



Report Type: Discharge of Conditions – RAMs for Great Crested Newts

Client Name: Latham

Site Address: Knolton Farm
Oswestry Road
Overton on Dee
Wrexham
LL13 0LG

Report Reference: 21-01 005.1RAMS

Date of Issue: 22nd January 2021

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Report Details	
Classification	Ecological Appraisal
Status	Final
Reference	21-01 005.1RAMS

Version History	
Report Reference	Date of Revision
21-01 005.1RAMS	22 nd January 2021

Quality Assurance			
	Name	Signature	Date
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The report should be read in its entirety

Questions arising from the survey report should be directed to the author of the report who will be pleased to clarify any technical issues raised.

Whilst the surveyors make every reasonable effort, Greenscape Environmental Ltd cannot guarantee that all protected species have been identified and survey results are definitive. Many species are cryptic and transitional in habit.

Reports are considered valid for one year for planning purposes, after which time further survey information may be required.

Greenscape Environmental Ltd can provide advice and support for recommendations and planning conditions.

The use of this report or survey data for any form of formal submission to an NGO or other authority implicitly implies acceptance of the terms and conditions.

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1 Summary

1.1 Purpose of the report

Greenscape Environmental Ltd was commissioned by Mr Latham to support the planning application for the construction of a slurry store. This has been granted. Condition 4 states:

4. No part of the development shall commence until details of the proposed Reasonable Avoidance Measures (RAMs) have been submitted to and approved in writing by the Local Planning Authority. The details shall include the following:

- a) Details of a toolbox talk on the identification and ecology of great crested newts to be made available to all construction staff employed on the project;*
- b) Details of an artificial amphibian hibernacula to be constructed adjacent to the site (Details of the design can be found in great crested newt mitigation guidelines - August 2001);*
- c) Details of a walk over survey of the site prior to commencement of development, and a destructive search (under the supervision of a licensed great crested newt handler) made of any potential great crested newt habitat (such as rubble piles or sheet materials that are on the site) on the site. Any amphibians found should be relocated to the artificial hibernacula;*
- d) Details of storage of material on pallets off the ground, and bulk materials which are to be delivered on site and used within the day of delivery.*
- e) Confirmation that excavated trenches will be covered over at the end of each working day with plywood and the edges sealed with sand or soil. Trenches are to be checked each morning for any amphibians. Any amphibians located are to be moved to the artificial hibernacula. The development shall be carried out in strict accordance with the RAMs as are approved*

Reason: To protect named species/habitats/biodiversity which would otherwise be damaged/lost by the development hereby permitted in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.

The project involves the construction of a slurry store on what is currently semi-improved grassland. This document outlines the reasonable avoidance measures (RAMS) for great crested newts (GCN).

1.2 Background

The site walkover was undertaken at the site, OS grid reference SJ36494059 on 15th January 2021 by C Sheil MZool (Conservation). The site walkover included an assessment of habitat value to newts and to check for any refugia that may have been created. A desk study was also conducted, which revealed no ponds within 250m.

The proposed development is for the construction of a slurry store on a field of improved grassland of low value to newts in their terrestrial phase. No hedgerows are to be removed as access can be gained from a nearby gate. The opening to a drain was found on the field which will be retained to appropriately drain the field.

As the habitat to be lost is of low value and there are no ponds within 250m there are no timing constraints to the proposed development. An offence is considered to be highly unlikely and work can be conducted without a European Protected species licence from NRW.

1.3 Legislation

All species of amphibians receive a measure of protection under legislation.

The Wildlife and Countryside Act 1981 has been amended by the Countryside and Rights of Way Act (CROW) 2000. This applies to England and Wales only. The key relevant fact is:

- Section 9(4) is amended to create an additional offence of reckless damage to, destruction of, or obstruction of access to, any structure or place used for shelter or protection; and reckless disturbance while occupying such a structure or place.

Great Crested Newts

Great crested newts are protected under the Conservation of Habitats and Species Regulations 2017 which implements the EC Directive 92/43/EEC in the United Kingdom. It is an offence, with certain exceptions, to:

- Deliberately capture or kill any wild animal of a European Protected Species.
- Deliberately disturb any such animal.
- Deliberately take or destroy eggs of any such wild animal.
- Damage or destroy a breeding site or resting place of such a wild animal.
- Keep (possess), transport, sell or exchange, or offer for sale or exchange, any live or dead wild animal or plant of a European Protected Species, or any part of, or anything derived from such a wild animal or plant.

Great crested newts are listed as a priority species on the UK BAP and Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. The National Planning Policy Framework (NPPF) states that to minimise impacts on biodiversity and geodiversity, *"planning policies should... promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations"*.

A person found guilty of an offence is liable on summary conviction to imprisonment for a

2 Site Walkover

The field comprises improved grassland of very low species diversity.



Figure 2.1. Overview of grassland with approximate location of slurry outlined

A drain lies near the northern boundary of the field which leads underground. This is to be retained and avoided.



Figure 2.2. Opening of drain

3 Method Statement – Reasonable Avoidance Measures

The development would lead to a small net loss of habitat. This has been taken into consideration and work will follow a strict method statement outlining reasonable precautions for securing the safety of individual newts. This will create a scenario by which the risk to individual newts is negated.

Pre-Construction

1. The site will be kept under management prior to construction. This will reduce the potential for newts to cross the land and reduce the potential for the terrestrial features to improve. All plants will be kept short (<10cm) to ensure there is no shelter for amphibians on the site.

Site Setup

2. A consultant will be employed as the ECoW to oversee the work in areas sensitive to great crested newts on site. This person will need to be licensed and an experienced surveyor for great crested newts.
3. The ECoW will provide contractors with a toolbox talk prior to work commencing. This will include information about the legal status of newts and responsibilities of the construction company to ensure no offence is committed. A document to assist with the identification of newts will be left on site.
4. The site will be checked by the ECoW prior to construction commencing to ascertain and assess any changes in site status. Any new potential refugia will be searched and demolished on this visit. This will confirm there are no newts present and that there are no potential places of shelter.
5. A hibernaculum is to be created near the northeast hedgerow which will act as a receptor for any newts found during the development and will also provide ongoing enhancement for small animals in the area.
6. Soil and vegetation will be stripped prior to setting up the site compound to ensure the compound contains no vegetation which could potentially attract great crested newts.
7. All cabins and equipment will be located on firm compacted ground, preferably a stone or concrete base.
8. Contractors are advised not to handle newts at any time.

Construction Phase

9. The site foreman will be responsible for ensuring all contractors are aware of the potential to find newts, and that they are familiar with the appearance of newts. If in doubt the ECoW will be contacted.
10. Contractors are advised to avoid handling newts at any time.
11. Stored subsoil must not be tipped onto any tall vegetation. The location of the storage area will be checked by the ECoW immediately before use.
12. Any plants around the site will be kept short to stop the development of an area of terrestrial habitat more suitable for newts.

13. All groundwork will be conducted during daylight hours as newts are least likely to move during this time.
14. Trenches will be dug and filled in on the day created or will be covered over with close-fitting boards at the end of each working day, and then checked before filling.
15. The edges of any trenches are to be sealed with sand or soil to reduce the risk of newts finding shelter within crevices.
16. If necessary, a ramp will be placed in trenches to allow newts and small mammals to escape.
17. Any heavy machinery will be stored on an area of hardstanding to avoid refugia being created.
18. Stored material will be raised on pallets to reduce the potential they might act as a temporary resting place. This reduces the potential for damage or destruction of individual newts.
19. Bulk materials are to be used within the day delivered to reduce the potential for them being used as refugia at night, when newts are most active.
20. All waste will be placed straight into skips to reduce the potential of creating refugia.
21. If a newt is found, then work will stop immediately and the ECoW contacted for advice.
22. Great crested newts will not be handled or moved without express permission from Natural Resources Wales as this would constitute an offence.

Enhancements for Newts

1. A hibernaculum will be constructed near the hedgerow to the northeast. This is a generic term describing a place specifically designed to provide refuge for local fauna, in this case amphibians.
2. The hibernaculum will be constructed of stone, bricks and timber, and loosely covered with soil. This will then either be allowed to grass over naturally, or will be seeded or turfed.
 - This will create a mound with interstitial gaps suitable for shelter of amphibians as well as any other small animals in the area.
 - The mound will be dark, damp and retain heat due to the soil covering.

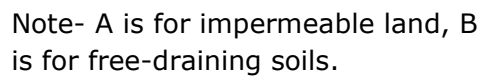


Figure 3.1. Hibernacula design from Froglife ©



4 Ecological Clerk of Works Daily Record Sheet

Site	
Personnel	

Date and Time	Actions	Further Actions to be completed and by whom