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GREAT CRESTED NEWT REASONABLE

AVOIDANCE SCHEME

PROSERVE

WREXHAM INDUSTRIAL ESTATE

WREXHAM

For Proserve

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Introduction

Planning approval has been applied for in respect of an existing building extension with a new turning/parking area. The construction will take place on an existing site within the main industrial estate. The extension will be constructed at the rear of the site where ground clearance works have already been undertaken. The site was visited in February 2016 as part of a general habitat survey.

Natural Resource Wales (NRW) have mentioned great crested newts within their standard response. They have confirmed records for the wider area although they consider that the works as proposed will not be detrimental towards the Favourable Conservation Status of any GCN. To further reduce the potential of an offence being committed this Reasonable Avoidance Scheme has been included.

Site Description

The site is located at Ash Road North within the south/west side of the industrial complex. The existing building is located on a level plot although the ground at the rear of the site does appear to have been built up and compacted at some point in the recent past.

The 1:25:000 Ordnance Survey map for the site does not show any ponds or areas of standing water. WBC have highlighted a GCN pond within about 200/250 metres of the site boundary.

Great crested newts

The great crested newt *Triturus cristatus* is listed on Schedule 5 of the Wildlife and Countryside Act (as amended), and is afforded full protection under the terms of Section 9. This makes it an offence if any person:

9(1) “... *intentionally kills, injures or takes* [a great crested newt]”;

9(2) “... *has in his possession or control any live or dead* [great crested newt] *or any part of, or anything derived from such an animal*”; 9(4) “... *intentionally or recklessly (a) damages or destroys, or obstructs access to, any structure or place which* [a great crested newt] *uses for shelter or protection; or (b) disturbs any such animal while it is occupying a structure or place which it uses for that purpose*”;

9(5) “... (a) sells, offers or exposes for sale, or has in his possession or transports for the purpose of sale, any live or dead [great crested newt], or any part of, or anything derived from, such an animal; or (b) publishes or causes to be published any advertisement likely to be understood as conveying that he buys or sells, or intends to buy or sell, any of those things”.

Great crested newts are also afforded additional protection through inclusion on Schedule 2 ("European protected species") of **The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended)**, which transpose into British law the European Community's **Habitats Directive (92/43/EEC)**. The Habitats Directive has recently been superseded by "**The Conservation of Habitats and Species Regulations 2010**", this came into force on the 1st April 2010.

The area of land to be developed is at the rear of the building, soil excavation works have already taken place where the extended bays will be constructed. To facilitate the remainder of the development there will need to be some light scrub clearance and soil movement. The nearest known GCN breeding pond is apparently around 200/250 metres south-west of the site boundary. There is some connectivity with other habitats such as the woodland at the rear of the site.

Based upon the existing proposals (and considering that clearance works have already been undertaken at the rear to facilitate the building extension) there would appear to only be a low risk of disturbance to great crested newts (and other amphibians). To further reduce any potential issues the following Reasonable Avoidance measures should be followed.

GCN Reasonable Avoidance Scheme

If the scheme is undertaken in the correct manner and following strictly to the measures outlined below then the risk to disturbance is minimized and an offence will be unlikely. The following measures should therefore be followed.

- The light scrub would be progressively cleared by hand (brushcutters) and then chipped prior to removal from site. All clearance works would be undertaken between October and February to avoid the bird nesting season.
- The clearance works will be undertaken by workers experienced and licensed in handling great crested newts. A specialist contractor with experience of GCN will be employed to oversee the project.
- The remaining area will then be kept mown/cut with a short sward of no more than 15 cm for the period prior (and during) to the start of any ground works, this will discourage any amphibians from using these areas.
- The ground works for the access, footings, foundations, drains etc should be carried out between March and July when newts will be in ponds or November to February when they are in hibernation.
- A suitably licensed person will be on-site while any excavation, initial clearance or groundworks are undertaken. As required the licensed person will carry out a hand search of any materials/areas which have any potential to support great crested newts.
- Any removal of trees/shrubs and root systems would be undertaken between March and July when newts will be in ponds.
- A suitably licensed person will also be available until the base area is above ground level and the parking section is complete.
- Keep the working areas clear of rubble/bricks/building materials after each working day, all stored material (such as bricks, blocks and timber) should be kept off the ground (using baulks of timber) in skips or bins.

- All open footings/drains should be covered by plywood sheeting or similar each day. The edges of the sheets should be covered with a layer of fine gravel or topsoil to prevent newts seeking shelter under them. This is particularly important after any concrete has been poured.
- All ground excavations should be in-filled and made good to ground level at the earliest opportunity (within 24 hours if possible) to remove and reduce any hazard to amphibians.
- No piles of rubble or debris should be left on site following the completion of works.
- Care must be taken to ensure that damage does not occur to the habitat area. During and post construction no vehicles should park on this area and no material should be placed or stored there. If necessary a temporary fence (such as chestnut paling) can be erected to clearly mark the boundary.
- Keep the duration of all ground works as short as possible.
- If a GCN was found on or near the site during the works all works must cease and further advice sought from an experienced GCN ecologist and Natural Resource Wales (Buckley office). In the event that a GCN was found it may be necessary to stop works until such time as a Natural Resource Wales license has been obtained. A license may take two to three months to obtain and any potential delays should be kept in mind when issuing any construction contracts.
- A site log should be kept to ensure that these measures are followed together with the dates implemented and also who implemented them. The site log must be available at all times throughout the project.

It is hoped that by implementing all of these measures that all reasonable care would be taken to avoid any adverse impact upon any GCN present in the area.

GCN mitigation

- **A suitable amphibian friendly Sustainable Urban Drainage Scheme (SUD's) will be submitted and agreed as part of the application.**
- **A biohazard assessment will be submitted and agreed pre-commencement.**
- **Some native shrub planting will take place to disturbed areas of soil at the rear of the parking area near the south-east corner (side boundary of the site). Species can include hawthorn, holly, hazel, field maple.**
- **Approximately 3674 M² of habitat will remain at the rear of the site following completion of the works. This will comprise a mix of light scrub with small areas of open grassland.**
- **An amphibian hibernacula area will be constructed on the far rear boundary of the site. This will comprise a pile of rubble/stone from the excavated area covered with a layer of topsoil. The hibernacula will measure approximately 5 x 1 metres.**

Appendix 2 – Site plan

