

The Graigs

Lower Wych, Malpas

**Great Crested Newt
Reasonable Avoidance Method Statement**

Produced by



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Report Version	Date	Completed by:	Checked by:	Approved by:
Final	13/01/21	Jack Halpin ACIEEM Ecologist, Wildbanks Conservation	Mick Smith MCIEEM Director Wildbanks Conservation	
Accepted				

The information we have prepared is true and we confirm that the opinions expressed are our true and professional bona fide opinions.

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1.0 INTRODUCTION

- 1.1 Mr and Mrs Probin commissioned Wildbanks Conservation to prepare a Reasonable Avoidance Method Statement (RAMS) for Great Crested Newts (*Triturus cristatus*) in regard to works planned to be carried out at The Graigs, Lower Wych, Malpas, Cheshire. Following on from an Ecological Assessment undertaken on 6th January 2021.
- 1.2 The Site visit and formulation of a RAMS have been conducted and prepared by Jack Halpin ACIEEM and Mick Smith MCIEEM (NRW license S087617/1). This report gives details of the daytime visit conducted on the 6th January 2021 and the reasonable avoidance measures considered necessary in order to comply with relevant legislation and conservation objectives.
- 1.3 The application Site is comprised a single-story brick-built garage block, with attached store and a rear hall leading to the residential property. Adjacent to the development Site is a large agricultural steel shed to the east and a construction Site for a renovation of a property to the south. The habitat surrounding the development Site consists of mixed agricultural fields with hedgerows and two brooks (Shothill and Wych) and occasional ponds.
- 1.4 This report outlines a great crested newt method statement providing appropriate recommendations for undertaking work in order to prevent any unlawful actions to be undertaken with regards to this protected species.
- 1.5 Great Crested Newts are protected under Schedule 5 of the Wildlife and Countryside Act (1981) as amended and the Conservation of Habitats and Species Regulations 2010 (as amended). Because of their rarity they are also protected under Annexes IIa and IVa of the Habitats and Species Directive and under the Berne Convention.

Langton *et alia* (2001) make the point that:

“The wording in the 1981 Act and 1994 Regulations is slightly different.” “Taken together, the Act and the Regulations (following the CROW Act 2000) make it illegal to:

- *Intentionally or deliberately capture or kill, or intentionally injure great crested newts.*
- *Deliberately disturb great crested newts or intentionally or recklessly * disturb them in a place used for shelter or protection.*
- *Damage or destroy a breeding site or resting place.*

- *Intentionally or recklessly damage, destroy or obstruct access to a place used for shelter or protection.*
- *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.*

*Reckless offences were added by the Countryside and Rights of Way Act 2000, which applies only to England and Wales”.

2.0 RATIONALE

- 2.1 This section provides a brief overview of the current status of GCN in and around the proposed application Site and provides reasoning for the recommendations within it.
- 2.2 The Site consists of single-story brick-built garage block, with attached store and a rear hall leading to the house (Plates 1-3). Attached to the structure is a residential property, with a large agricultural steel shed to the east and a construction Site for a renovation of a property to south. Further afield, the surrounding habitat consists of mixed agricultural fields and two brooks (Shothill brook- 75m at its closest point and Wych brook – 205m at its closest point) and occasional ponds. Terrestrial habitats within the Site were considered largely sub-optimal for amphibians given they consist primarily of buildings and hardstanding.
- 2.3 Development proposals for the Site are for the demolition of the existing structure. The structure is to be replaced on its existing footprint by an extension of the house and the creation of a separate garage and store.
- 2.4 No ponds are present within the Site. Two pools within Shothill brook exist (Ponds 1 & 2) and are located 70 and 90m of the southern boundary of the Site (Fig 2). A square pond also exists some 205m northeast of the Site (pond 3). Ponds 4 and 5 are located over 300m away from the south-west boundary of the Site (Fig 2). The wider habitat surrounding ponds 1 & 2 is of optimum quality for GCN comprising wet marsh grassland and woodland pockets with areas of scrub. Shothill brook and ponds 1 and 2 are located at the bottom of a steep slope beneath the Site. This slope is not ideal for GCN to climb and it is considered more likely any GCN present in these ponds would traverse along the ‘valley’ bottom along the tree line of the brook rather than climb the slope.
- 2.5 No ponds have been surveyed to establish if GCN are present as no access has been available for ponds as they lie outside of the applicant’s landownership. GCN may not be present in any pond surrounding this development site, although it is known GCN are in the wider area.
- 2.6 Ponds 1 & 2 are located within the Shothill brook. The Shothill brook is subject to a varying water flow. During spate conditions the degree of flow within the

ponds is greatly increased (Plate 5). This level of flow is sub-optimal for GCN, as flowing water is a barrier to GCN (Langton et al., 2001), therefore, the likelihood of GCN being found within the ponds is reduced.

- 2.7 Habitat surrounding Pond 1 & 2 is of good quality, consisting of optimum habitat of wet rough grassland and woodland pockets with areas of scrub. The dispersal of GCN from this area towards and on to the Site and up the slope is considered unlikely as optimal habitat exists within the core habitat zone (50m) of each pond so the need for GCN to disperse beyond this distance is not thought likely.
- 2.8 Ponds 3-5 are surrounded by semi-improved and improved grassland with hedgerows with marginal ruderal strips. These ponds do provide potential habitat for GCN. The dispersal of GCN from these areas on to the Site is also considered unlikely as higher value habitat exists all around the ponds including along the woodland strips adjacent to Shothill brook and Wych brook. These dispersal corridors would provide routes to areas of optimal habitat consisting of wet rough grassland and woodland pockets with areas of scrub.
- 2.9 GCN disperse over land to forage for food and move between ponds; distances covered during dispersal will depend on habitat quality and availability. It is acknowledged that most adult newts likely stay within around 250m of breeding ponds (English Nature, 2001; Langton et al., 2001) but may travel up to 500m if required. Newts are more likely to travel greater distances from their breeding ponds if there is higher quality foraging and refuge habitat extending beyond their breeding pond. In the context of the Site (and from review of aerial images); high quality terrestrial habitat (woodland, rough / marshy grassland) is present surrounding ponds 1 and 2.
- 2.10 Pond 1 and 2 have good dispersal linkages with each other and with ponds 4 and 5, consisting of wet ditches, and rough grassland alongside the Shothill brook. These habitat linkages will likely be used in preference to dispersal across the Site due to this route being over greatly suboptimal habitat and above a steep slope of grassland. It is also considered that there is negligible need for GCN to traverse the Site as there is no pond or habitat feature of greater value than they already have access too, beyond the Site, that GCN individuals would aim for. It is documented that when the core habitat around a pond is of good/optimal quality GCN are less likely to venture away from their breeding pond as they do

not need to and would waste energy to do so. Habitat to the north-east and south-west of Pond 1 & 2 is of good/excellent foraging habitat. The development Site lies to the north-west of these ponds, and therefore, will unlikely be dispersed towards.

- 2.11 No works (prior to or proposed) will impact on any ponds themselves or their marginal habitats. No works will destroy or disturb habitat within the Core Habitat Zone (50m zone around a pond) of any ponds. All works are within unfavourable habitat (i.e., buildings and hardstanding).
- 2.12 Provided that works within the development area adheres to the subsequent Method Statement, and that good terrestrial habitat around any ponds surrounding the Site are unaffected and that suitable mitigation measures listed below are implemented for great crested newts further surveys are not required.
- 2.13 It is considered unlikely that GCN would be present on the development Site. However, through the demolition of the existing buildings and the during the construction phase it is possible the Sites value to GCN may increase through the presence of new features more 'attractive' to GCN, such as rubble piles, open excavations, stores of equipment or materials etc. The Method Statement below provides a number of measures that will have to be followed in order to minimise the chances of any individual GCN being killed or injured during the development.

3 PRECAUTIONARY METHOD STATEMENT

3.1 The objectives of this method statement are to:

- Ensure no harm to individual GCN occurs during the development
- Avoid committing an offence under the above-mentioned legislation; and,
- To ensure that favourable conservation status of GCN is maintained.

3.2 Any development related activities on the Site, such as vegetation clearance or excavations in areas of suitable newt habitat may potentially affect this species. As a result, safeguards must be implemented to protect this species and the Method Statement below details measures to be implemented to ensure an offence is not committed

Toolbox talk

3.3 All site operatives will receive a briefing by a NRW licensed ecologist. The briefing would include details of the legal protection of Great Crested Newts, the precautionary methods of working (outlined in this document), tips on identification of Great Crested Newts and procedures to follow should the species be discovered during works. The briefing will form part of the Site induction process for each site operative. A GCN factsheet will also be pinned to the Site information board in the Site office.

Timing of Work

3.4 The construction phase will start outside of the overwintering period of newts (December – February). During this period the chance of disturbing GCN are minimal and the risk of disturbing hibernating newts is eliminated.

Hand Searching

3.5 The store area inside the structure consists of a large log store. This area potentially offer refuge for GCN, therefore, any clearance work to this area, inside the overwintering period of newts (December – February), will be carried out by hand and must not be carried out when outside temperatures are below 5C.

- 3.6 During the hand searching, any debris (e.g., wood and rubbish) would be lifted and removed from the working area. Hand searching would be timed for immediately prior (i.e., within 24 hours) to the onset of works. If any GCN are encountered work must stop and Wildbanks Conservation or Wrexham Council Ecologist contacted.

Working methods

- 3.7 Only light machinery or hand tools to be used for the excavation operations.
- 3.8 Ideally the method employed for excavation works would be dig and backfill on the same day to avoid any trenches exposed overnight. If this is not possible, hand searching of the excavated area should be carried out by someone who has been through the toolbox talk or by licensed ecologist would be carried out prior to filling. 'Ladders' (timber planks or branches greater than 15mm in diameter) must be installed overnight to allow amphibian and small mammals to escape.
- 3.9 No arisings from excavations should be stored within the development Site as this may provide resting opportunities for GCN. Any soil removed from the development Site will be stored in its final resting position. Alternatively, arisings can be stored within skips on Site.

Storage of materials and vehicle movements

- 3.10 All material storage will be within the development Site and be raised off the ground by 100mm so as not to create resting places for newts (e.g., on pallets). All vehicle movements will be restricted to within the development Site and the access tracks and areas of hardstanding.

Procedure if Great Crested Newts are found

- 3.11 If a Great Crested Newt is found at any time during construction, all works would cease immediately. If not present on Site, a licenced ecologist would be contacted to make an assessment of the situation, remove the individual and to determine whether a licence would be required before work proceeds. If considered necessary, further guidance would be sought from Natural Resources Wales.

4.0 REFERENCES

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

Langton, T.E.S., Beckett, C.L., and Foster, J.P. (2001), Great Crested Newt Conservation Handbook, Froglife, Halesworth.

A1. Site Photographs

A1.1 Plate 1: View on western aspect of building



A1.2 Plate 2: View on eastern aspect of building



A1.3 Plate 3: View on southern aspect of building



A1.4 Plate 4: Interior of structure with associated log pile



A1.5 Plate 5: Ponds 1 and 2 of Shot hill Brook



A1.6 Plate 6: Ponds 1 and 2 in spate condition during the summer



Figures

Figure 1: Aerial image of Site at 1:300



Figure 2: Aerial image of Site at 1:3000, with pond locations.

