission that was allowed on appeal in 2013 (P11/S0126) is being implemented. This permission and its associated conditions do not make reference to habitat protection for Great Crested Newt specifically, so there is no further input the LPA can have on this matter. There is no need for surveying to be undertaken to satisfy any conditions or other requirements of the planning permission.

As set out in the delegated report for the refused S73 application, were we to receive a new application we could request this information and would have a duty to have regard to potential impacts on protected species. However, given an existing permission is being implemented, we would not have a means by which to request this information.

Separately from the consideration given to impacts to protected species through the planning system, GCN benefit from protection under other legislation. David Choules at Urban Village Group, who I have been in contact with, has shared the attached GCN method statement prepared by their ecologist. David has advised that their ecologist has carried out an inspection of the site and that there are no suitable habitats for GCN. The method statement also makes use of Natural England's Risk Assessment Tool to assess whether the development poses a risk of adverse effects on GCN. This confirms that the proposals are unlikely to result in any adverse effects that would trigger an offence under the relevant legislation. This Assessment takes account of the presence of GCN within a pond at Oakfields, located approximately 350m east of the site. The method statement also sets out precautionary mitigation measures in order to safeguard GCN, and the actions to be taken in the unlikely event that any are found. In that scenario, as detailed in the method statement, works would need to stop and Natural England contacted for advice, including whether a European Protected Species licence would be necessary.

I trust the above is of assistance but please let me know if I can provide any further clarification.

Kind regards,

Senior Major Applications Officer
South Oxfordshire District Council and Vale of White District Council