

Great Crested Newt mitigation strategy

Land at Tresaith, Plas Bennion Road, Ruabon, Wrexham LL14 1TP | prepared by Mr Robert Thorne of Churton Ecology on 04/07/22

Background

Churton Ecology was instructed by Craig Paddock to carry out an Ecological Impact Assessment of land at Tresaith, Plas Bennion Road, Ruabon, Wrexham LL14 1TP (SJ28696.44251) in June 2022.

The report identified one potential breeding habitat within 250m of the site. The report concluded that: 'the site i) is small ii) supports poor terrestrial habitat iii) is located a significant distance from a pond that is considered unlikely to support Great Crested Newts – with no eggs noted or animals netted and iv) is isolated from the site by a stream. Furthermore, there are no significant areas of suitable terrestrial habitat, or potential breeding habitats, to the north which might otherwise encourage trans-site migrations'.

It is not the intention of the report to suggest that netting a pond and carrying out an egg search is an appropriate substitute for a full presence/absence survey but it does add some additional weight to the assessment of the pond's potential suitability. There is certainly a correlation between the number of egg folds observed in a pond and the size of a population. The fact that no egg folds were noted does not prove species absence but it does indicate that if present, numbers would be low and this is consistent with the pond's poor breeding habitat suitability status.

Even if a detailed survey was carried out and Great Crested Newt was found to be present (in any number) then the impact assessment provided within the EcIA would essentially remain the same i.e. no licensable activity can be reasonably predicted (capture and exclusion of this site would be pointless and disproportionate to the type and scale of development proposed). This is largely due to the nature of the development - including its short construction period - and the fact that it would not result in the loss of any sheltering/resting habitat. Since the pond is also isolated from the site (by a stream) it would also be reasonable to conclude that the site would not be of intrinsic foraging value to any population present.

As a precaution it should be appropriate to follow a non-licensed method statement instead, although this would be subject to NRW approval. This has been outlined below.

Mitigation strategy

Reasonable Avoidance Measures (RAMs) will aim to reduce the potential for impacts (aiding legal compliance) by regulating the storage of building materials and minimising opportunities for animal disturbance, capture and harm. Provided entrapped animals can quickly escape unaided there should be little potential for (deliberate) capture, or any need for subsequent handling or transportation and release (an offence without a mitigation licence). Additionally the level of disturbance incurred by the fall and escape might be equal to that which an animal might occasionally experience in its wild or natural habitat (i.e. falling into a dry ditch and climbing out).

To ensure compliance with the method statement a suitably qualified and licenced ecologist will be appointed to the project to ensure that all required checks and contractor briefings are made at the appropriate times during the construction phase.

The following working methods will be adhered to for the full duration of the construction and pre-construction phases:

- The ground-works period will be carefully planned to run in a quick and orderly succession with the absolute minimum of delays incurred.
- The field will continue to be grazed right up until the development commences.
- No spoil or other materials will be pushed into more suitable fringe habitats and there will be no associated damage to these areas (through the manoeuvring of heavy machinery etc.).
- Excavated spoil must be removed, backfilled, sealed or compacted before nightfall in its permanent location wherever possible.
- Trenches and pits will be opened, closed and/or backfilled during the same day wherever possible. Where this is not possible any loose soil lining the trench or pit base will be sealed before nightfall and provided with shallow sloping ramps to allow any trapped amphibians a means of escape.
- Where excavations are to remain open for longer periods of time the trench lip will be rebated and a covering board slotted in so that this lies flush at ground level. Once complete the board edges will be covered with a single course of sand bags.
- Construction materials provide objects under which migrating newts can shelter, particularly if stockpiled for extended periods of time. Therefore, materials will be stored on i) raised palettes or timber bearers ii) in trailers, skips or raised containers iii) in raised tonne bags or tarpaulins folded up and secured around the edges.

- All excavations will be searched by a suitably trained and appointed member of construction personnel prior to any infilling operations.
- If any newt is encountered then works must cease immediately and a licenced ecologist will be contacted to identify the species present. If it is confirmed that a Great Crested Newt has been encountered, then there is a legal requirement for the works to cease and Natural Resources Wales (NRW) will need to be notified.

A photographic and written audit of all these stages is **recommended** in the event that the site is inspected by the LPA, NRW or the Police.