



# ARBOR VITAE

ECOLOGY • FORESTRY • LAND USE

## AMPHIBIAN CONSERVATION PLAN

**Project name:** HOLT LODGE

**Species:** Great Crested Newt

**Grid Reference:** SJ47063713

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## BACKGROUND

Planning consent is being sought for the creation of a fishing lake and car parking area at Holt Lodge.

The proposals include the construction of a new fishing pool within a grass field. Access will be gained via an existing field entrance point off a minor road with a small length of hedge being removed to create a visibility splay. Although the lake will be situated in the centre of an improved grass field, this could have ecological implications for certain protected species including badgers and great crested newts.

A preliminary ecological assessment of the site was carried out in November 2017. Records obtained from COFNOD have subsequently identified three ponds within 250 metres of the site for which records exist for great crested newts. The location of these ponds is shown in Figure 1.

Given that the proposed fishing lake is situated within 250 metres of these ponds, there is a possibility that great crested newts may use this site for foraging and perhaps also hibernation, if conditions were suitable.

A European Protected Species development licence may be required if the proposed works “are considered likely to breach species protection legislation”.

The following document has been prepared to evaluate whether or not the proposed works are likely to result in a breach of species protection legislation (the Risk Assessment) and also to set out a Conservation Plan, including mitigation, compensation and enhancement, which will ensure that the favourable conservation status of GCN at the site and in the area is maintained.

## RISK ASSESSMENT

It has been demonstrated that ponds within 250 metres support great crested newts. Two of these are at approximately 250 metres from the proposed working area and one is within 160 metres.

All 3 ponds have very suitable terrestrial habitat within their immediate vicinity including scrub and hedgerows. Jehle (2000) demonstrated that 95% of all GCN summer refuges fell within 63m of the breeding pond and it is considered reasonable to assume in this case that the vast majority of GCN breeding in Ponds 1-3 are using the habitat found immediately adjacent to the pond as terrestrial habitat. This is especially likely given the relatively poor suitability of terrestrial habitat in the project site field.

The area of land that exists between Pond 1-3 and the proposal area includes a well-used minor road. There is poor connectivity from the breeding sites to the proposed development site.

Foraging opportunities for GCN on the proposal site are limited due to the current land use which includes silage making and intensive grazing. The hedgerow on the southern boundary, a small length of which will be removed for access, is a small target for GCN.

In conclusion, the risk of a breach of species protection legislation by the proposals is considered to be minimal, given:

- The distance of the breeding ponds from the proposal area
- The intervening habitat forming a barrier to dispersal into the proposal area
- The abundance of high-quality habitat around the breeding ponds reducing likelihood of newts dispersing beyond it
- The length of hedge to be removed is a small 'target' in the landscape.

Despite the low risk of harming individual GCN, mitigation measures in the form a reasonable avoidance method statement are proposed to remove any residual risk of an offence .

## LEGISLATION

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 2017 (as amended)). The combined legislation makes it illegal to:

- deliberately capture, kill or injure a great crested newt;
- damage or destroy a breeding site or resting place
- intentionally or recklessly 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;
- sell, barter, exchange or transport or offer for sale great crested newts or parts of them.

## MITIGATION

In order to minimise any residual risk of any offence, mitigation will be put in place in the form of:

a) A Reasonable Avoidance Method Statement incorporating Risk Avoidance Measures, as below:

## REASONABLE AVOIDANCE METHOD STATEMENT

### *Site induction*

- A toolbox talk will be given to all site personnel in order to make them aware of the possible presence of GCN, how to identify this 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.

## Reasonable Avoidance Measures

### *Timing & duration*

- All works will take place during daylight hours when GCN are unlikely to be moving around.
- Timing of Clearance Works: All works to prepare the land onsite for development will be undertaken ideally during the spring/summer season (April to mid-June) when GCN enter into / around aquatic habitat to breed, and outside the hibernation period (avoiding November to February, inclusive).
- Hedgerow removal should be carried out outside the breeding season i.e. between mid-March – mid-August.

### *Hedgerow removal*

- The length of hedgerow to be removed for access will be coppiced following the end of the bird-nesting season (Mid-August) and all arisings will be removed from the site. Coppicing will reduce the height of cut stems to around 15cm ensuring minimal ground disturbance.
- The increased light and decreased humidity levels in the base of the hedge will render it less suitable habitat for any GCN and thus encourage dispersion away from the hedge, if present.
- The hedge will be retained in this state for at least 4 weeks and then removed. This will be carried out with due diligence and with supervision by an ecologist.
- If any GCN are discovered at this stage, all work will cease until a European Protected Species Development Licence is obtained from NRW.

### *Site clearance*

- The area designated for the lake will be soil-stripped only after the vegetation in this area has been removed through the use of herbicides. This vegetation removal will be carried out in the months of April to September and at least one month prior to soil stripping. The bare and open conditions will be inimical to GCN and ensure that no GCN are using this area for foraging.
- The same precautionary measures will be carried out in the area designated for soil mounding and for the car park.
- A thorough finger-tip search of the area will be carried out by a licensed ecologist.
- Any possible objects which may conceal GCN such as large stones, logs or other materials will be inspected and removed from site.
- If any GCN are discovered at this stage, all work will cease until a European Protected Species Development Licence is obtained from NRW.

### *Site compound*

- No site compound will be required.

### *Construction methods and special precautions*

- All excavations on site will be covered at night or ramps will be provided to allow amphibians to exit excavations. All excavations will be checked for amphibians each morning prior to the re-commencement of works.
- All stored building materials e.g. drainage pipes, that might be used as temporary resting places by amphibians, will be stored off the ground on pallets or similar.

## COMPENSATION AND ENHANCEMENTS

### *Creation of wildlife ponds*

Two new small ponds will be created in the south eastern corner of the field. This is a damp area of the field and it is intended that overflow from the fishing lake will be used to create an area of wet grassland within this area,

The new ponds will be irregular in shape in order to create diversity around the margins. The overall surface area will be at least 100m<sup>2</sup>. Natural regeneration will rapidly vegetate the margins of the ponds. The wetland area will be securely fenced and no fish will be introduced into the ponds.

### *Creation of amphibian hibernacula*

Two amphibian hibernacula will be created on site, one within 10m of each of the new ponds. The hibernacula will measure 2m long by 1m wide and be at least 1m high, to follow the 'Suggested hibernaculum design' within

**Figure 3: Suggested hibernaculum design**

This design mimics artificial and natural conditions in which great crested newts have frequently been found over-wintering. Dimensions should not be below 2m length x 1m width x 1m height. The illustrated design would be suitable for locating on an impermeable substrate. On free-draining substrates, the design is largely similar but the bulk of the fill is sited in an excavated depression in the ground. Hibernacula should ideally be positioned across a site, both close to and distant from breeding ponds, always in suitable terrestrial habitat and above the flood-line.

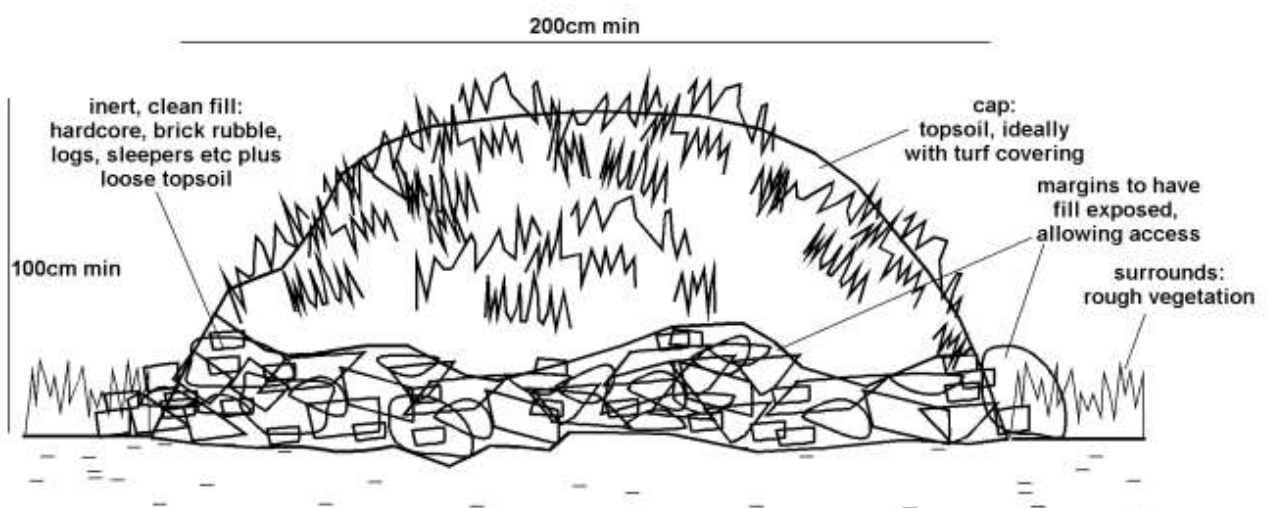


Figure 3 of the Great Crested Newt Mitigation Guidelines.

The base of the hibernacula will be constructed using hardcore, brick rubble, logs, rough timber and loose topsoil. There will be sufficient ground-level gaps between the materials to allow newts to enter in several locations. The hibernacula will be built up in layers and overlaid with topsoil and a final layer of turf.

#### *Scrub planting*

An area of dense scrub will be planted along the eastern boundary of the field to create further terrestrial habitat for amphibians. The scrub will comprise native species including hawthorn, hazel, guelder rose and dogwood.

#### *Creation of GCN Conservation Area*

The area of damp grassland, ponds and scrub, amounting to approximately 0.75 ha, will be designated as a GCN Conservation Area. A Management Plan for the long-term management of this area will be produced.

**FIGURE 1 SITE PLAN**

