NATURESPACE PARTNERSHIP

Waterbody impact avoidance measures for 'unimpacted' waterbodies

1. Introduction

This document relates to assessments of impact under the NatureSpace District Licensing Scheme for great crested newts. Specifically, this document focusses on avoidance of impacts to ponds and compliance with this document may be required as a condition of a planning permission.

2. Development impacts to waterbodies

An impact assessment may identify potential impacts to a pond (or other waterbody suitable for great crested newts) which are either direct or indirect, during site preparation, during the construction phase, post-development or otherwise as a result of temporary or permanent land-use change. Examples of indirect impacts to a pond can include the introduction of novel pressures such as an increase in pollution, lighting, or disturbance, which result in degradation of a pond's suitability for great crested newts.

This document outlines measures which must be followed to ensure that a development proposal avoids direct and indirect impacts to aquatic habitats, in line with the 'mitigation hierarchy'. The measures detailed here are intended to avoid impacts that occur through the most widely recognised impact pathways. Each project will be individually assessed by NatureSpace to ensure that potential impacts are fully considered and any additional measures to avoid these will be implemented on a case-by-case basis, and detailed in the NatureSpace Report/project Impact Plan.

To ensure that a pond will remain unimpacted during works that have otherwise been authorised under a great crested newt District Licence, compliance with this document can be secured through a condition attached to a planning permission. Section 4 of this document details the requirements.

3. District Licence pond definition

The District Licences include the following definition of a pond:

- any natural or man-made freshwater waterbody, including a ditch which holds standing or sustained slow-flowing water or a lake, with a surface area of between 25 m^2 and 2,000 m^2 (inclusive); or
- any natural or man-made freshwater waterbody, including a ditch with standing or slow-flowing water, with a surface area of less than 25 sq. metres but only where there is evidence of suitability of that waterbody for great crested newt or evidence of occupation of that waterbody by great crested newt; or
- any natural or man-made freshwater waterbody, including a ditch with standing or slow-flowing water and a lake, with a surface area of between 2,001 m^2 and 20,000 m^2 unless there is evidence of absence of occupation of that waterbody by great crested newt obtained in accordance with standard survey guidelines.

T: 01865 688307
E: info@naturespaceuk.com
© NatureSpace Partnership Limited 2025

4. Standard measures for avoiding impacts to ponds

Through the NatureSpace great crested newt District Licensing Scheme, impacts to great crested newt habitat (ponds and terrestrial habitat) are assessed and proportionately compensated for at the time of scheme entry.

Where ponds are assessed as 'unimpacted' by development proposals, the following standard avoidance measures (as detailed in sections 4.1-4.12) must be adhered to during site work and post-development. This is to prevent any impacts occurring to ponds marked as 'unimpacted' (or otherwise marked as 'impacts prohibited') on a NatureSpace District Licence Impact Plan[1]. Unimpacted habitats will be shown on the relevant project Impact Plan, and such areas are excluded from coverage under the authorisation to work under the District Licence. **Prior to planning determination, it is critical to ensure that any and all working areas, including areas for storage and access, are included within the Impact Plan's area of impact**.

These standard pond impact avoidance measures should be read alongside the NatureSpace Best Practice Principles which are recommended for works on all sites. For all works in red zones[2] compliance with the NatureSpace Great Crested Newt Mitigation Principles is mandatory under the District Licence.

4.1 Distance between works and the pond

In any cases where works are undertaken in close proximity to a pond, it is only possible to consider a pond as 'unimpacted' in certain special circumstances where compliance with sections 4.2-4.12 is secured and it is possible to demonstrate that such measures would avoid any impacts to the pond.

Any buffer zone in which works are excluded will be shown as an area where impacts are prohibited on the District Licence Impact Plan which will be conditioned as part of the planning permission. Such areas are excluded from coverage under the authorisation to work under the District Licence.

4.2 Physical impacts to ponds

Damaging and destructive works to a pond must be avoided and the pond must not be physically altered (except when required for positive conservation management – see below). Damage or alteration to the physical structure of a pond, or the construction of any structure within a pond or on its banks (including overhanging structures), are prohibited.

[1] NatureSpace has discretion to consider a pond 'unimpacted' in special cases where one or more of the standard avoidance measures may not be met, but we determine that there will be no material increase in pressure to that pond. Equally, NatureSpace has discretion to consider a pond 'impacted' where all standard avoidance measures are met, but we determine that a pond may be impacted.

[2] Mitigation requirements apply to all works in the red zone unless the development has been classified under the NatureSpace charging strategy as a 'Householder' or 'Low Impact Minor' development.

T: 01865 688307
E: info@naturespaceuk.com
© NatureSpace Partnership Limited 2025

Certain conservation activities which involve works to or within a pond may be undertaken as part of an approved plan to enhance the pond's condition for great crested newts. Such activities must be designed solely for conservation management purposes to improve the pond's suitability for great crested newts and must be supervised by, and follow advice from, a suitably qualified ecologist in great crested newt ecology. Conservation works must be undertaken during autumn/winter, avoiding the active period for great crested newts, and can often be undertaken without the need for a licence. A suitably experienced and licensed great crested newt ecologist should advise how to avoid damaging impacts, best practice measures and whether these works would require coverage of a great crested newt licence. For cases where the works would require coverage of a great crested newt licence (in order to permit activities that would otherwise constitute an offence), it would not be possible for the waterbody in question to be treated as 'unimpacted' in the District Licence impact assessment. Instead, it may be possible to consider enhancement of waterbodies in the District Licensing assessment, providing any such measures are supported by a Habitat Management and Monitoring Plan which includes management and monitoring for a minimum period of 25 years.

4.3 Pollution and drainage

There must be no novel discharge of foul water or potentially polluted surface water entering a pond as a result of the development, or during development works. Common pollutant sources (among other potential sources) that must not be allowed to enter a pond or its immediate surroundings include fuel or oil from vehicles, unsealed storage or dispersal of agricultural materials (such as chemicals, manure or fertiliser), domestic water drainage, suspended solids, runoff from roads and driveways (e.g., salt), or pollution by any other chemicals.

Drainage plans which secure the above design elements must be implemented fully in the development proposal, including long term maintenance of any such mitigation.

4.4 Dust, debris, and litter

The proposed development must not result in any novel sources of dust, debris or litter which may enter or otherwise affect a pond.

Any dust created during construction or demolition works should be prevented from entering or affecting a pond. Methods to prevent dust affecting ponds need to be implemented and may involve erection of a screening or usage of suitable dust suppression devices. Any measures designed to avoid dust must include proposals to prevent any load carried in surface runoff from entering the pond.

Any demolition works near to a pond must be undertaken using a soft approach, where possible, or otherwise measures must be implemented to avoid any dust and debris entering, damaging or otherwise affecting a pond.

T: 01865 688307
E: info@naturespaceuk.com
© NatureSpace Partnership Limited 2025

4.5 Lighting

A pond must not be impacted by any increase in lighting either during or post development. There must be no new or increased lighting directed towards the pond or the surrounding vegetation.

4.6 Disturbance from people and/or animals

A pond must not be subject to any additional disturbance from vehicles, people or domestic animals/livestock, during or post development. For example, the following must be avoided:

- additional access or proximate footfall
- additional proximate vehicular traffic
- additional access by pets or farm animals (unless the latter is agreed under a conservation management plan for great crested newts)
- encouragement of ducks or other waterfowl
- introduction of invasive species of plant or animal
- introduction of fish

4.7 Impacts to connectivity

There must be no reduction in connectivity with the wider landscape or surrounding ponds as part of the development.

Reduction in connectivity could include removal or fragmentation of suitable connective habitat (or reduction in suitability of that habitat to support great crested newts) and/or the introduction of novel barriers to movement.

4.8 Impacts to terrestrial habitat immediately surrounding the pond

There must be no significant loss, or reduction in quality, of the terrestrial habitat immediately surrounding the pond as a result of the development.

Any impacts to the terrestrial habitat immediately surrounding the pond must not result in an increased risk of mortality to great crested newts.

Terrestrial habitat impacts permitted or otherwise prohibited under the District Licence will be delimited on the relevant project Impact Plan, which will be conditioned as part of the planning permission.

4.9 Shading by development

The proposed development must not result in increased shading of a pond which would result in a reduction of the pond's suitability for great crested newts.

T: 01865 688307
E: info@naturespaceuk.com
© NatureSpace Partnership Limited 2025

4.10 Mortality on roads

There must be no significant increase in the length/width or traffic usage of roads which are proximate to a pond, as this would be likely to result in increased mortality rates on any great crested newt population utilizing the pond.

4.11 Change of use

Development proposals must not subject a pond to a change of use. For example, a pond on agricultural land which is proposed for residential development cannot be considered unimpacted.

4.12 Water table impacts

There should be no adverse changes to the water table that would substantially alter the hydroperiod of a pond such that the pond becomes less suitable for great crested newts. This could include development resulting in a lower water table, causing ponds to dry earlier and more frequently, or conversely, a higher water table, whereby ponds may become more permanent.

© NatureSpace Partnership Limited 2025. This work is the copyright of NatureSpace Partnership Limited and is not to be reproduced, edited, modified or used for any purposes other than the purposes of this application.

T: 01865 688307
E: info@naturespaceuk.com
© NatureSpace Partnership Limited 2025