

**Pond at land east of Part Lane
RE: Robin Lodge Nursery
Part Lane
Swallowfield
Berkshire
RG7 1TB**

GCN Survey
Report ref.: R2623_GCN_a

Report Quality Control Information	
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1 EXECUTIVE SUMMARY

- 1.1.1** John Wenman Ecological Consultancy LLP was commissioned by John Ayres to undertake a Great Crested Newt (GCN) habitat assessment of a pond (Pond 2) within land at Brookside Business Centre in Swallowfield. The survey was commissioned to accompany a full planning application currently submitted to Wokingham Borough Council for Robin Lodge Nursery, Part Lane (Planning application ref: 251413).
- 1.1.2** The application site falls within a 'green' GCN Habitat Zone and therefore the Council require a statement demonstrating how the proposals will safeguard against the risk of harming GCN. The aim of the GCN survey was to determine the suitability of the habitats for GCN at the offsite pond and whether further survey and/or mitigation would be required for the proposals.
- 1.1.3** The survey methods comprise a desk-based study for GCN, site walkover survey, including a Habitat Suitability Index (HSI) and eDNA survey of the pond, and an impact risk assessment. There were no significant survey limitations.
- 1.1.4** The desk study revealed three ponds within 500m of the application site; the closest pond (Pond 2), was situated approximately 50m to the east of the application site. A pond survey had been conducted at the pond (Pond 2) in 2018, which returned a negative result for the presence of GCN. The updated eDNA survey carried out returned a negative result for GCN presence.
- 1.1.5** The Natural England GCN Rapid Risk Assessment Tool was used to assess the risk of the development proposals adversely affecting GCN and the proposed works were considered highly unlikely to result in an offence.
- 1.1.6** In line with guidance, the nature and scale of the proposed development is unlikely to breach legislation protecting GCN or their habitats. However, in the absence of mitigation there is a low risk that individual GCNs could potentially be injured and/or killed during the construction activities if traversing across the woodland on site. To avoid this, it is recommended that reasonable avoidance measures to minimise the risk of killing individual GCNs are implemented before and during the construction phase.
- 1.1.7** This report will likely be valid for up to 18 months; after which point a professional ecologist may need to review the report's validity (CIEEM 2019b).

2 INTRODUCTION

2.1 Project Background

2.1.1 John Wenman Ecological Consultancy LLP was commissioned by John Ayres to undertake a Great Crested Newt (GCN) survey of a pond (Pond 2) within land at Brookside Business Centre in Swallowfield. The survey was commissioned to accompany a full planning application currently submitted to Wokingham Borough Council for the proposed construction of two buildings and open log store with associated parking, access and landscaping at Robin Lodge Nursery, Part Lane (Planning application ref: 251413).

2.1.2 The application site falls within a 'green' GCN Habitat Zone and therefore the Council require a survey demonstrating how the proposals will safeguard against the risk of harming GCN.

2.2 Site Location and Context

2.2.1 The land at Robin Lodge Nursery ('the site') comprises 1.2ha of land comprising two derelict buildings surrounded by landscaping and a log yard in Swallowfield, Berkshire (OS grid reference SU 72748 64583).

2.2.2 The site is located on the western side of Part Lane and is set within a semi-rural area with suburban housing to the northwest, grazing pasture to the west and east, and a farmyard to the south. The northern and western boundaries are lined by a small tributary flowing into the Long River, situated 230m to the east.

2.3 Report Objectives

2.3.1 For planning applications that are in a red or amber risk zone (from NatureSpace modelling for GCN district licensing) and within 50m of a known pond, a GCN survey is required to either demonstrate that harm is unlikely (e.g. through non-licensable measures) or that the risk of harm needs to be mitigated through licensable measures (e.g. district licensing).

3 LEGISLATION AND POLICY

3.1 Relevant Legislation

3.1.1 In England and Wales, GCNs found in the wild are fully protected under the Wildlife & Countryside Act 1981 (as amended) (WCA) and Conservation of Habitats and Species Regulations 2017 (as amended); the regulations are commonly referred to as the Habitat Regulations and hereafter referred to as such. The Habitat Regulations refer to European Protected Species (EPS) and the GCN is an EPS. Although the UK left the European Union on the 31st January 2020 and is therefore no longer tied to European legislation, the Habitat Regulations have been retained in their current format.

3.1.2 The legal framework underpinned by the WCA and Habitat Regulations makes these specific actions an offence as follows:

- Deliberately kill, injure, capture or take a wild GCN;
- Deliberately, intentionally or recklessly disturb GCNs; in particular any disturbance which is likely to impair their ability to survive, to breed or reproduce, to rear or nurture their young, to hibernate or migrate, or to significantly affect local distribution or abundance;
- Damage or destroy a place used by a GCN for breeding or resting; and
- Intentionally or recklessly obstruct access to any place used by a GCN for shelter or protection.

3.1.3 The GCN is listed as a species of principal importance for the conservation of biodiversity (a.k.a. priority species) in England under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006.

3.2 Planning Policy

3.2.1 The biodiversity duty imposed through the Environment Act 2021 states that Local Planning Authorities (LPAs) must consider what action they can take to conserve and enhance biodiversity in England. Government planning policy, such as the ODPM Circular 06/2005, requires LPAs to account for the conservation of protected species when considering and determining planning applications.

3.2.2 The ODPM Circular 06/2005 states that *'the presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat.'* This policy means that in instances where there is a reasonable likelihood of GCNs being present and affected by a development, surveys must be undertaken to inform a mitigation strategy to be agreed prior to granting planning permission.

3.3 Mitigation Licensing

3.3.1 The government's statutory nature conservation body, Natural England, is responsible for issuing European Protected Species (EPS) mitigation licences that would permit activities that would otherwise lead to an infringement of the Habitat Regulations. An EPS mitigation licence can be issued if the following three tests derived from Regulation 55 have been satisfied:

- (2)(e) – the derogation is for the purposes of *'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.'*
- (9)(a) – there is *'no satisfactory alternative'* to the derogation; and
- (9)(b) – *'the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.'*

3.3.2 LPAs have a statutory duty under Regulation 7(3)(e) of the Habitat Regulations to consider and determine whether these three tests are likely to be satisfied by planning proposals affecting EPS before granting planning permission. If an EPS mitigation licence is necessary, a licence can be sought once all the necessary planning consents have been granted. Natural England aims to issue a decision on licence applications within 30 working days of submission.

3.3.3 The District Level Licensing (DDL) scheme is an alternative approach to traditional mitigation licensing which authorises developments that adversely affect GCNs. Instead of relying solely on site-specific mitigation and compensation, a 'Conservation Payment' can be made to fund a net increase in GCN habitat elsewhere. Please refer to the NatureSpace guidance for more details.

4 SURVEY METHODS

4.1 Desk Study

4.1.1 A desk-based study for Great Crested Newt (*Triturus cristatus*) (GCN) was undertaken to collate and review existing information about the site and the surrounding land. The study utilised the following open access resources:

- Background data search was requested from Thames Valley Environmental Record Centre (TVERC) for GCN records within 1km of the site;
- Google Earth and OS maps – satellite imagery and maps were used to identify potential breeding ponds and terrestrial habitat connectivity;
- MAGIC – examined to locate granted European Protected Species (EPS) licences; and
- Pre-existing ecology reports – any available reports were obtained from the client or relevant planning portal to provide background information for the site.

4.2 Field Survey

4.2.1 The offsite pond (Pond 2) was located within the grounds of Brookside Business Centre and was visually assessed for its potential to support GCNs and a sample of the water from Pond 2 was taken and sent off for eDNA testing (SureScreen Scientifics) for the pond on the 16th April 2026, undertaken by senior ecologist Meghan Porter-Smith ACIEEM, accredited agent under the Natural England GCN Survey Class Licence CL08 and ecologist Verity West.

4.2.2 GCNs require standing water for breeding and favour small to medium-sized ponds with surface areas ranging from 50m² to 250m². For larval development to take place and young newts to emerge from ponds, ponds must hold water until the end of August (Langton *et.al.* 2001).

4.2.3 GCNs require terrestrial habitats for feeding, movement from pond to pond and for hibernation. Habitats of greatest value to GCNs are those listed below that provide invertebrate prey and provide cover such as under logs or stones:

- Woodland;
- Rough grassland;

- Scrub;
- Hedgerows; and
- Waste ground.

4.2.4 Terrestrial habitats of highest value to GCNs are those rich in invertebrate prey, which provide cover during periods of cold and dry weather, such as under logs or stones for example. Open habitats, such as closely mown grassland, do not provide important habitats for feeding or shelter but can be traversed by GCNs moving between more preferable habitats (English Nature 2001; Langton *et. al.* 2001).

4.3 Risk Assessment

4.3.1 A rapid risk assessment of the impacts to GCN was carried out using the Natural England Rapid Risk Assessment Tool. The Tool takes into account the impacts of the development on GCN and determines the likelihood of effects on populations in the absence of mitigation.

4.4 Survey Constraints

4.4.1 There were no significant survey limitations because GCN habitat assessments and a HSI for GCN can be carried out at any time of year under any weather conditions and the application site was fully accessible. The eDNA sampling was undertaken during the time of year which is acceptable by Natural England i.e. samples must be collected between April 15th and June 30th.

4.4.2 This report will likely be valid for up to 18 months; after which point a professional ecologist may need to review the report's validity (CIEEM 2019b).

5 SURVEY FINDINGS

5.1 Desk Study

5.1.1 The data search undertaken by TVERC revealed no GCN records for the application site. The GCN records returned inside a 1km radius of the application site are detailed in **Table 1** below.

Table 1. GCN records within a 1km radius of the application site (Source: TVERC).

Location	Grid reference	No. of records	Type of record	Most recent record	Distance from site boundary (m)
Willow Tree Works Pond	SU72456490 (10m accuracy)	1	Not specified	2014	~400 NW
The Pippins, Swallowfield	SU72446499 (10m accuracy)	1	Field record	2019	~465 NW
Land west of Trowes Lane & north of Charlton Lane, Swallowfield: Pond	SU72256462 (10m accuracy)	3	eDNA and torchlight search	2022	~ 450 W
Land west of Trowes Lane & north of Charlton Lane, Swallowfield	SU722646 (100m accuracy)	2	Field record	2022	~ 490 W
Copse west of Basingstoke Road, Swallowfield	SU722649 (100m accuracy)	3	Field record	2015	~ 580 NW
Land east of Basingstoke Road, Swallowfield: Pond	SU7198064460 (1m accuracy)	2	eDNA and field record	2022	~ 715 SW
House 350m west of Old Cottage, Swallowfield Street, Swallowfield: Pond	SU72356514 (10m accuracy)	2	Not specified	2018	~ 655 NW
Orchard Paddock, Swallowfield, Berks	SU72166525 (10m accuracy)	1	Field record	2004	~860 NW

5.1.2 One European Protected Species (EPS) mitigation licence has been granted for GCN within a 1km radius of the application site; the licence was granted for the damage and destruction of a breeding and resting place of GCN's situated approximately 610 metres to the north-west of the site between September 2015 and September 2020 (Case Reference: 2015-13523-EPS-MIT). Furthermore, one GCN Class Survey Licence Return within a 1km radius of the site, as detailed in **Table 2** below.

Table 2. GCN Survey Class Licence Return within a 1km radius of the site boundary (Source: DEFRA).

Grid reference	Survey date	GCN presence	Distance (m)
SU722649	11/05/2015 - 13/05/2015	Confirmed	645 NW

5.1.3 There is one waterbody within the development boundary of the application site, however this pond (Pond 1) has previously been deemed an unsuitable habitat for GCN due to the small size and being seasonally dry. OS mapping on MAGIC revealed a second pond (Pond 2) was present within 250m of the site that could potentially support breeding GCNs: approximately 50 metres to the east of the site (a previous eDNA survey had been conducted at Pond 2 in 2018, which confirmed an absence of GCN) – as illustrated in **Figure 1** below.

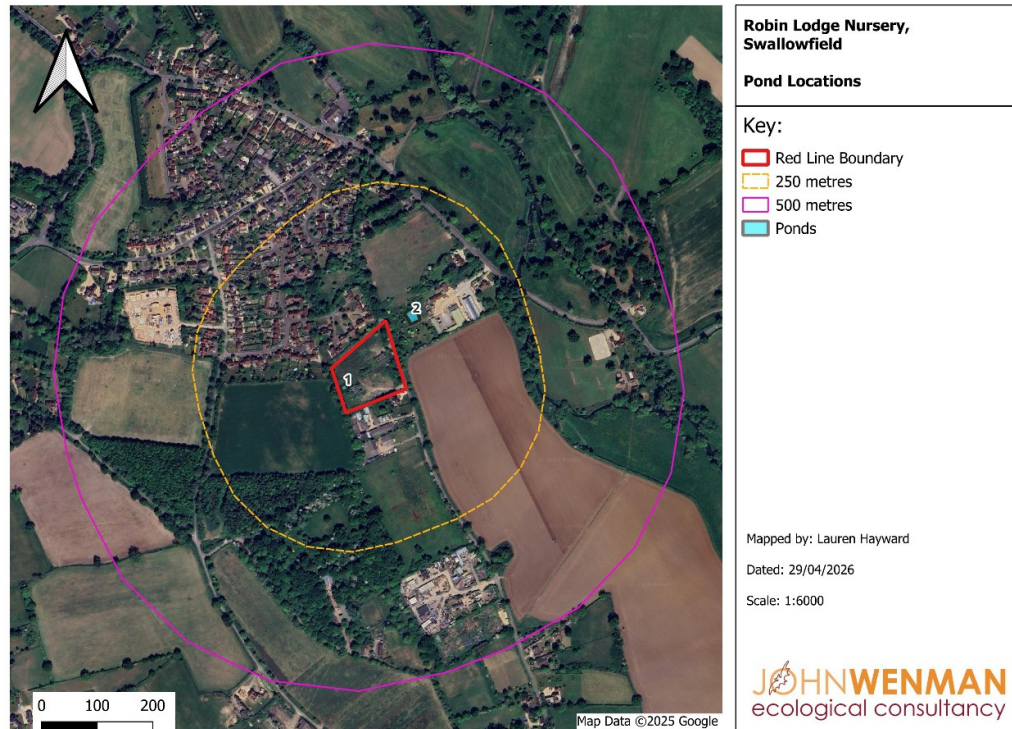


Figure 1. Pond Location Plan.

5.1.4 The application site falls within a 'Green' GCN Habitat Zone (see NatureSpace Impact Risk Maps) – these zones are considered to contain moderate habitat suitability in which GCN may be present (except areas that are nationally important sites designated for GCNs).

5.2 Field Survey

5.2.1 The findings of the visual inspection of the offsite pond (Pond 2) is described with photographs as follows:

5.2.2 Pond 2 was located approximately 50 metres to the northeast of the application site boundary, on the eastern side of Part Lane, located within the land of Brookside Business Centre (**Photograph 1**). The pond was surrounded by modified grassland which was unmanaged, trees, including an orchard with a variety of fruit trees (*Prunus* spp.), *Salix* spp. along the pond

edge, scattered bramble (*Rubus fruticosus*) and introduced shrubs
(**Photograph 2**).



Photograph 1. Pond 2 viewed from the south.



Photograph 2. Modified grassland and fruit trees to the west of the pond (Pond 2).

5.3 Habitat Suitability Index (HSI)

5.3.1 The HSI assessment for Pond 2 produced a score 0.66 and consequently categorised the pond as below average suitability for GCN – see **Table 1** below.

Table 1. Habitat Suitability Index (HSI) for Pond 2.

Category	Description	SI Score
SI ₁ Location	Zone A (optimal)	1
SI ₂ Pond area	Pond with approximately 80m ²	0.2
SI ₃ Pond drying	Never dries out.	0.9
SI ₄ Water quality	Moderate invertebrate diversity	0.67
SI ₅ Shade	75% shade (boundary shrubs / trees)	0.7
SI ₆ Fowl	No evidence of waterfowl present.	1
SI ₇ Fish	Known small number of fish present	0.33
SI ₈ Pond count	Sixteen waterbodies within 1km	1
SI ₉ Terrestrial habitat	Mixed scrub and bramble scrub with unmanaged grassland and trees (habitat with moderate structure)	0.67
SI ₁₀ Macrophytes	50% estimate of macrophyte cover – some submergent and emergent vegetation with no duckweed.	0.8
HSI Score		0.66

5.4 eDNA Survey

5.4.1 The eDNA sample of Pond 2 came back with a negative result for the presence of GCNs – see **Appendix 1**.

5.5 Risk Assessment

5.5.1 The TVERC record search confirmed the presence of GCN within a pond 450m from the site boundary. Based on the status that none of the ponds within 250m of the site support breeding GCNs the Natural England GCN Rapid Risk Assessment Tool was used to assess the risk of the development proposals adversely affecting GCN. The development footprint is approximately 1.2ha and the Tool indicates that the loss of or damage to 1ha

– 5ha of land >250m from a breeding pond is highly unlikely to result in an offence – see **Figure 3** below.

Component	Likely effect (select one for each component; select the most harmful option if more than one is likely; lists are in order of harm, top to bottom)	Notional offence probability score
Great crested newt breeding pond(s)	No effect	0
Land within 100m of any breeding pond(s)	No effect	0
Land 100-250m from any breeding	No effect	0
Land >250m from any breeding pond(s)	1 - 5 ha lost or damaged	0.04
Individual great crested newts	No effect	0
Maximum:		0.04
Rapid risk assessment result:		GREEN: OFFENCE HIGHLY UNLIKELY

Guidance on risk assessment result categories

"**Green: offence highly unlikely**" indicates that the development activities are of such a type, scale and location that it is highly unlikely any offence would be committed should the development proceed. Therefore, no licence would be required. However, bearing in mind that this is a generic assessment, you should carefully examine your specific plans to ensure this is a sound conclusion, and take precautions (see **Non-licensed avoidance measures tool**) to avoid offences if appropriate. It is likely that any residual offences would have negligible impact on conservation status, and enforcement of such breaches is unlikely to be in the public interest.

Figure 3. Natural England GCN Rapid Risk Assessment Tool.

6 DISCUSSION AND RECOMMENDATIONS

6.1 Assessment of Habitat Suitability

- 6.1.1** The desk study revealed one pond with confirmed GCN presence within 500m from the application site. The record is for a positive eDNA survey of a pond located within land 450m to the west of the site, recorded in 2022. The next closest ponds with confirmed records of GCN presence were two ponds situated approximately 600m and 620m north-west from the application site.
- 6.1.2** The application site covers an approximate area of 1.2ha with the site boundaries comprising mixed scrub, scattered trees and a stream with neglected areas of overgrown bramble scrub, grassland, sparsely vegetated urban land and ruderal vegetation, i.e. terrestrial habitats of moderate value to GCN which may provide occasional cover and possible hibernation and feeding opportunities due to the infrequent management of the site.
- 6.1.3** The application site falls within a 'Green' GCN Habitat Zone – these zones are considered to contain moderate habitat suitability in which GCN may be present (except areas that are nationally important sites designated for GCNs). The walkover survey found one small waterbody within the application site, however it was of a sub-optimal size and is highly likely to seasonally dry out, and therefore was not considered suitable for GCN.
- 6.1.4** The closest offsite pond to the site, Pond 2, was located 50 metres north-east of the site was ruled out as having GCNs present through a previous eDNA survey in 2018. A walkover survey of Pond 2 showed the HSI score to be below average suitability for GCN and the updated eDNA test returned a negative result for GCN presence in the pond (see **Appendix 1**).

6.2 Impact Assessment and Required Actions

- 6.2.1** The development proposals involve removal of bramble scrub, sparsely vegetated urban land and small areas of poor grassland (i.e. terrestrial habitats of moderate value to GCN).
- 6.2.2** The Natural England GCN Rapid Risk Assessment Tool was used to assess the risk of the development proposals adversely affecting GCN and it was considered highly unlikely that the proposed works would result in an offence – see **Figure 3** above.

6.2.3 In line with the guidance contained in the Tool and the impact assessment presented above, the nature and scale of the proposed development is highly unlikely to breach legislation protecting GCN or their habitats. However, in the absence of mitigation there is a risk that individual GCNs could potentially be injured and/or killed during the construction activities if using or transversing across suitable habitats such as the log piles, mixed scrub or areas of unmanaged grassland habitats on site. To avoid this, it is recommended that reasonable avoidance measures to minimise the risk of killing individual GCNs are implemented during the construction phase – as set out in **Section 6.3** below.

6.3 Reasonable Avoidance Measures

6.3.1 It is likely that any residual offences would have negligible impact on the conservation status of a local GCN population and the enforcement of such breaches is unlikely to be in the public interest. Therefore it is considered that a European Protected Species (EPS) mitigation licence or a District Level Licence would not be required to allow the works to proceed lawfully, but the following reasonable avoidance measures should be adopted to minimise the extremely low risk of harming individual GCNs:

Pre-commencement of construction activities

- A suitably licensed ecologist will provide a 'toolbox' talk briefing the contractors working on site about GCN identification, what to do if GCN are found and the reasonable avoidance measures to be adopted;
- The areas of unmanaged grassland within the development site will be cut to ground level prior to commencement of the works to minimise the likelihood of GCN of being present during excavations; and
- Any removal of log piles or burn piles will be carefully removed by hand held tools under supervision by a suitably licensed ecologist and should be timed to take place outside of the winter (late October through to February) to minimise the chance of disturbing animals sheltering beneath materials during the hibernation season.

During construction activities

- Any stored building materials or waste, such as bricks or debris etc., that might offer shelter for GCN will be kept raised off the ground on pallets or on existing hard standing, and efforts should be made to

process and remove from site as soon as possible;

- Excavation works will be avoided after dusk and any open excavations or trenches will be backfilled (after a check for GCN presence) or left with escape ramps to prevent GCN from becoming trapped; and
- If any extensive groundworks are required, a destructive search using a machine with a toothed bucket will be undertaken in the presence of a suitably licensed ecologist.

6.3.2 In the unlikely event that a GCN is found during the course of construction, works will stop immediately and a licensed ecologist will be called onto site to ensure the GCN is not harmed and provide further advice on how to proceed; work will recommence only once further written advice has been received.

Enhancement Opportunities

6.3.3 The value of the application site to wildlife will be enhanced by the creation of a larger and permanent pond included within the proposals, and by adding features suitable for sheltering and hibernating GCN, such as creating hibernacula within the retained and enhanced mixed scrub.

7 REFERENCES

English Nature (2001). *Great crested newt mitigation guidelines*. English Nature, Peterborough.

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

APPENDIX 1 – eDNA TECHNICAL REPORT

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GCN eDNA Analysis

Summary

When great crested newts (GCN), *Triturus cristatus*, inhabit a pond, they continuously release small amounts of their DNA into the environment. By collecting and analyzing water samples, we can detect these small traces of environmental DNA (eDNA) to confirm GCN habitation or establish GCN absence.

Results

Lab ID	Site Name	OS Reference	Degradation Check	Inhibition Check	Result	Positive Replicates
R26 0279	Pond at Brookside Business Centre, Church Road	SU 72830 64680	Pass	Pass	Negative	0/12

Matters affecting result: none

Reported by: Consuela Sopronyi

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