



9 SHERBOURNE AVENUE;

REASONABLE AVOIDANCE METHOD STATEMENT FOR GREAT CRESTED NEWTS

DATE	ECOLOGIST	APPROVED	VERSION	COMMENTS
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Report Ref EE.1156.22.B.KW

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1.0 Introduction

- 1.1 Enfys Ecology Limited were commissioned by homeowner Jenni Pratt, to produce an Ecological Risk Assessment and Method Statement with regards to great crested newts (GCN) (*Triturus cristatus*) along with a Preliminary Roost Assessment (PRA) for bats and a Nesting Bird survey (provided as a separate report, see Enfys Ecology, 2022) in regards to proposed works at 9 Sherbourne Avenue, Bradley, Wrexham, LL11 4AZ. The site is located at Grid reference SJ 32456 53648.
- 1.2 This document includes an ecological risk assessment to assess the potential for disturbance or harming GCN during the works, and a suitable Method Statement (MS) to be implemented during the works to mitigate for any potential harm identified.
- 1.3 The proposed works involve the conversion of an existing bungalow into a two-storey passive-house through internal alterations and external extensions of the current building footprint. The works will require the removal of some sparse vegetation that has established on areas of hard standing and gravel, and the removal of some rubble piles; no significant vegetation removal is proposed. Machinery and construction workers will need to access the site via an area of gravel and hardstanding, and materials will be stored within the site.
- 1.4 A site visit was carried out by Enfys Ecology in July 2022, as well a desk study examining local ecological records held for the area by Cofnod. The habitats within the proposed works area were considered to have some limited suitability for GCN. However, due to the more suitable habitat adjacent to the site, and the relative lack of suitable habitat at the site of the works, there is a lower risk of GCN populations being impacted by the works. There is a risk of individuals and other amphibian species being present however, therefore works will be carried out under a Reasonable Avoidance Method Statement (RAMS) for amphibians, including GCN. This document sets out suitable procedures to be followed during the works.

2.0 Legislation

- 2.1 Great crested newts (GCNs) and their habitat are fully protected under both United Kingdom and European Union legislation, including the Wildlife and Countryside Act (WCA) 1981 (as amended), the Countryside and Rights of Way Act (CROW) 2000 and The Conservation of Habitats and Species Regulations 2017 (as amended).
- 2.2 It is an offence to kill, injure or disturb GCNs, or to destroy any place used for rest or shelter by a newt. The GCN is listed on Appendix II of the Bern Convention on the Conservation of European Wildlife and Natural Habitats, and is also listed on Annexe II and Annexe IV of the EC Habitats Directive.
- 2.3 Common amphibian species (including common frog, common toad, and smooth and palmate newts) have lesser legal protection, under Schedule 5, Section 9 (5) of the WCA 1981

(as amended) and the CRow Act 2000, these animals are protected from sale, or transportation for sale.

3.0 Ecological Risk Assessment - Amphibians

3.1. A site visit was carried out by Enfys Ecology on 19th July 2022, by Keymar Wake and Ashley Payne (accredited agents on NRW GCN licence S087736/1) to assess the habitats and suitability of the site for amphibians, including GCN.

3.2 *Site Description*

3.2.1 The area proposed for works comprised a single-storey bungalow surrounded by a garden of hard-standing, gravel and rubble, with ephemeral vegetation establishing (see Figure 3.1). The site was bordered by a dense mixed species hedgerow to the east, comprising primarily of hawthorn, holly, blackthorn, and sycamore. The hedgerow was sat atop a raised area of gravel and concrete steps, and bare earth in places (Photo 3.1a). The area to the south west of the site (the front garden) comprised a drive way of hard standing (Photo 3.1b), and a garden of bare earth, concrete path and piles of rubble from ongoing internal works (Photo 3.2a). There was a short ivy and bramble dominated hedgerow along the western boundary of the front garden and evidence of previous ornamental planting. The area to the north east of the site (the rear garden) comprised gravel and concrete slabs, with ephemeral/short perennial vegetation beginning to establish, such as ragwort, nettles, dock sp. (Photo 3.2b).

3.2.2 The site was immediately surrounded by other residential buildings and gardens to the north, west and south, and pasture fields to the east. There was a block of woodland less than 100m to the south of the site, connected by the boundary hedgerow, and a pond 100m south east in the neighbouring pasture field. There were scattered trees and hedgerows within the surrounding gardens and along road sides which joined the block of woodland to the south, and further woodland to the north west of the site.



FIGURE 3.1: LOCATION OF WORKS AREA (RED).
BASE IMAGE ©GOOGLE EARTH 2022



PHOTO 3.1: A) RAISED HEDGEROW ALONG EASTERN BOUNDARY; B) AREA TO SOUTH OF SITE



PHOTO 3.2: A) FRONT GARDEN; B) REAR GARDEN

3.2.3 There were no ponds or water bodies within the site itself. There were three ponds within 500m of the works area (see Figure 3.3); the closest being approximately 100m south east in the neighbouring field, with another pond a further 400m south in the next adjacent field.

There was some connectivity to the works area from the nearest pond along the hedge but connectivity to the further pond south was limited due to the surrounding exposed pasture fields. The third pond was marginally closer at 430m away, but it was separated from the site by the busy Llay New Road.



FIGURE 3.3: WORKS AREA (RED) IN RELATION TO ALL PONDS WITHIN 500M (BLUE)
BASE IMAGE ©GOOGLE EARTH 2022

3.3 Designated Sites and Data Search

- 3.3.1 There were no statutory or non-statutory designated sites for GCN within 1km of the proposed works area. There were three Wildlife Sites (WS) and a Local Nature Reserve (LNR) within 1km; the closest being the Woodlands and Fishpond Wood WS, less than 150m to the south and west of the survey area, designated for its wetland habitats (GCN are not listed as a feature).
- 3.3.2 The Cofnod Data Search showed no records of GCN (or any other amphibians) within the site itself, or within the closest pond to the site, but there were a number of GCN records within 1km of the site (see Figure 3.4). The closest records were from the pond 500m south of the site, from 1992, whereby the presence of the species was recorded, but there no details regarding numbers recorded. The majority of records were from surveys carried out between 1996 and 2021, at two ponds off Mold Road, approx. 900m to the south of the works area; the numbers recorded ranged over the surveys from an individual GCN, to over 40 adults. The numbers of GCN recorded (between 6 and 60 individuals) suggested a medium sized population of GCN using these ponds.



FIGURE 3.4: WORKS AREA (BLACK AND WHITE SQUARE) IN RELATION TO THE DISTRIBUTION OF GCN RECORDS (BROWN CIRCLES) IMAGE ©COFNOD

3.4 Proposed Works

- 3.4.1 The proposed works comprise the complete conversion and replacement of the existing bungalow and creating a larger two-storey dormer bungalow, that will act as a passive-house. The footprint of the converted building will extend further than the existing, onto the hard standing and gravel within the garden. The access route to the works area will be via the concrete drive to the south. The only vegetation proposed for removal as part of the works is the ornamental planning and ephemeral/short perennial colonies within the gravel. The rubble piles within the southern/front garden will need to be removed as part of the works, as well as the excavation of some ground for new foundations. The existing hedgerow boundaries are not proposed to be removed as part of the works but the plans show them to be in very close proximity to the works area, so they may be impacted. There is no current start date for the works and it will be dependent on the granting of planning permission. The proposed plan of the site is shown in Figure 3.5.

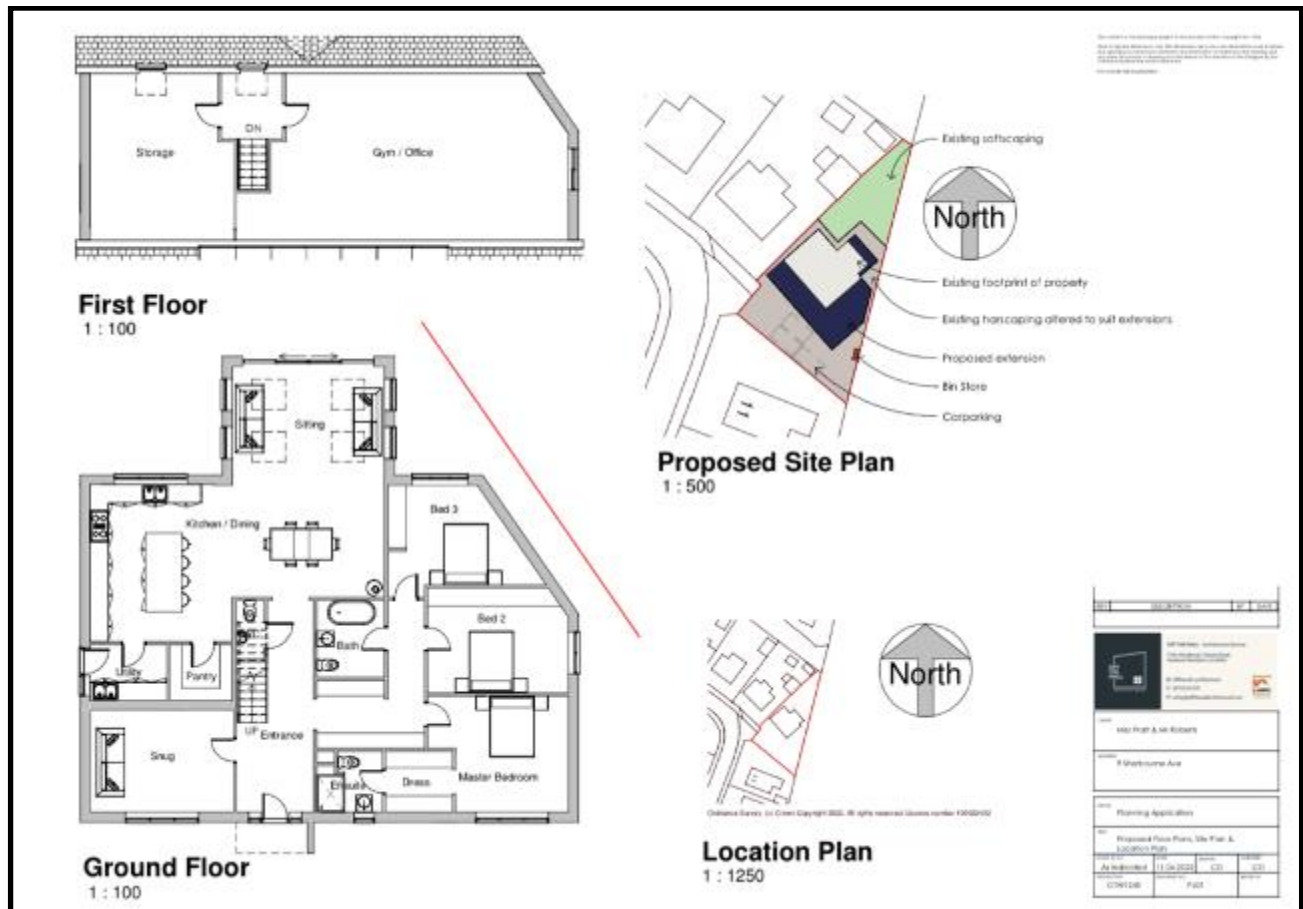


FIGURE 3.5: PROPOSED CONVERSION AND EXTENSIONS

BASE IMAGE ©OFF THE WALL ARCHITECTURE LTD

3.5 Risk Assessment – Amphibians

- 3.5.1 The area of the works is predominately hardstanding in the form of concrete and gravel. The only other habitat to be removed is some bare earth, ornamental planting and ephemeral/ short perennial species. There are some piles of rubble and building materials that will also be cleared. Due to the small size of the works area in relation to the area of more suitable surrounding habitat, the removal of the habitats within the site are not likely to negatively impact GCN and common amphibian populations within the area or affect the favourable conservation status of these species.
- 3.5.2 Most of the habitats within the works area are generally unsuitable for amphibians, including GCN, to shelter and forage within as the sparse vegetation within the gravel provides little cover and hard-standing is unsuitable. However, the areas around the adjacent hedgerows, and the piles of building materials present could provide suitable areas for sheltering/ hibernating amphibians. The proximity of ponds, coupled with known GCN record locations suggest it is likely that GCN and common amphibians could visit the areas adjacent to, and potentially be present within, the proposed working area.

- 3.5.3 Due to the above, the risk to individual GCN and common amphibians from the intended rubble clearance and excavation works is considered **low without mitigation**. It is concluded that to minimise risk to GCN and common amphibian species, a Reasonable Avoidance Method Statement (RAMS) must be followed at all times by all staff and contractors on site for the duration of the works period. By following these procedures, the risk of harming GCN and common amphibians during the works will be minimised. **If, at any point, GCN are discovered during the works, all works must stop** and may only resume under EPS derogation license issued by NRW under Regulation 55 of the Conservation of Habitats and Species Regulations 2017 (as amended).
- 3.6 As GCN and common amphibians are potentially present on the site, works should be restricted to the time of year which is least likely to have an impact on the species. All amphibians hibernate over winter, and so no vegetation or building material piles removal, ground breaking or destructive works should be carried out during this time period as any amphibians' present will be in a state of torpor and are unlikely to survive disturbance, or move away from danger by themselves. Overnight temperatures must be above 5°C for 5 nights prior to the work and forecast to remain so for 5 nights after (Froglife, 2001). If any newts are found at a time when overnight temperatures are above 5°C, they are likely to be active. In order to avoid hibernating amphibians, any of the works listed above would ideally be carried out between the end of February and October, as the temperatures should be agreeable during this period (though some monitoring of temperatures may need to be carried out between February and March). As the proposed plans do not currently include the removal of any vegetation suitable for nesting birds (such as the hedgerows), there are no timing constraints with regards to the nesting bird season and works can be carried out during the summer months. If it is necessary to remove any taller vegetation as part of the works then RAMs for nesting birds should be followed and are detailed below.

4.0 Reasonable Avoidance Method Statement

4.1 *Prior to Works*

- 4.1.1 Before works commence a tool box talk (TBT) will be given to all contractors involved in the works; this will outline the species of concern, how to identify them and how to proceed if they are found. It will also outline the working method that is detailed in this document. A log will be signed by all contractors who attend the TBT.
- 4.1.2 The proposed access route follows the driveway and over an area of hard standing and gravel within the garden, which is considered unsuitable for GCN and common amphibians, so no specific working method is required for this area. General Reasonable Avoidance Measures (see Chapter 5) should be followed at all times.

4.2 *Vegetation / Rubble Clearance*

- 4.2.1 If any removal of the hedges is required, it will be carried out either towards the end of February/ beginning of March, or October, in order to avoid the nesting bird season and any hibernating amphibians. If it is necessary to clear any trees or hedges between March – October, a nesting bird check will be required by a qualified ecologist no more than 48 hours before works commence. If birds are found nesting within the vegetation to be cleared then all works must be postponed until the chicks have fledged.
- 4.2.2 The rubble, vegetation and any concrete paving slabs that are required to be moved, will ideally be done so between February - October (in agreeable temperatures, see Section 3.6) and under the supervision of an ecologist, to avoid hibernating amphibians. As the risk to GCN and common amphibians is low, if it is absolutely necessary to carry out these works during the winter months, the ecologist will complete an inspection and search prior to works starting and then be present throughout. If a common amphibian is found hibernating then all works will be postponed until the temperatures increase. If a GCN is found at any point, all works will be postponed until a licence is obtained from NRW.

4.3 *Excavation*

- 4.3.1 Any excavation or breaking of ground required for the extension will be carried out only after the rubble and vegetation has been cleared, left for a minimum of 48 hours, and following a walkover check of the area by an ecologist, to ensure any animals have left the area. If any common amphibians are found then works will cease until the animal has been moved to safety. If GCN are found then works will stop until a licence from NRW has been obtained. The excavations can then be carried out without supervision once the walkover confirms no GCN or amphibians are within the works area.
- 4.3.2 Only the proposed access route over the drive and gravel garden will be used by any machinery; machinery will not be driven over any other areas or habitats within the site.
- 4.3.3 If the raised bank along the hedgerow needs to be excavated or reduced as part of the works, these works will be supervised by an ecologist and carried out when during the active GCN season (end February – October in agreeable temperatures).
- 4.3.3 All materials that are excavated will be removed from site immediately or stored in skips to prevent any amphibians taking refuge within the spoil piles.
- 4.3.4 Should it be necessary to have any excavations left open, these excavations should be securely covered overnight. These excavations must be thoroughly checked prior to back filling, or if leaving them open is unavoidable, a suitable ramp (such as a plank or batter) must be provided to allow animals to escape. All excavations will be inspected by the ecologist on site, or a competent person, at the start of each day to ensure no animals are trapped with them. Common amphibians can be moved to safety with gloves; if a GCN is found all works must stop and the ecologist called.

4.4 *Storage of Materials*

- 4.4.1 All spoil from any excavations and rubble should be removed from the works area immediately. If these materials have to be retained on site overnight they will be stored in skips to prevent amphibians using any piles for refuge.
- 4.4.2 Any materials for the construction of the new build will be stored on hard standing outside of the works area; or on raised pallets, off the ground. No materials will be stored next to the boundary hedges.
- 4.4.3 All materials, skips and pallets will be only situated on hard standing, or within the works area where the vegetation and rubble has been cleared; no materials will be stored on the periphery of the works area if the vegetation/ rubble has not been removed prior.

5.0 General Reasonable Avoidance Measures

- 5.1 General RAMs are to be followed at all stages of the works in addition to the site specific method statements included in this report.
 - A tool box talk will be carried out to all construction workers involved, prior to works commencing. A log of attendance will be kept.
 - Working areas should be kept to the minimum required.
 - Works should be avoided within 1 hour of dawn and dusk where possible to avoid disturbance to nocturnal animals. If works outside this time are needed, all lighting should be directional and be directed away from the boundary hedge and adjacent field.
 - Should it be necessary to have any excavation left open, these excavations should be securely covered overnight. These excavations must be thoroughly checked prior to back filling, or if leaving them open is unavoidable, a suitable ramp (such as a plank or batter) must be provided to allow animals to escape.
 - Trenches must be checked each morning (by site operatives) prior to works commencing to ensure that small mammals/reptiles etc. are not present.
 - Storage of fuel must follow best practice. Potential pollutants should be restricted to site compounds and hardstanding areas. A waste management plan will be followed to prevent any run off of pollutants into any nearby water courses.
 - All materials brought onto site are to be stored on hard standing, or the amenity grassland. Materials will be stored on raised pallets or bagged, to prevent amphibians (or other wildlife) from taking refuge beneath them.

- If at any point in the works an amphibian or reptile is found within the works area all works in the vicinity of the sighting must immediately cease. Common amphibians should be moved from the working area by site workers (wearing gloves) and placed in a nearby hedgerow. Reptiles will usually retreat to a safe area of their own accord.
- Any terrestrial mammals seen must be allowed to leave the area on their own. If this is not possible e.g. the animal is injured or trapped then an ecologist must be called.

5.2 *If GCN are discovered during works*

If at any point in the works GCNs are encountered on site, **all works must immediately cease**. If the ecologist is not already present they should be called immediately.

6.0 Biosecurity Procedures

6.1 The following points are a summary of the biosecurity procedures, which must be followed at all times by all workers who visit the sites.

6.2 Prior to accessing the site, and before leaving:

- All footwear and outerwear must be cleaned to remove any organic material, for example leaves and soil, when entering and prior to leaving the site. Clean brushes are to be carried for this purpose.
- Following the removal of organic material all footwear must be sprayed or dipped in disinfectant (Virkon) until it runs off. See disinfection procedure, below.
- Mud and other organic material to be cleaned from vehicle tires, tracks, wheels and wheel arches prior to entering and leaving the site. This is especially important when working near water courses or accessing wet/marshy habitats.
- Vehicles will keep to established tracks. All vehicles not specifically required for the works – (i.e. any vehicle other than the 3-tonne machines) must be restricted to hardstanding areas of the site at all times.
- Storage of fuel must follow best working practise and machinery provided with drip trays, especially when refuelling. Refuelling and storage of potential pollutants should be restricted to the nearby roads and hardstanding areas, well away from the ditches and field drains, so that runoff can be prevented from entering the watercourse.
- Clean and disinfect tools and equipment before accessing site.

6.3 Disinfection Procedure:

1. Brush off all debris, plant fragments, and all organic material e.g. soil.
2. Rinse with water.
3. Disinfect by spraying with a solution of Virkon disinfectant, (10mg/ml or as printed instructions, if for example using tablets) until the spray runs off. Boots should be stood in a bucket or other container of solution, especially prior to entering and leaving the site. Wheel arches, tyres and tracks to be cleaned and sprayed. Ensure as much mud as possible is removed and good coverage obtained.
4. Spraying should take place away from vegetation.
5. Leave for at least 1 minute.
6. Rinse with clean water, brought to site for this purpose.

- 6.4 Virkon solution should ideally be kept and flushed into a sink, or drain with water. If on site disposal is required the solution should be disposed of on a large hardstanding area away from vegetation.

7.0 References

Amphibian and Reptile Conservation UK (ARG-UK). (2008). 'Amphibian Disease Precautions: a guide for UK fieldworkers'. Version 1, February 2008. Amphibian and Reptile Conservation UK. See publications section of www.arguk.org.

Countryside Council for Wales. (2010). '1422901 EC New Pilot - Great Crested Newts in the UK (Wales contribution)'.

Enfys Ecology. (2022). '9 Sherbourne Avenue – Bat and Nesting Bird Surveys'. A report for Jenni Pratt, Report Ref: EE.1156.22.A.KW, October 2022.

English Nature. (2001). *Great Crested Newt Mitigation Guidelines*. English Nature.

Lanton, T., Beckett, C. & Foster, J. (2001). *Great Crested Newt Conservation Handbook*. Froglife, Halesworth, Suffolk.