

Reasonable Avoidance Measures

Lady Margarets Park Caravan and Motorhome Site
Chirk
Wrexham

Project details

“Extension of existing caravan site consisting of caravan pitches with tarmac road, glamping units, safari tents, car park, linen storage shed and paths linking to units.”

Planning permission was approved under reference P/2022/0066 on 16 October 2023 and subsequently amended under s.96a under reference P/2023/0836 on 24 January 2024. This document is submitted in support of an application to discharge condition 6 of permission P/2022/0066. The condition is worded as follows:

“No part of the development shall commence until details of the proposed Reasonable Avoidance Measures (RAMs) have been submitted to and approved in writing by the Local Planning Authority. The details shall include the following:

- a) Details of a tool box talk on the identification and ecology of great crested newts to be made available to all construction staff employed on the project;*
- b) Details of an artificial amphibian hibernacula to be constructed adjacent to the site (Details of the design can be found in great crested newt mitigation guidelines - August 2001);*
- c) Details of a walk over survey of the site prior to commencement of development, and a destructive search (under the supervision of a licensed great crested newt handler) made of any potential great crested newt habitat (such as rubble piles or sheet materials that are on the site) on the site. Any amphibians found should be relocated to the artificial hibernacula;*
- d) Details of storage of material on pallets off the ground, and bulk materials which are to be delivered on site and used within the day of delivery.*
- e) Confirmation that excavated trenches will be covered over at the end of each working day with plywood and the edges sealed with sand or soil. Trenches are to be checked each morning for any amphibians. Any amphibians located are to be moved to the artificial hibernacula.*

The development shall be carried out in strict accordance with the RAMs as are approved.”

Background

Great Crested Newts (GCN) are a European Protected Species (EPS) and they and their habitats are fully protected under national (Wildlife & Countryside Act 1981 (as amended)) and European law (The Habitats and Species Regulations 2010 (as amended)).

The combined legislation makes it illegal to:

- Intentionally or deliberately capture, kill or injure a great crested newt;
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- Intentionally or recklessly damage, destroy or obstruct access to any place used for shelter and protection including resting and breeding places, whether occupied or not;
- Deliberately, intentionally or recklessly disturb a great crested newt when in a place of shelter;
- Possess a great crested newt, or any part of it, unless acquired lawfully; or
- Sell, barter, exchange or transport or offer for sale great crested newts or parts of them.

It should be noted that the following RAMs outlined in this Method Statement does not waive or derogate any of the offences under the Habitat Regulations, should an offence be committed. The aim of this Method Statement is to reduce the risk of an offence occurring to an 'acceptable' level by the implementation of reasonable steps.

The Preliminary Ecological Appraisal (CSA, September 2021) submitted as part of the planning application, noted a total of 23 records of five amphibian species within the search area, including the GCN. The closest records were at a woodland pond associated with Chirk Castle, located c.300m west of the Site, across woodland and the existing Caravan and Motorhome Park.

The report concluded that "Whilst habitats on-site superficially appear suitable to support great crested newts in their terrestrial phase, they would have to disperse across optimal woodland habitat, and hardstanding areas associated with the existing Caravan and Motorhome Club site to reach on-site habitats. As such it is considered unlikely they will be present on-site."

While it is unlikely that GCN would be present on site, the site's value may increase throughout the construction phase due to the presence of new features more 'attractive' to GCN, such as rubble piles, open excavations, stores of equipment or materials etc. Because of this, the measures below will be adhered to in order to minimise the chances of any individual GCN being killed or injured during the development.

Condition

a) Details of a tool box talk on the identification and ecology of great crested newts to be made available to all construction staff employed on the project

A copy of the tool box talk is submitted as part of this application. Before works commence and as part of their induction, the works manager and key construction staff and contractors will be given the toolbox talk, to make them aware of the possible presence of GCN, how to identify the species and the avoidance measures to be used on site.

A paper copy of the avoidance measures will be retained on site together with the contact details of the GCN licensed ecologist.

b) Details of an artificial amphibian hibernacula to be constructed adjacent to the site (Details of the design can be found in great crested newt mitigation guidelines - August 2001);

Please see 'Great Crested Newt Artificial Refugia Creation Note', (CSA, March 2024).

c) Details of a walk over survey of the site prior to commencement of development, and a destructive search (under the supervision of a licensed great crested newt handler) made of any potential great crested newt habitat (such as rubble piles or sheet materials that are on the site) on the site. Any amphibians found should be relocated to the artificial hibernacula;

Prior to the commencement of works the working area of the proposal is subject to a search by an appropriately licensed ecologist. The licence in this instance is one issued by NRW under the provision of Regulation 55 (2) (a) of the Conservation of Habitats and Species Regulations 2017 (as amended) [The Habitats Regulations].

In the unlikely event of one or more Great Crested Newts being found, all works shall immediately stop. Works must only resume on receipt of the appropriate licence issued by NRW under the provisions of Regulation 55 (2) (e) of the Habitats Regulations.

Prior to commencement of works on site, a walk oversite survey will also be carried out. If potential GCN habitats are identified, a destructive search will be carried out with a licensed GCN handler. If any amphibians are found, the licensed GCN handler will relocate them to the artificial hibernacula.

The licensed GCN handler's contact details will be held at the site office, for use in the unlikely event that any GCN's are discovered during the works.

d) Details of storage of material on pallets off the ground, and bulk materials which are to be delivered on site and used within the day of delivery.

Wherever practical, materials due to be stored on the ground will instead be stored in skips, on lorries, on pallets or raised off the ground via another method.

Where off-ground storage is not feasible (e.g. because of large volumes), materials will be stored on site for the minimum amount of time possible. Wherever possible/practical, materials will also be placed on sheeting (e.g. geotextile, tarpaulin, plastic or hessian) with an overlap along the margins.

Deliveries of bulk materials (such as topsoil or bunding) to the site, will be used during daylight hours only, on the day of delivery.

If materials are to be transported on site, they will be lifted rather than dragged during the period when GCN activity/hibernation is feasible (before 15 March or after 15 June).

During the period when GCN might be active on the site (typically between March and October), all construction activities carrying a risk of harm will be done during daylight hours only.

If there is unseasonably warm, wet weather, the chances of GCN using the site will increase and extra precautions may be necessary.

Any waste materials arising from construction works are to be removed from site or stored above ground as soon as possible.

e) Confirmation that excavated trenches will be covered over at the end of each working day with plywood and the edges sealed with sand or soil. Trenches are to be checked each morning for any amphibians. Any amphibians located are to be moved to the artificial hibernacula.

Any excavated trenches or other hole in the ground with the capacity to trap newts will either be back filled or covered over before darkness. If covering over, plywood will be used and the edges will be sealed with sand or soil. Alternatively, a gently sloping ramp will be created to allow newts to climb out.

Every morning, any trenches will be checked for amphibians. Should any be found, they will be reported to the licenced GCN handler who will move them to the artificial hibernacula.

