



Great Crested Newt Impact Assessment

Stack Barn, Worthenbury

Ref: 1049

**J W Ecological Ltd.
Unit 3 St Ives Way
Sandycroft
Flintshire
CH5 2QS**

**Tel: 0845 838 2646
Fax: 0871 661 9701
E-mail: enquiries@jwecology.co.uk
Web: www.jwecology.co.uk**

Author:	Checked by:
Name: Joseph Whittick BSc(Hons) MIEEM	Name: Jamie Moore BA(Hons) MSc
Date: 20/01/12	Date: 20/01/12

CONTENTS	PAGE
1.0 INTRODUCTION	3
2.0 BACKGROUND TO THE PROPOSALS	3
3.0 SITE LOCATION AND DESCRIPTION	3
4.0 LEGISLATIVE AND PLANNING CONTEXT	4
4.1 Great Crested Newts	4
4.2 Other Amphibians	4
5.0 DESKTOP STUDY	5
5.1 Desktop study sources	5
5.2 Protected sites	5
5.3 Protected species	5
6.0 METHODS	6
7.0 RESULTS	6
8.0 IMPACT ASSESSMENT	6
9.0 RECOMMENDATIONS	7
10.0 REFERENCES	7

APPENDICES

APPENDIX 1: Drawings
APPENDIX 2: Photographs

1.0 INTRODUCTION

- 1.1 J W Ecological Ltd were commissioned in December 2010 to undertake an impact assessment in respect of Great Crested Newts (*Triturus cristatus*) for proposals at Stack Barn, Mulsford Lane, Worthenbury, Wrexham (SJ 42181 46043). See site location plan D/JWE/1049/001 (Appendix 1).
- 1.2 The aims of the survey were to:
- assess the ponds within 500 metres of the site for their suitability to support great crested newts;
 - assess the suitability of terrestrial habitats within the site for great crested newts;
 - assess the likely impact of the proposals on great crested newts;
 - determine any further survey or mitigation requirements.

2.0 BACKGROUND TO THE PROPOSALS

- 2.1 The proposals will involve the conversion of the two barn buildings on site to form a new residential property and a garage.

3.0 SITE LOCATION AND DESCRIPTION

- 3.1 Stack Barn is located on the northern side of Mulsford Lane, to the east of Worthenbury, Wrexham.
- 3.2 The site comprises two brick barn buildings (see photographs 1 and 2, Appendix 2) and areas of improved grassland (see photographs 3 and 4, Appendix 2). The total site area is 0.088 hectares. The site is bordered by an access road to the north, a converted range of barns to the east, Mulsford Lane to the south and an improved grassland field to the west.
- 3.3 Five ponds are shown on Ordnance Survey maps within 500 metres of Stack Barn (see drawing D/JWE/1049/002, Appendix 1). The closest of the ponds is located approximately 180 metres south-east of the survey area. The remaining four ponds are located more than 250 metres from the site.

4.0 LEGISLATIVE AND PLANNING CONTEXT

4.1 Great Crested Newts

Great Crested Newts (*Triturus cristatus*) are protected under Regulation 41 of The Conservation of Habitats and Species Regulations 2010 and Section 9 of the Wildlife and Countryside Act 1981 (as amended), being listed in Schedule 5 of the act. Under the legislation it is an offence to:

- Intentionally kill, take or injure a great crested newt;
- Damage, destroy or obstruct a place a great crested newt uses for breeding, resting, shelter or protection or to disturb a great crested newt in such a place.
- Possess or control a great crested newt alive or dead, or any part of them, or anything derived from them.
- Sell, offer for sale, advertise for sale or offer to buy a great crested newt, or a part of them or anything derived from them.
- Deliberately disturb or deliberately take or destroy the eggs of a great crested newt.

Offences under Section 9 carry a maximum penalty of a fine up to £5000, imprisonment for up to six months, or both, for each animal in respect of which an offence is committed.

Licenses can be issued in order to allow activities that would constitute an offence under the legislation. Licenses can be issued for specific purposes including scientific study, photography, conservation management and development.

It is important to identify the presence of great crested newts as early as possible in a development so that the legal obligations regarding this species can be observed. If surveys identify the presence of great crested newts on site a mitigation scheme must be developed in consultation with the local CCW team. This mitigation scheme must minimise direct threats to newts and compensate for any habitat loss. A licence issued by the Welsh Assembly is required before the mitigation scheme can be legally implemented.

4.2 Other Amphibians

Where an amphibian survey rules out the presence of great crested newts there may still be a need to develop mitigation proposals for less protected amphibians as part of the planning approval.

Under section 9(5) of the Wildlife and Countryside Act 1981 (as amended) the more common amphibian species i.e. common frog (*Rana temporaria*), common toad (*Bufo bufo*), smooth newt (*Triturus vulgaris*) and palmate newt (*Triturus helveticus*) are protected against sale, barter, exchange, transporting for sale and advertising to sell or buy.

The more common amphibian species are UK species of conservation concern due to general declines in numbers over recent years. As a result many local authorities require amphibian surveys as a planning condition or as a part of planning applications even when the presence of great crested newts has been ruled out. The Common Toad (*Bufo bufo*) has recently been included as a UK Biodiversity Action Plan (BAP) species.

5.0 DESKTOP STUDY

- 5.1 Ecological data and records of protected species (specifically historic records of great crested newts) were requested/gathered from the following sources (Table 1):

Table 1: Desktop Study Sources

Consultee/Source of Information	Information Supplied
NBN Gateway	Protected species records within 1 kilometre of the proposed development site.
Countryside Council for Wales (CCW)	Protected sites within 1 kilometre of the proposed development.
UK Biodiversity Action Plan	Identification of national priority species and habitats known to occur in the region.
Local Biodiversity Action Plan	Identification of local priority species and habitats known to occur in the area.

Protected Sites

- 5.2 No statutorily designated nature conservation sites are located within 1 kilometre of the survey area.

Protected Species

- 5.3 No records of great crested newts were identified within 1 kilometre of the survey area.

6.0 METHODS

- 6.1 An assessment of the ponds and terrestrial habitats on site at Stack Barn was undertaken on the 17th January 2012 by Joseph Whittick BSc(Hons) MIEEM (CCW Great Crested Newt licence holder number 18983:OTH:SA:2010).
- 6.2 Access was only available to Pond 1 (the closest pond to the survey area) as the remaining ponds are on third party land.

7.0 RESULTS

7.1 Ponds

Pond 1 is a field edge pond located 180 metres south-east of Stack Barn (see photograph 5, Appendix 2). The pond was holding significant water at the time of survey and submerged aquatic plants were noted. The pond was assessed as having potential to support breeding great crested newts.

Ponds 2-5 were not accessible for survey however it is likely that these ponds will also have suitability for breeding great crested newts.

7.2 Terrestrial Habitats

The terrestrial habitat within the survey area comprises bare ground and short improved grassland. The site does not contain areas of high value potential amphibian foraging and refuge habitat. No features within the site boundary were thought to have suitability as hibernation areas for amphibians.

8.0 IMPACT ASSESSMENT

8.1 Pre- and mid-activity impacts

No ponds are located on site therefore there will be no loss or disturbance of aquatic habitat. The terrestrial habitat within the site is of low quality as foraging or refuge habitat for great crested newts and is not thought to offer suitable hibernation sites for this species.

Whilst Great Crested Newts can travel up to 500 metres from breeding ponds, and sometimes beyond, the majority of their activity is confined to within 250 metres of these waterbodies. Four of the five ponds located within 500 metres of the site are more than 250 metres from the survey area significantly reducing the probability of any newts from these ponds reaching the site. Pond 1, which is located 180 metres south-east of the survey area, is separated from the site by a number of converted barns and yard areas which are likely to act as at least a partial barrier to newt dispersal onto the site. The survey area also does not lie on any obvious dispersal route for great crested newts eg. between ponds or between ponds and high quality potential foraging habitat. Given the above, significant movement of great crested newts across the site is considered unlikely. Small numbers of amphibians, including great crested newts, could however disperse across the site therefore the most significant potential impact is thought to be accidental capture or injury of newts crossing the site.

The works could potentially generate temporary resting sites in the form of spoil, stored materials and waste and there is a risk of newts being harmed if they were to use these areas.

Long-term impacts

The completed development will comprise a converted barn and areas of amenity grassland. There will be no loss of high quality terrestrial habitat for great crested newts and the long-term impacts of the proposals are thought to be low.

Other impacts

No other impacts are thought likely to occur.

8.2 Risk Assessment

The Natural England rapid risk assessment, part of the Natural England great crested newt method statement document, was applied to the proposals on site. Whilst this risk assessment was issued for works in England the principle is still applicable to works in Wales. The rapid risk assessment calculates the likelihood of an offence being committed as a result of any proposals based on the location and scale of the works. Works are then categorised as either being Green (offence highly unlikely), Amber (offence likely) or Red (offence highly likely).

Given that the nearest pond is located 180 metres from the site and that the site area is only 0.088 hectares the proposals were categorised as Green – Offence Unlikely.

9.0 RECOMMENDATIONS

9.1 The survey area comprises an area of improved grassland with limited value as terrestrial habitat for great crested newts. Given the small size of the site and the location of the closest pond the likelihood of significant impacts on great crested newts as a result of the proposals is thought to be low. As this is the case further detailed ponds surveys and licensing of the development are not thought to be necessary in this instance.

9.2 The impact assessment did identify a small risk of great crested newts crossing the site. The main potential risks to newts are thought to be:

1. Newts becoming trapped in excavations
2. Newts taking refuge in spoil mounds, under stored/waste materials or beneath scaffold footings
3. Newts being directly injured by general activity on site

In order to address these potential impacts it is recommended that the site works are undertaken using Reasonable Avoidance Measures (RAMs) for Great Crested Newts. Appropriate avoidance measures are outlined below:

Project element:	Avoidance measures:
Location & layout	- Works are to be confined to areas of bare ground and improved grassland. These areas are not thought to provide high quality habitat for great crested newts.

Timing & duration	- The length of groundworks will be kept as short as possible and groundworks will only be undertaken during the day when newts are not active.
Construction methods and special precautions	- Excavations will be covered at night or a ramp will be provided to allow amphibians to exit excavations. - All new pipework on site will be capped at night in order to avoid amphibians becoming trapped. - All excavated materials/waste will be stored in skips or similar and not on the ground where it could be used as a refuge/resting area. All stored materials that might be used as temporary resting places will be stored off the ground on pallets or similar.

9.3 Discovery of a great crested newt

If a great crested newt is discovered at any point during the works all work should cease immediately and a licensed great crested newt ecologist should be contacted for further guidance. The newt should not be moved or otherwise disturbed.

A toolbox talk outlining the avoidance measures and what to do if a newt is found should be given to all site staff immediately prior to the start of development works.

10.0 REFERENCES

ENGLISH NATURE (2001) *Great crested newt mitigation guidelines*. English Nature, Peterborough.

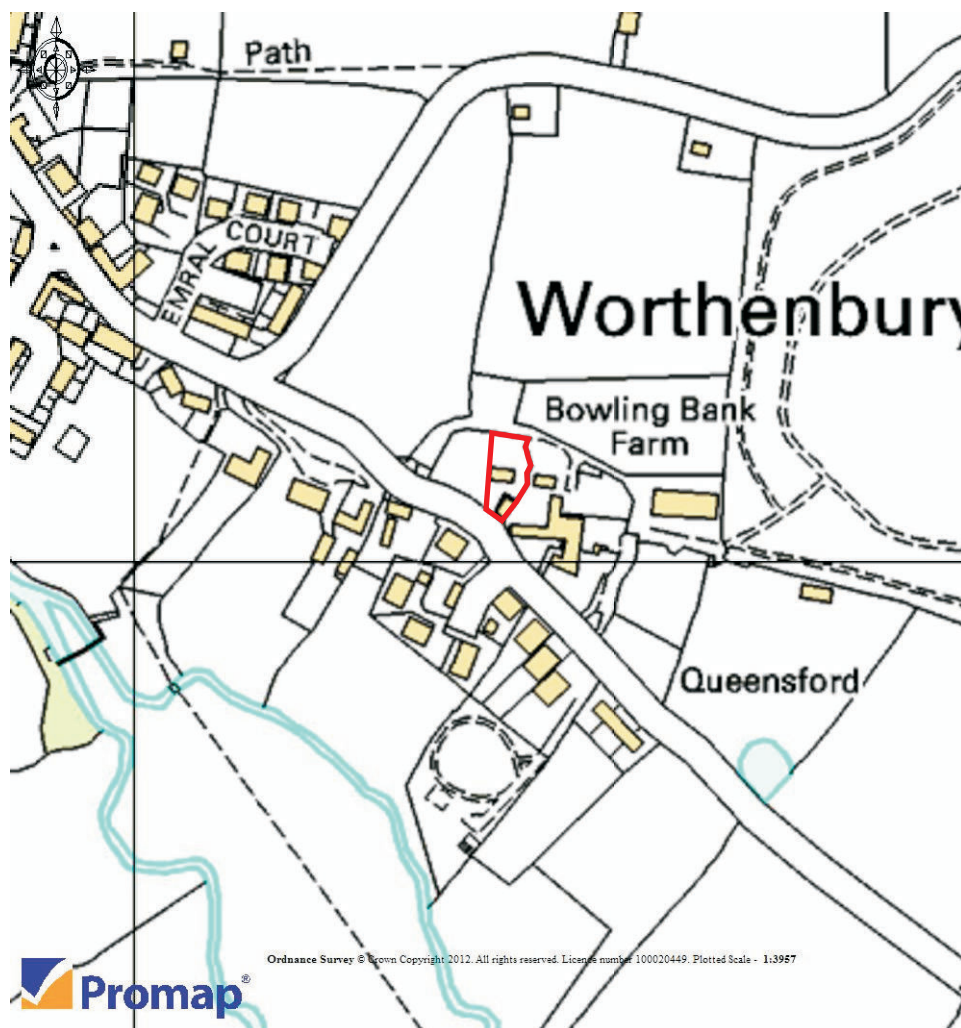
Natural England - *WMLA 14-2 Great crested Newt Method Statement*

APPENDIX 1

Drawings:

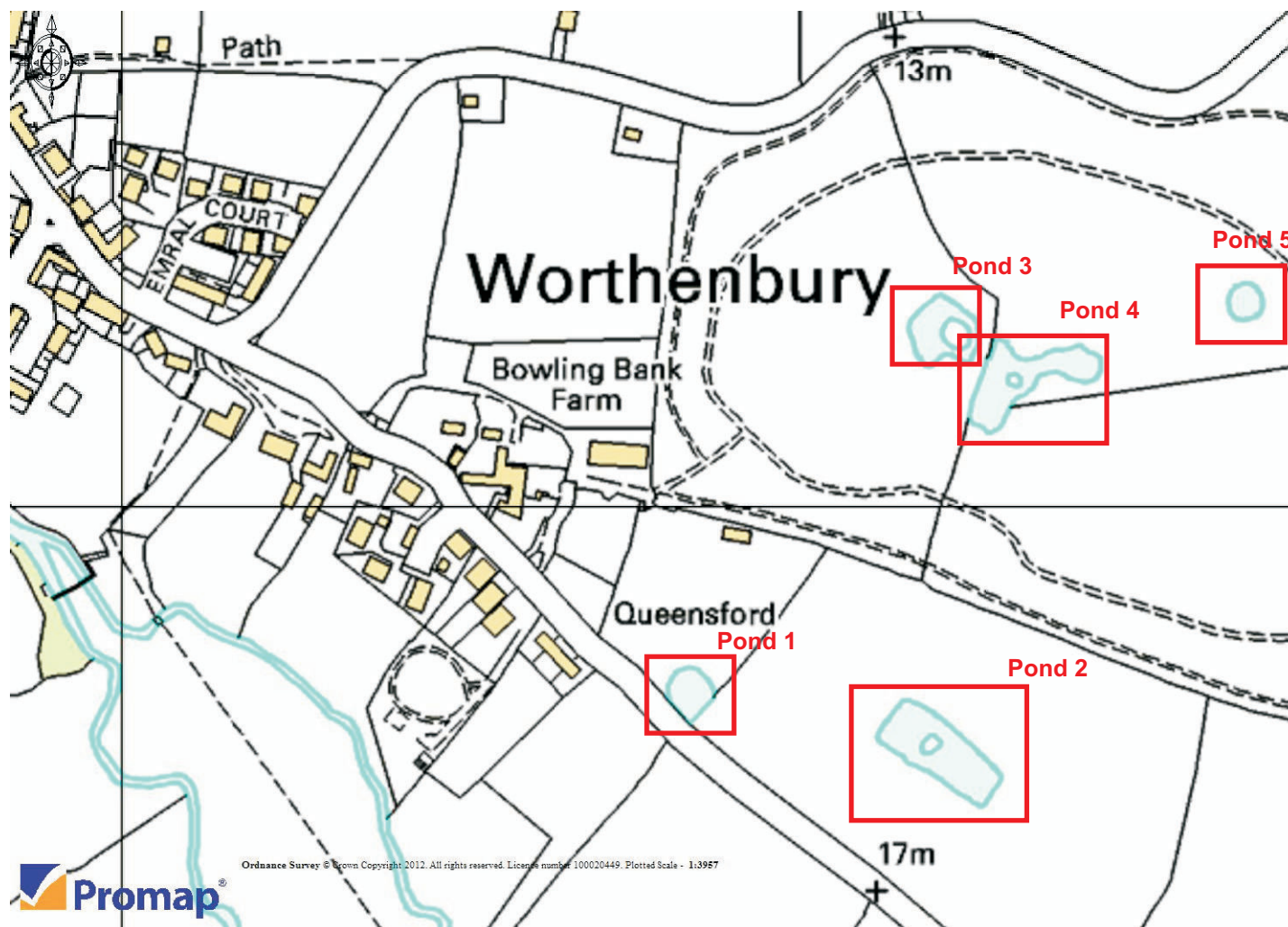
D/JWE/1049/001 – Site Location Plan

D/JWE/1049/002 – Pond Location Plan



 = Site Location

 J W ECOLOGICAL LTD
TITLE: Site Location Plan
SITE: Stack Barn, Worthenbury
NGR: SJ 42181 46043
DRAWING NUMBER: D/JWE/1049/001



 = Ponds



J W ECOLOGICAL LTD

TITLE: Pond Location Plan

SITE: Stack Barn, Worthenbury

NGR: SJ 42181 46043

DRAWING NUMBER: D/JWE/1049/002

APPENDIX 2

Photographs

Photograph 1 – Main Barn



Photograph 2 – Barn to be converted to garage



Photograph 3 – Improved grassland within site



**Photograph 4 – Improved grassland
within site**



Photograph 5 – Pond 1

