# Great Crested Newt Reasonable Avoidance Measures

Cristina Voicu

Woodend House

Roundabout Lane

Winnersh

Wokingham

RG41 5AD

Reference: Q-PH-202608-281

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Date: October 2026

## Quality Assurance

| | |
|---|---|
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| **Remarks** | Version 1 |
| **Reference** | Q-PH-202610-019 |
| **Date** | 19th October 2026 |
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## Disclaimers

The contents of this report are confidential and may contain information regarding protected species of a sensitive nature.

This report has been prepared by Prohort Ltd for the sole use of the client and in connection with the development/ project described – this report cannot be relied upon by any third party without express written consent from both Prohort Ltd and the client

The findings of this report are valid for a maximum of **two years** from the final review date; however, it is recommended that an annual update be undertaken owing to potential changes in site conditions/ constraints.

This is a technical report and does not represent legal advice/ opinion.

The author retains the right to re-publish data obtained during all ecological studies and submit those species records to the relevant body(s) – this is a legal requirement for certain class licenses.

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# 1. Introduction/Background

## 1.1. Purpose and Brief

ProHort Limited was commissioned by Cristina Voicu to produce a Reasonable Avoidance Measures (RAMS) for Great Crested Newt (GCN) at Woodend House, Roundabout Lane, Winnersh, Wokingham, RG41 5AD (see site location in Appendix 1) to address the planning conditions set by the Wokingham Borough Council listed below. This document outlines precautionary working methods for works at the site.

*"It has been identified that the site is located within a red risk zone modelled for the protected species 'Great Crested Newt' - as identified on the Wokingham Planning Constraints map. It is important that the local planning authority considers the potential risk to this species because of the proposal. Please supply a site specific 'Great Crested Newt Statement' to consider this risk and whether mitigation measures or a protected species licence would be required. It may help to seek specialist advice through an Ecological Consultant."*

## 1.2. The Proposed Works

The planning proposal involves the construction of an extension on the property (see Appendix 2 for the building proposal).

## 2. Method Statement and Mitigation

The following methods and mitigation procedures should be followed to avoid a breach in legislation (mitigation methods following English Nature (2001)'s guidelines):

- Great Crested Newts may move through terrestrial habitats during late winter, late summer and autumn, when particular care should be taken to minimise the risk of encounters. As GCNs are primarily nocturnal, all construction activities should be restricted to daylight hours, thereby reducing the potential for disturbance or harm to animals moving through the site.
- A thorough fingertip search of the construction area should be undertaken by a qualified ecologist before works commence. This should target areas of thick vegetation, deadwood and brash piles.
- Vegetation within the works area should be kept below 50mm to remain unsuitable for GCN.

All the following measures should be adhered to throughout the proposed works to protect local fauna and flora:

- In the situation where any protected, notable or vulnerable animals are encountered during the works all work must stop and a suitable ecologist should be consulted before continuing. Further surveys and licencing may be deemed necessary.
- Any trenches created by the works should be covered overnight or a means of escape should be provided for any fauna that enters it.
- The creation of rubble, soil or brash piles should be avoided where possible as these can be used by hedgehogs, reptiles and amphibians.
- Using artificial lights between dusk and dawn should be avoided/minimised where possible.
- Avoid using unnecessary chemicals during the works and if any chemicals are required leakages are avoided through fuel drip trays, drip-capture devices and/or spill mitigation devices.

### 2.1. Site Management Measures

Toolbox talks will be delivered by a qualified ecologist to all contractors to raise awareness of GCN and legal responsibilities (Appendix 6).

Due to a pond being within 250 m of the site. It is recommended to install temporary amphibian exclusion fencing (Appendix 5).

Clearly marked exclusion zones will be implemented where required.

Site personnel will be instructed to report any GCN sightings immediately to the site manager.

## 2.2. Responsibilities

**Site Manager:** Ensure compliance with this PWMS and stop works if necessary

**Ecologist:** Conduct surveys and provide advice where necessary

**Contractors:** Follow instructions, report concerns, and respect exclusion zones

# Appendix 1 Site Location



*Figure 1 – The red-line boundary of the site and the surrounding area.*

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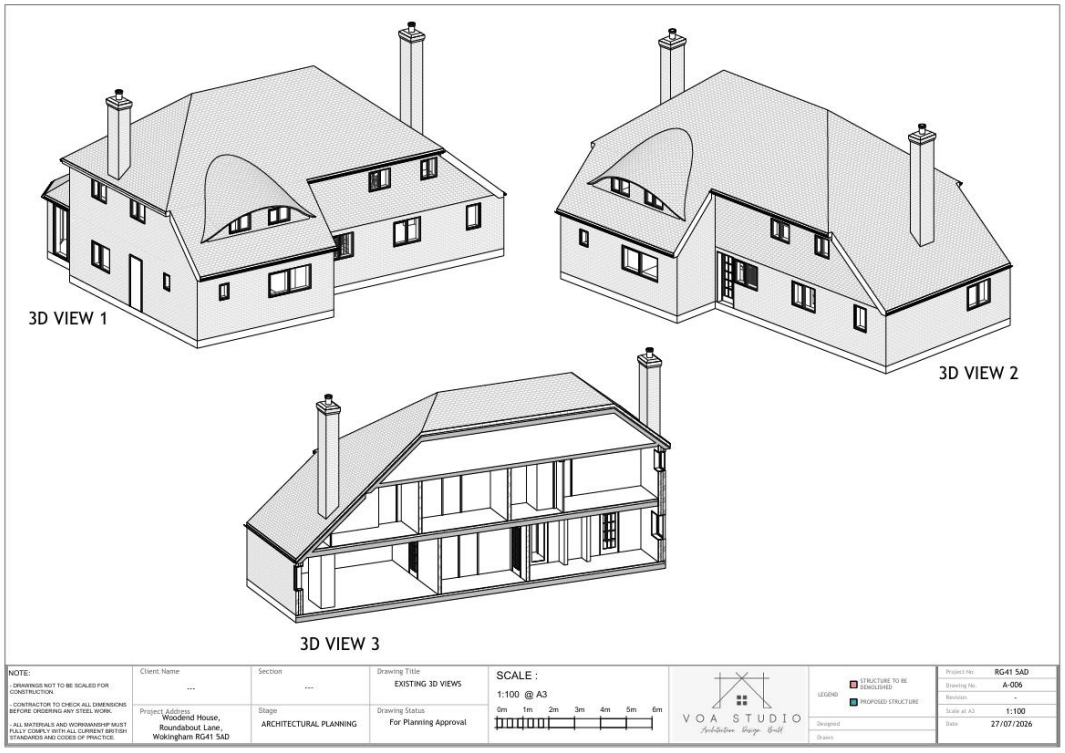
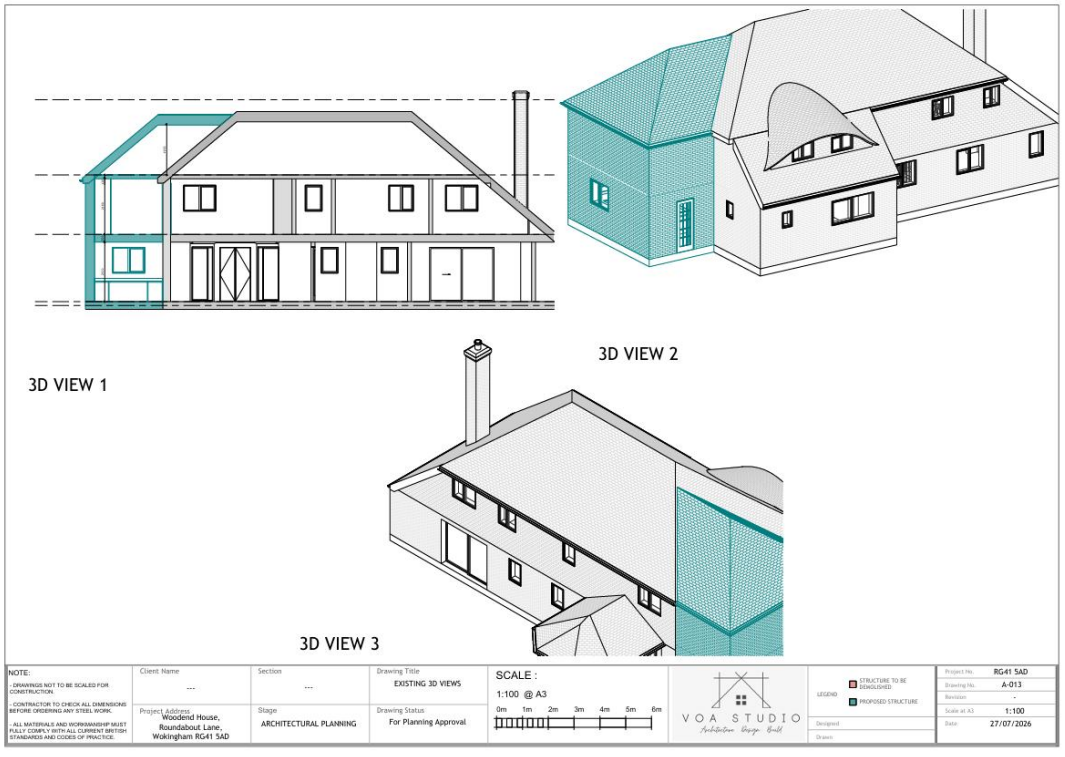
# Appendix 2 Planning Proposal




*Figures 2 & 3 – The existing and proposed plans, provided by the client.*

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# Appendix 3 Legislation and Planning Context

**National Planning Policy Framework 2026**

The National Planning Policy Framework (NPPF) (Ministry of Housing, Communities and Local Government, 2026) sets out the government's planning policies for England and how these are expected to be applied. The NPPF states that 'planning policies and decisions should contribute to and enhance the natural and local environment by:

- Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils in a manner commensurate with their statutory status or identified quality in the development plan.
- Recognising the intrinsic character and beauty of the countryside and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.
- Minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions, such as air and water quality, taking into account relevant information such as river basin management plans.

A list of principles which local planning authorities should follow when determining planning applications is included in the NPPF which includes the following:

- Distinguish between international, national and locally designated sites.
- Allocate land with the least environmental or amenity value.
- Maintain and enhance habitats and green infrastructure networks.
- Enhance natural capital at a catchment or landscape scale across local authority boundaries.
- Give weight to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty.
- Map and safeguard components of local wildlife-rich habitats and wider ecological networks, including wildlife corridors and stepping stones, and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation.
- Promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species
- If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- Development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the

features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Species Scientific Interest.

- Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

**The Wildlife and Countryside Act (WCA) 1981**

The WCA is the primary piece of legislation relating to nature conservation in Great Britain. The Act is supplemented by provisions in the CRoW Act 2000 and the NERC Act 2006.

Part 1 of this act makes it an offence to intentionally or recklessly kill, injure or take any wild bird, to take, damage or destroy the nest of any wild bird while that nest is in use or being built, and/or to take or destroy an egg of any wild bird.

Part 1 also makes it an offence to intentionally or recklessly disturb any wild bird included in Schedule 1 of the act, and to take, damage, or destroy the nest of any wild bid included in Schedule ZA1. Schedule 5 list non-avian species that are afforded various protections under Sections 9.1a, 9.1b, 9.2, 9.4a, 9.4a (Wales), 9.4b, 9.4c, 9.5a and 9.5b.

Schedule 8 lists plant species that are protected from intentionally picking, uprooting or destroying under Section 13.

Schedule 9 lists non-native invasive plants for which it is an offence under Section 14 to plant or otherwise cause to grow in the wild any part of said plants.

**The Conservation of Habitats and Species Regulations 2017**

Section 43 of Part 3 of this legislation makes it an offence to do any of the following with regards to European Protected Species (animals) as listed on Schedule 2:

- Deliberately capture, injure or kill any wild animal of a European protected species. • Deliberately disturb wild animals of any such species.
- Deliberately takes or destroy the eggs of such an animal.
- Damage or destroy a breeding site or resting place of such an animal. (Note: no intentionality is necessary to prosecute this activity).

Section 43 of Part 3 of this legislation makes it an offence to do any of the following with regards to European Protected Species (plants) as listed on Schedule 5:

- Deliberately pick, collect, cut, uproot or destroy a wild plant of a European Protected Species.
- Be in position of or to transport said plant.

**The Countryside and Rights of Way (CRoW) Act 2000**

The CRoW Act applies only to England and Wales, and importantly adds the word “reckless” to the offence of damaging or destroying a place a bat uses for shelter or rest or disturbing a bat while using a roost.

**Natural Environment and Rural Communities Act 2006**

Section 40 of Part 3 of this act compels public bodies (local authorities, police, fire and health authorities, and utility companies) with exercisable functions within England to consider actions to be taken to conserve and enhance biodiversity in England—in particular to have regard to the United Nations Environmental Programme Convention on Biological Diversity of 1992, any relevant local nature recovery strategies, and any relevant species conservation strategy or protected site strategy (prepared by Natural England).

Section 41 of Part 3 of this Act ensures the publishing of a list containing species and habitat types that are of principle importance for the purpose of conserving or enhancing biodiversity in England.

**Wild Mammals (Protection) Act 1996.**

Under this legislation it is an offence to mutilate, kick, beat, nail or otherwise impale, stab, burn, stone, crush, drown, drag or asphyxiate any wild mammal with the intent to inflict unnecessary suffering.

# Appendix 4 References and Useful Sources


- **Amphibian and Reptile Groups of the UK (2010)** Advice Note 5: Great Crested Newt Habitat Suitability Index. London, Amphibian and Reptile Groups of the UK.
- **English Nature (2001)**. Great Crested Newt Mitigation Guidelines. English Nature, Peterborough
- **HMSO (2017)** Conservation of Habitats and Species Regulations 2017 [online]. Available at: http://www.legislation.gov.uk/uksi/2017/1012/contents/made
- **Walker, K., Pearman, B.E., McIntosh, J. & Lockton, A. (2010)** BSBI Recording the British and Irish flora 2010-2020. Annex 1: Guidance on sampling approaches. Cumbria, Botanical Society of Britain and Ireland.

# Appendix 5 Newt Protection Fencing

There are a number of designs for amphibian exclusion fencing. The fencing should follow English Nature's GCN mitigation guidelines. The requirements for this fencing are as follows:

- Supervision and Preparation
  - Install and supervise fencing under an experienced amphibian worker.
  - Clear the proposed fence-line of vegetation (cut back carefully to avoid harming resting newts).
- Fence Design and Layout
  - Gaps and Access: Avoid gaps; use 45° angled turns at ends to deflect newts. For gates/pipelines, use deformable flaps and minimal gaps.
  - Height and Depth: Ensure correct height, depth, and under-lap to prevent newts from passing underneath.
  - Top Curl: Include an overhang to stop newts from climbing over.
  - Material: Use durable, UV-resistant membrane (e.g., 1000 gauge transparent polythene, woven polypropylene, or black polythene DPC). Avoid blue plastic.
  - Tautness: Keep membrane taut, without creases or folds that could allow climbing.
  - Posts and Fixing: Secure to posts with pads and nails/staples (not battens). Place posts on the side least likely to encounter newts.
- Installation and Backfilling
  - Backfill: Use turf-downward placement and compact thoroughly to eliminate gaps. Fill trenches the same day to avoid amphibians sheltering in un-compacted soil.
- Joins and Repairs
  - Use curl-joins secured to posts (no adhesive tape for long-term repairs).
- Maintenance and Removal
  - Inspections: Keep records of inspections and repairs.
  - Removal: Remove backfill carefully by hand if newts are likely present. Supervise fence removal to avoid harming sheltering amphibians.

Figure 4 shows a recommended design for exclusion fence (temporary amphibian fence)

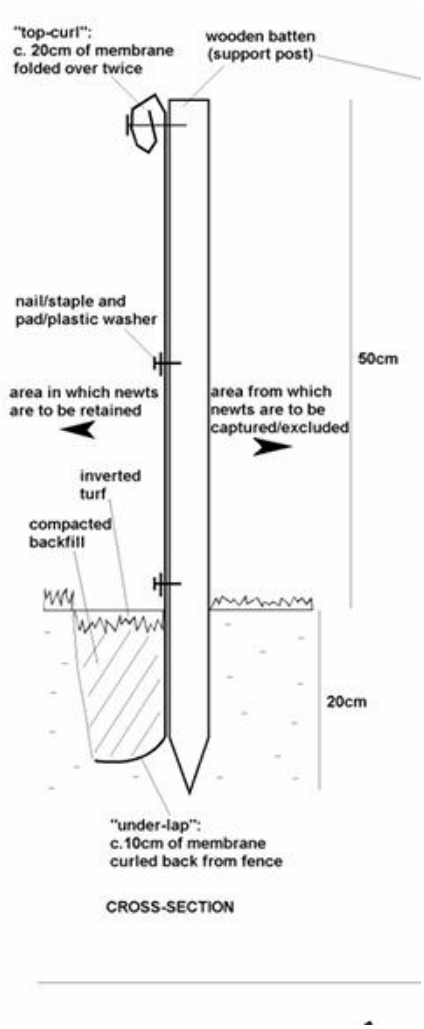


*Figure 4 – Recommended fence design (retrieved from English Nature GCN mitigation guidelines)*

# Appendix 6 Toolbox Talk

**Toolbox talk – Environment**

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**Toolbox talk – Environment**

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## Great Crested Newt

### What?

Great Crested Newts (GCN) (Triturus cristatus) are protected amphibians associated with ponds and surrounding terrestrial habitats. They may travel through development sites, particularly during late winter, late summer and autumn. They are most active in mild, damp conditions, especially at night. Adults are typically 12–18 cm long, with a dark, warty body and a yellow/orange belly with black blotches. Males develop a distinctive crest during the breeding season.

Newts may shelter in long grass, leaf litter, vegetation, logs, stones, rubble and gaps in the ground, and can become trapped in trenches and excavations. Precautions should therefore be taken throughout the working area, not just near ponds.

### Identification

Identifying GCNs can be difficult as they are secretive, nocturnal and well camouflaged. They may be found moving through or sheltering in long grass, leaf litter, vegetation, logs, stones, rubble and gaps in the ground.

GCN can also enter trenches and excavations, where they may become trapped. If one is found, stop work, do not handle it, and report it to the Site Manager or ecologist. If a GCN is found, stop work immediately in the area and report the sighting to the Site Manager or appointed ecologist.

### Why?

GCNs are protected by law under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations. It is an offence to:

- Intentionally or recklessly kill, injure or capture a GCN.
- Disturb a GCN in circumstances where it is legally protected.
- Damage or destroy places used for shelter or protection.
- Possess, sell or transport a GCN or parts of one

Breaches of wildlife legislation can result in criminal prosecution and significant penalties.

### Do

Proceed with caution and follow the GCN RAM Plan.

Check trenches, excavations and work areas before starting.

Stop work immediately if a GCN is found and inform the Site Manager/ecologist.

Keep excavations covered or provide escape routes where practicable.

### Do not

Do not touch, pick up or handle a GCN.

Do not disturb or move a GCN if found.

Do not leave open trenches or excavations where newts could become trapped.

Do not continue work if a GCN is found. Stop and inform the Site Manager/ecologist.

Do not undertake works contrary to the approved GCN RAM Plan.

### Questions

What is a GCN?

When are GCNs most likely to be active?

What should you do if a GCN is found?

What should you do if a GCN is found in a trench or excavation?









**Title: Great Crested Newt Toolbox Talk**

CIEEM Chartered Institute of Ecology and Environmental Management

**Given by:**

**Site:** **Date:**

| Name | Company | Signature |
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