



Elite Ecology

Passionate about Ecology

**Big Green Farm,
Penley**



Amphibian Method Statement

September 2020



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0. Executive Summary

This report has been prepared at the request of Mr. Stuart Fraser (Erlas Developments Ltd). It relates to the potential presence of great crested newts (*Triturus cristatus*) and other amphibians at the proposed works site located at Big Green Farm, Penley, Wrexham, LL13 0LP (Central OS Grid Reference: SJ 41684 39555).

The surveyed structures are proposed to be demolished, with 13 new residential dwellings located on the site itself. The site plans can be found in Appendix A.

Based on the information gathered, the proposed scheme of works would be of a 'low' temporary impact on the local amphibian populations during the construction phase. This is because the terrestrial habitats at the site contain limited potential to support a variety of amphibians during their terrestrial phase. The structure will be placed where an existent structure is sited, with the any increase in volume occurring on hard-standing concrete ground.

Please refer to section 3 for the recommendations for this project, including the method statement to be adhered to.

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1 Introduction

1.1 Report rationale

This report has been prepared at the request of Mr. Stuart Fraser (Erlas Developments Ltd). It relates to the potential presence of great crested newts (*Triturus cristatus*) and other amphibians at the proposed works site located at Big Green Farm, Penley, Wrexham, LL13 0LP (Central OS Grid Reference: SJ 41684 39555).

This method statement has been to satisfy Condition 7 of the Planning Application APP/H6955/A/17/31866708. This condition states:

“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 tool box 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;*
- 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 any potential great crested newt habitat (such as rubble piles or sheet materials) on the site. Any amphibians found should be relocated to the artificial hibernacula;*
- d) Details of storage of material which are to be delivered on site; and*
- 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.”*

1.2 Site description and works

The site itself is situated within a rural setting on the southern outskirts of the village of Penley. Hard standing ground, arable land, hedgerows, residential dwellings (and their associated gardens) and amenity grassland are situated in the immediate vicinity of the site.

The surveyed structures are proposed to be demolished, with 13 new residential dwellings located on the site itself. The site plans can be found in Appendix A.

Figure 1: An aerial photograph of the surveyed area at Big Green Farm, Penley (as shown by the red outline). Please be aware that these buildings are no longer present.



1.3 Update Site Visit

A walkover of the site was undertaken by Mr. Matthew Cotterill, BSc (Hons), Licenced Ecologist on Wednesday 9th September 2020. This survey found the site to be cleared, with bare ground and rubble piles apparent. Very little vegetation is present and cover for the local amphibian populations is non-existent.

2 Impact Assessment

Based on the information gathered, the proposed scheme of works would be of a 'low' temporary impact on the local amphibian populations during the construction phase. This is because the terrestrial habitats at the site contain limited potential to support a variety of amphibians during their terrestrial phase. The structure will be placed where an existent structure is sited, with the any increase in volume occurring on hard-standing concrete ground.

The proposed scheme of works will only cause temporary disturbance to the habitats during the construction phase, with all of the commuting terrestrial habitats remaining during the building's operational phase. As the works area (the site where the construction will take place and the material storage area) has limited potential to support great crested newts (*Triturus cristatus*) and other amphibians, a method statement (as outlined in section 3) is necessary for the site. This is to ensure that no individual newts or amphibians get harmed by the works.

Should the method statement be strictly adhered to, then no detriment to the local great crested newt (*Triturus cristatus*) and other amphibian populations will occur by the works.

3 Method Statement

Based on the survey results, the site contains very limited potential for any terrestrial amphibians, including great crested newts (*Triturus cristatus*). The proposed works area contains bare ground and rubble piles, although scattered scrub may colonise the site if left unmanaged. Therefore, the impacts on amphibians will be low during the construction phase only. Therefore, the method statement (as outlined below) is deemed the most suitable option for this project. This method statement needs to be adhered to ensure that no amphibians get harmed by the works.

The following methods should be adhered to:

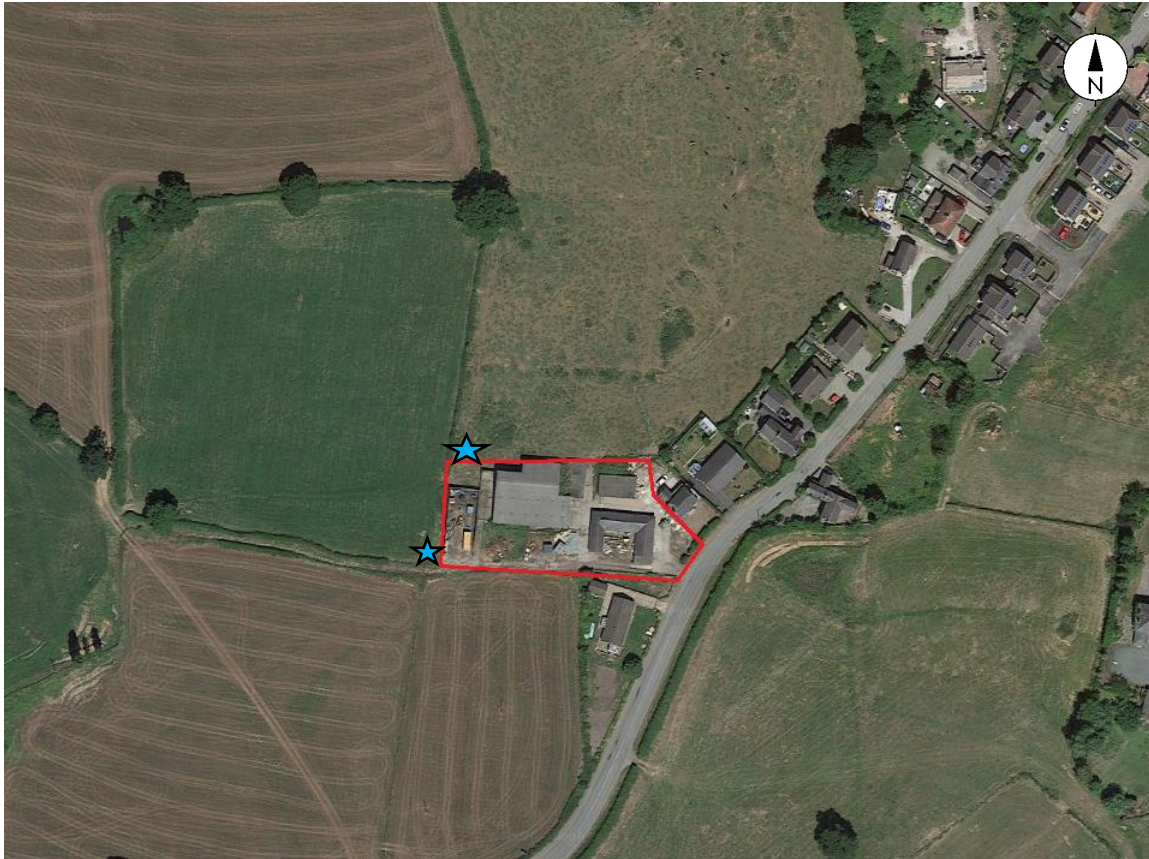
- Keep the vegetation below 15cm in height to ensure that amphibians are deterred from using the site.
- Prior to day 1 of the works onsite, two artificial hibernacula will need to be created just offsite. The specification for this is found below.
- On day 1 of the works, a toolbox talk will be undertaken by a licenced great crested newt (*Triturus cristatus*) ecologist. This will educate contractors in relation to the amphibians that could be encountered and the legislation covering them. Associated documentation will be left with the site manager/project manager. This documentation will include contact details for Elite Ecology and the licenced ecologist appointed to the project.
- Prior to the commencement of the construction works, a fingertip search of the area will be undertaken by a licenced great crested newt (*Triturus cristatus*) ecologist. Any rubble on site will need to be removed by hand, under the supervision of the licenced ecologist.

Any unprotected amphibians found will be collected and translocated to suitable nearby habitat (as shown in figure 2). This translocation site has been selected as the area contains suitable terrestrial and aquatic habitat. The overnight temperature before this fingertip search is required to be 5°C or higher. This is to ensure that no hibernating amphibians are affected by the works and therefore put at undue risk by translocation.

- At the end of every working day, all construction materials need to be stored on raised platforms (i.e. pallets). This is to deter the amphibians from using the construction materials as temporary resting sites. If any amphibians are found within trenches dug into the ground, the licenced ecologist shall be contacted and these amphibians translocated to the chosen site. In addition to this, if any great crested newts (*Triturus cristatus*) are found during the construction phase, then works will stop immediately and the licenced ecologist contacted.
- At the completion of the works, Elite Ecology will produce a letter statement to detail all amphibians captured and translocated. This will include photographic evidence of the works, the amphibians translocated and the site at the completion of the works.

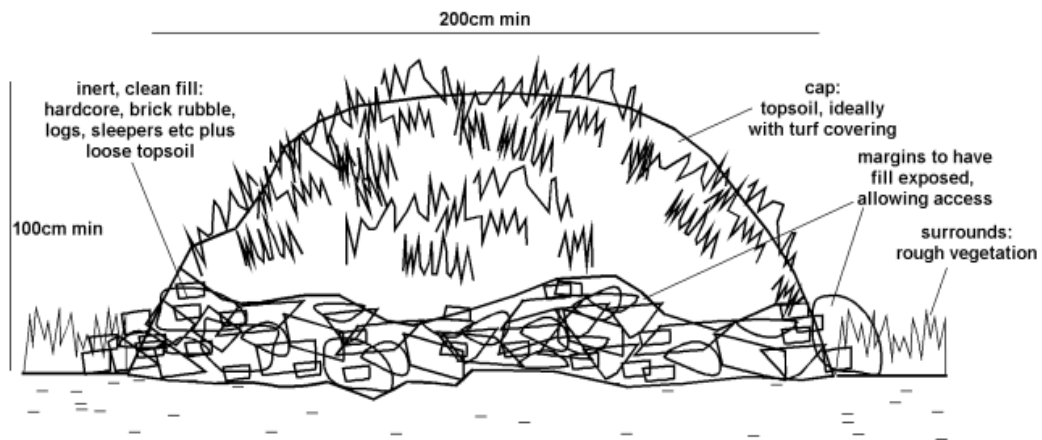
Please note: If any great crested newts are encountered during the above methods, then works need to cease, with both the Local Planning Authority and Natural England contacted for more information.

Figure 2: An aerial image of the proposed works area (red outliner) and the proposed hibernaculas to be used as translocation sites (blue stars).



It is recommended that scrubland, hedgerows, woodland and/or rough grassland is included around the site. It is also recommended that at least two hibernacula are included into the design scheme. These are usually comprised of rubble, rock, log piles and earth banks. An example design for the hibernacula can be seen within **Figure 3**. The location of these are shown in **Figure 2**.

Figure 3: A diagram illustrating the recommended hibernacula (GCN Mitigation Guidelines)



4 References

Natural England (2001). Great Crested Newt Mitigation Guidelines.

The Conservation (Natural Habitats, etc.) Regulations 1994. HMSO.

Wildlife and Countryside Act (1981).

Williams, P. (2013). GCN eDNA Protocol. Freshwater Habitats Trust.

Countryside and Rights of Way Act (2000).

Joint Nature Conservation Committee (1990). Handbook for Phase 1 Habitat Survey.

5 Appendices

Appendix A: Site Plans

Appendix B: Legislation and Policy

These proposed plans have been obtained from Wrexham County Borough Council Planning Portal.



Appendix B: Legislation and Policy

The great crested newt (*Triturus cristatus*) is fully protected under a variety of legislation and conventions. These include:

- Bern Convention (Appendix II)
- Conservation (Natural Habitats, &c.) Regulations 1994 (as amended)
- Conservation of Habitats and Species Regulations 2010
- EU Habitats Directive (Annex II and IV)
- Nature Conservation (Scotland) Act 2004
- NERC Act 2006 (Section 41 England; Section 42 Wales)
- Wildlife and Countryside Act 1981 (as amended)

In addition to this, the great crested newt has been listed as a priority species on the UK Biodiversity Action Plan (UKBAP).

This legislation covers all aspects of newt life stages (eggs, efts and adult newts) and makes it illegal to damage, destroy or obstruct access to any structure or place used for shelter, protection or breeding, and to intentionally disturb a great crested newt while it is occupying a structure or place which it uses for that purpose.

Licenses can be obtained from Natural England (DEFRA) under the Conservation (Natural Habitats etc.) Regulations 1994, to permit activities for the purposes of:

- Regulation 44(2)(e): Preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment, or
- Regulation 44(2)(f): Preventing the spread of disease
- Regulation 44(2)(g): Preventing serious damage to any form of property or fisheries

Or

- If there is no satisfactory alternative.

The above regulations allow people to carry out activities which would otherwise be illegal.

Appendix C: Great Crested Newt Factsheet

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Amphibians

Species to look out for



Most amphibians in the UK will be found on the ground in damp habitats so care must be taken when walking off the footpaths around Beacon Fell and Hawthornthwaite.

What to do?

If at any time during the works you see or suspect **great crested newts** or **natterjack toads** are present, all works must stop, and the project ecologist must be contacted immediately.

If any time during the works you see or suspect a common frog, common toad, palmate newt or smooth newt, steps must be taken to ensure that as little impact is inflicted on them and their habitat as possible.

Do not risk breaking the law! You must not take or move great crested newts or natterjack toads. This is an offence and is punishable in a court of law.

Contact details can be found at the bottom of this form and on the attached business card.

Legislation

All amphibians in the UK are protected under the **Bern Convention**, **Conservation (Natural Habitats etc.) Regulations 1994**, **Conservation of Habitats and Species Regulations 2010**, **EU Habitats Directive**, **NERC Act 2006 (Section 41)** and the **Wildlife and Countryside Act 1981 (as amended)** to some degree. For great crested newts and natterjack toads this legislation makes it illegal to:

- **Deliberately kill, injure or capture said amphibians**
- **Deliberately disturb or destroy a habitat used for shelter or protection**
- **Sell, barter, exchange, transport for sale, and advertise to sell and/or buy.**

For the common frog, common toad, palmate newt and smooth newt this legislation makes it illegal to:

- **Sell, barter, exchange, transport for sale, and advertise to sell and/or buy.**

In certain areas of the UK, sites that support common frog, common toad, palmate and smooth newt can qualify as County Wildlife Sites or Sites of Scientific Interest. Sites of these designations may receive protection in planning policy. **Failure to abide by the legislation afforded to amphibians will incur a fine and prison sentence.**



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6 Notice to Readers: Conditions of this Report

All reports are certified products and cannot be shown, copied or distributed to third parties without the written permission of Elite Ecology. No liability is accepted for the contents of the report, other than to that of the client(s).

Elite Ecology agrees to supply ecological consulting services and advice of a preliminary or thorough nature as advised or commissioned. Upon commissioning Elite Ecology to undertake the work, the client(s) grant access to the site upon the agreed date. If no site access is available upon this date, Elite Ecology holds the right to charge the client(s) for lost staffing time and additional travel costs.

Elite Ecology undertake all site surveys with reasonable skill, care and diligence, within the terms of the contract that has been agreed with the client and abiding by Elite Ecology's Terms and Conditions. The actions of the surveyors on site, and during the production of the report, were undertaken in accordance with the Code of Professional Conduct for the Chartered Institute of Ecology and Environmental Management.

The latest good practice guidelines put in place by Natural England or the relevant statutory conservation bodies have been followed by the surveyors on site. If those methodologies fail to identify a protected species during the survey efforts, no responsibility can be attributed to Elite Ecology. If any of these guidelines are adapted between the date(s) of the surveys being undertaken and the submission of this report, then Elite Ecology takes no responsibility for this.

Should any equipment be damaged or lost on site at the fault of the client(s), then Elite Ecology withholds the right to charge 100% above the current market value for that exact product or the nearest similar product.

The survey results purport the current status of the site and its potential for protected species utilisation at the time of surveying. It should not be viewed as a complete list of the possible flora and fauna species that could be using the site at different times of the year.

Elite Ecology has been provided with full payment for this report and thus the product has been released to the client(s) for the purpose of their planning application. If any part of the report is lost or altered without the written permission of Elite Ecology, then the entire report becomes invalid. Due to the potential for continual change within the natural world, this report is valid for **2 years only** from the date of the last survey visit. If this report is submitted after the 2 year deadline, then a further updated inspection will be required to ascertain whether the site remains in the same condition as it was when initially inspected.

No reliance should be made on any such comments in relation to the structural integrity of the features located on the surveyed site. All information within the report is based solely on evidence that has been found on site during the service provided. No individual opinion or inference will be made other than that of the suitably qualified ecologist appointed to the project.