

Catkins
2 Betty Grove Lane
Sindlesham
Berkshire
RG41 5DR

Great Crested Newt Habitat Assessment

Report prepared by John Wenman
R3562/a

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1 Diesel House, Honey Hill, Wokingham, Berkshire RG40 3BL
Telephone: 0118 3271810 Mobile: 07979 403099 E-mail: info@wenman-ecology.co.uk
www.wenman-ecology.co.uk

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Registered office: 100 New Wokingham Road, Crowthorne, RG45 6JP where you may look at a list of members' names.

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1 EXECUTIVE SUMMARY

- 1.1.1** John Wenman Ecological Consultancy LLP was commissioned by Mr & Mrs Tilson to undertake a Great Crested Newt (GCN) Habitat Assessment at Catkins in Sindlesham, Berkshire. The assessment was commissioned to accompany a planning application to be lodged with Wokingham Borough Council (WBC) seeking consent for the erection of a single storey rear extension.
- 1.1.2** The application site is located in a 'Red' GCN Impact Risk Zone – a zone considered to have highly suitable habitat and the most important area for GCN. The desk study, which included a TVERC data search, revealed
- 1.1.3** The application site was visually assessed for its potential to support GCN on the 9th October 2023 by John Wenman registered under the Natural England GCN Survey Class Licence CL08. The site had no waterbodies and was characterised by a mostly closely-mown amenity grassland, introduced shrub/flower beds – terrestrial habitats of low value to GCN. A hedgerow and associated logs and taller vegetation on the boundary were higher quality habitats but will be retained unaffected. The areas affected by the extension provide some limited cover and some precautions should be adopted.
- 1.1.4** The Natural England GCN Rapid Risk Assessment Tool was used to assess the risk of the proposals adversely impacting GCN. The Tool indicated that the loss of or damage to 0.001-0.01ha of land is highly unlikely to result in an offence.
- 1.1.5** 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 an European Protected Species mitigation licence or registration under the District Licence would not be required to proceed lawfully but precautionary non-licensed avoidance measures should be adopted to minimise the low risk of harming individual GCN.

2 INTRODUCTION

2.1 Project Background

2.1.1 John Wenman Ecological Consultancy LLP was commissioned by Mr and Mrs Tilson to undertake a Great Crested Newt (GCN) Habitat Assessment at Catkins, 2 Betty Grove Lane in Sindlesham, Berkshire. The assessment was commissioned to accompany a planning application to be lodged with Wokingham Borough Council (WBC) seeking consent for the erection of a single storey rear extension.

2.1.2 The application site is located in a 'Red' GCN Impact Risk Zone as identified on the WBC Planning Constraints Map and therefore the proposals require a statement to demonstrate how to safeguard against the risk of harming GCN. A survey was carried out to assess the suitability of habitats to be impacted by the proposals for GCN so that site-specific mitigation measures can be recommended; this report details the habitat assessment findings and our recommendations.

2.2 Legislative Background

2.2.1 GCN (*Triturus cristatus*) receives full protection in England under the Wildlife & Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2017 ('Habitat Regulations') (as amended). In summary, the legislation combined makes it an offence to:

- Intentionally or recklessly kill, injure or take a GCN;
- Possess or control any live or dead specimen or anything derived from a GCN;
- Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection by a GCN;
- Intentionally or recklessly disturb GCN; in particular, any disturbance which is likely to impair their ability to survive, breed or reproduce or nurture their young; or in the case of hibernating or migrating animals, to hibernate or migrate.

2.2.2 The GCN is listed as being of principal importance for the conservation of biodiversity in England under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 (commonly referred to as a UKBAP Priority species).

- 2.2.3** The government's statutory conservation advisory organisation, 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 have been met:
- **Regulation 55(9)(a)** - there is "no satisfactory alternative" to the derogation;
 - **Regulation 55(9)(b)** - the derogation "will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range"; and
 - **Regulation 55(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".
- 2.2.4** Local planning authorities (LPAs) have a statutory duty under Regulation 7(3e) of the Habitat Regulations to have regard to requirements of the Habitats Directive in the exercise of their functions. The LPA must therefore consider and determine whether these three tests are likely to be satisfied by applications where survey findings show that an EPS mitigation licence is necessary before granting planning permission.
- 2.2.5** EPS mitigation licence applications can be submitted once all necessary planning consents have been granted and Natural England aim to issue a licence decision within 30 working days.
- 2.3 Site Location and Context**
- 2.3.1** The semi-detached property is located on the northeast side of Betty Grove Lane off Mole Road in Sindlesham, Berkshire (OS grid reference: SU 76602 69474).
- 2.3.2** The property is set in a semi-rural area amongst other residential properties on Betty Grove Lane with gardens, scattered trees and agricultural buildings; immediate surroundings are primarily agricultural fields.
- 2.3.3** The application site is located in a 'Red' GCN Impact Risk Zone as identified on the WBC Planning Constraints Map. The 'Red' Impact Risk Zones are considered to have highly suitable habitat and the most important areas for GCN.

3 SURVEY METHODOLOGY

3.1 Desk Study

- 3.1.1** The Thames Valley Environmental Records Centre (TVERC) was commissioned to undertake a search of great crested newt (GCN) records for land within a 1km radius of the site.
- 3.1.2** The DEFRA Data Services Platform was used to obtain geospatial datasets, such as GCN eDNA Pond Surveys for District Level Licensing and GCN Class Survey Licence Returns, for examination on QGIS. The Multi-Agency Geographical Information Centre (MAGIC) website was examined for nearby European Protected Species Mitigation Licenses (EPSMLs) and alongside Google Earth satellite imagery for ponds within a 1km radius of the application site.
- 3.1.3** Wokingham Borough Council (WBC) Planning Constraints map was used to examine the GCN Impact Risk Zones and any nearby GCN Consultation Zones.

3.2 Field Survey

- 3.2.1** The application site was visually assessed for its potential to support GCN on the 9th October 2023 by John Wenman MCIEEM registered under the Natural England GCN Survey Class Licence CL08.
- 3.2.2** GCN 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).
- 3.2.3** GCN require terrestrial habitats for feeding, movement from pond to pond and for hibernation. Habitats of greatest value to GCN 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.

- 3.2.4** Terrestrial habitats of highest value GCN 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 GCN moving between more preferable habitats (English Nature 2001; Langton *et. al.* 2001).

3.3 Risk Assessment

- 3.3.1** 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 (**Appendix 2**).

3.4 Survey Constraints

- 3.4.1** Full access was available to the application site and as such the survey had no significant constraints.

4 SURVEY FINDINGS

4.1 Desk Study

- 4.1.1** MAGIC and OS mapping revealed six ponds within 500 metres of the site situated approximately: 44m south east, 101m south east, 189m south east, 211m north west, 307m south east, and 318m south west.
- 4.1.2** The data search undertaken by the Thames Valley Environmental Records Centre (TVERC) showed that there were records of great crested newts (GCN) at three ponds within the 1km search radius. The closest record is from a pond approximately 700m to the north west with a count of 50 adults in 2016.
- 4.1.3** There were no European Protected Species (EPS) mitigation licences issued for great crested newts within a 1km radius of the application site, but MAGIC revealed one GCN Class Survey Licence Return, with records of GCNs in a pond 700m to the north west recorded in 2016, matching the record held by TVERC.
- 4.1.4** The application site is located in an 'Red' GCN Impact Risk Zone as defined within the new District Licence operated by NatureSpace for Berkshire and as identified on the WBC Planning Constraints Map. The 'Red' Impact Risk Zones are considered to have the highest risk of great crested newts being present.

4.2 Field Survey

- 4.2.1** Photographs of the application site are presented in **Appendix 1**. The findings of the visual inspection of the site are described as follows:
- 4.2.2** The application site comprised primarily of closely-mown amenity grassland to the rear of the house. The amenity grassland included species such as Yorkshire fog (*Holcus lanatus*), red fescue (*Festuca rubra*), cock's-foot (*Dactylis glomerata*), false oat grass (*Arrhenatherum elatius*), dandelion (*Taraxacum officinale* agg.), catsear (*Hypochaeris radicata*) and creeping buttercup (*Ranunculus repens*), a small patch centrally had been allowed to grow taller (**Photographs 1 & 2**).
- 4.2.3** The garden's south eastern boundary was formed by an established mixed species hedge with hazel (*Corylus avellana*), holly (*Ilex aquifolium*), bramble

(*Rubus fruticosus* agg.), ivy (*Hedera* sp.), nettle (*Urtica dioica*) and Virginia creeper (*Parthenocissus quinquefolia*) (**Photograph 3**). A couple of large logs were present at the base of the hedge with associated areas of taller vegetation that could provide shelter for newts; however, these were away from the area of proposed building work (**Photograph 4**).

- 4.2.4** Narrow formal flower and plant beds with a range of native and non-native plants such as raspberry (*Rubus* sp.), *Euonymus* sp., male fern (*Dyopteris felix-mas*) and herb robert (*Geranium robertianum*) were situated immediately to the rear of the house, providing some potential cover for newts (**Photograph 5**). Small areas of patio were situated towards the rear of the house in the area of the proposed extension (**Photograph 2**). The patios mostly lacked features suitable for providing cover for newts; however, there were bricks loose around the patio that could provide some limited occasional cover for newts.

4.3 Risk Assessment

- 4.3.1** The Natural England GCN Rapid Risk Assessment Tool was used to assess the risk of the proposals adversely impacting GCN. The Tool indicated that the loss of or damage to 0.001-0.01ha of land within 100m of a breeding pond, and over 250m away from other breeding ponds, is highly unlikely to result in an offence (refer to rapid risk assessment in **Appendix 2**).

5 DISCUSSION AND RECOMMENDATIONS

5.1 Assessment of Habitat Suitability

5.1.1 The desk study revealed that there were existing great crested newt (GCN) records within 1km of the site with the closest being from a pond approximately 700 metres to the north west. There were no European Protected Species (EPS) mitigation licences within a 1km radius of the application site, but there was one GCN Class Survey Licence Return present matching the TVERC pond record 700m to the north west.

5.1.2 The application site had no waterbodies and therefore does not provide suitable breeding opportunities for a local GCN population.

5.1.3 The application site is located in a 'Red' GCN Impact Risk Zone as defined within the new District Licence operated by NatureSpace for Berkshire i.e. a zone with the highest risk of great crested newts being present. However, the site was characterised mostly by closely-mown amenity grassland with formal beds and patios – terrestrial habitats of low value to GCN. The hedgerow and areas of taller vegetation at the base with logs provides terrestrial habitat of higher value to newts.

5.2 Impact of Proposals and Recommendations

5.2.1 The proposals involve the erection of a single storey rear extension in the rear garden (refer to existing and proposed plans in **Appendix 3**).

5.2.2 The development footprint is less than 0.01ha and the habitat to be affected is primarily amenity grassland and patio – habitats of negligible value to GCN, which offer few sheltering opportunities. The higher value habitat features i.e. the hedge and associated cover will be retained unaffected. However, there is a small chance that individual GCN may cross the application site and opportunistically take shelter in areas of taller vegetation such as the flower beds, and beneath loose bricks noted in the area of work.

5.2.3 The Natural England GCN Rapid Risk Assessment Tool was used to assess the risk of the proposals adversely impacting GCN on the application site. The Tool indicated that the loss of or damage to 0.001-0.01ha of land within 100m of a breeding pond, within 100-250m and over 250m away from other breeding ponds, is highly unlikely to result in an offence (refer to rapid risk assessment in **Appendix 2**). It is therefore considered highly unlikely that

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GCN populations will be impacted by the proposals, particularly if precautionary non-licensed avoidance measures are employed during construction as set out in **Section 5.3** below.

5.3 Precautionary Non-licensed Avoidance Measures

- 5.3.1** 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 European Protected Species mitigation licence or a District Level Licence registration would not be required to allow the works to proceed lawfully but the following non-licensed avoidance measures should be adopted to minimise the extremely low risk of harming individual GCN:
- The loose bricks should be moved carefully by hand to minimise the chance of harming individual newts sheltering beneath materials;
 - Any stored building materials such as bricks etc. that might offer shelter for GCN will be kept raised off the ground on pallets or on existing hard standing; and
 - During the course of construction, any open excavations and trenches will be backfilled before nightfall or alternatively, escape ramps will be installed to allow GCN to escape if they become trapped;
 - Taller vegetation within the flower beds in the area of work should be cut using hand held tools down to a height of no less than 15cm before building work begins. Additionally, the grassland within the construction area should be kept short before site work begins to minimise the likelihood of newts of being present during excavations.
- 5.3.2** In the unlikely event that a GCN is found during the course of site clearance and/or 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.
- 5.3.3** The value of the garden to wildlife could be increased by adding additional features suitable for sheltering and hibernating GCN, such as creating rockeries and extra log piles and allowing additional areas of grassland to grow tall and diversify.

6 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 - SITE PHOTOGRAPHS



1. The rear garden at Catkins viewing north west showing mostly closely mown lawn.



2. The rear garden viewing south east towards the house showing the area of the rear extension with small areas of patio and formal planting beds.



3. The hedge on the south eastern boundary.



4. Logs and areas of taller vegetation alongside the hedge towards the northern end of the garden.



5. The formal planting beds immediately to the rear of the house.



6. Loose bricks around the raised patio to the rear of the house.

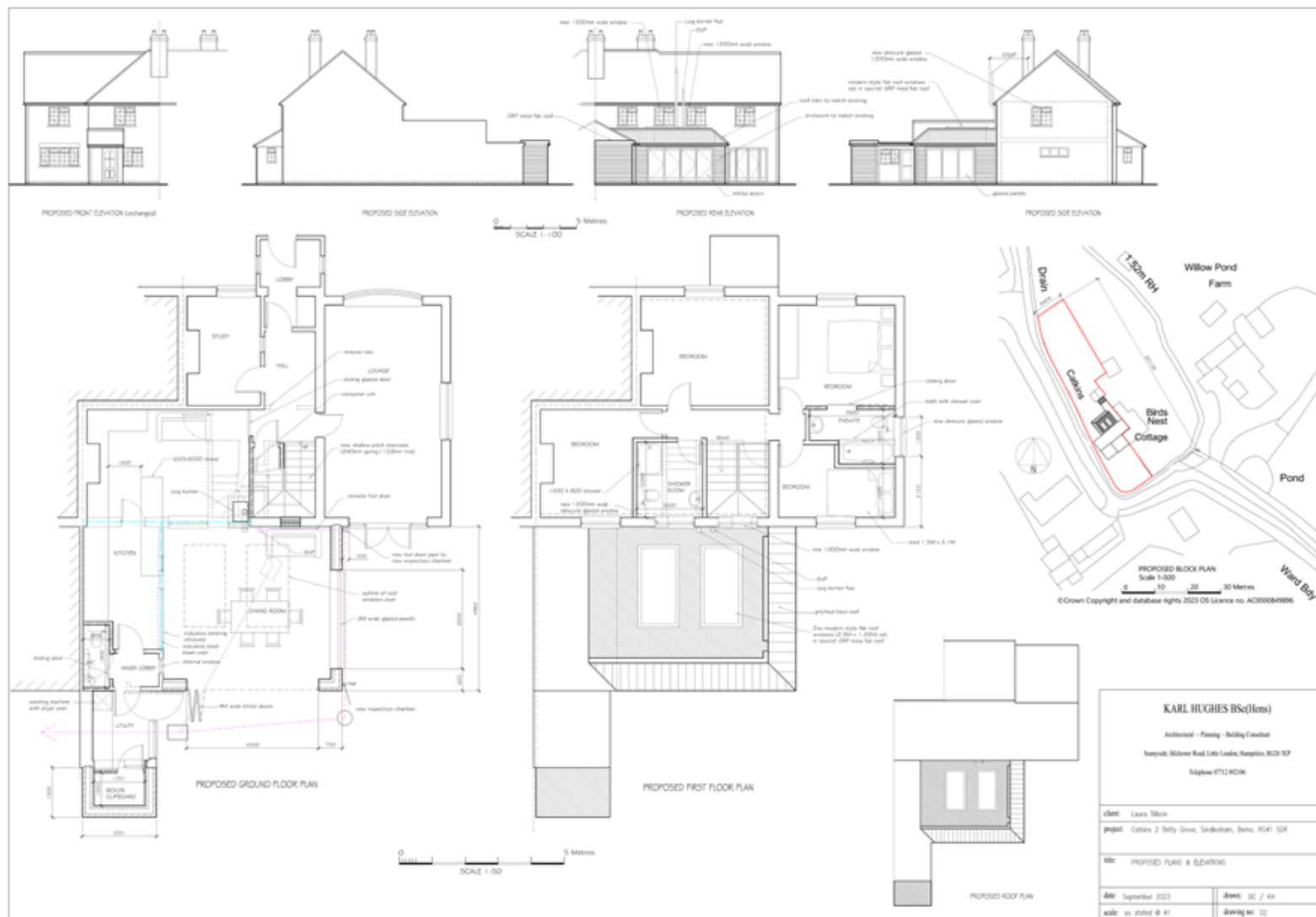
APPENDIX 2 – NATURAL ENGLAND GCN RAPID RISK ASSESSMENT TOOL

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)	0.001 - 0.01 ha lost or damaged	0.05
Land 100-250m from any breeding pond(s)	0.001 - 0.01 ha lost or damaged	0.005
Land >250m from any breeding pond(s)	0.001 - 0.01 ha lost or damaged	0.0005
Individual great crested newts	No effect	0
Maximum:		0.05
Rapid risk assessment result:	GREEN: OFFENCE HIGHLY UNLIKELY	

APPENDIX 3 – EXISTING AND PROPOSED PLANS



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