

31 Pound Lane
Sonning
Reading
Berkshire
RG4 6XD

GCN Habitat Assessment

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1 EXECUTIVE SUMMARY

- 1.1.1** John Wenman Ecological Consultancy LLP was commissioned by Kate Rodrigues to undertake a Great Crested Newt (GCN) habitat assessment at 31 Pound Lane in Sonning to accompany a householder planning application to be submitted to Wokingham Borough Council to replace the existing garage with an annexe.
- 1.1.2** The application site falls within a 'Red' 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 habitat assessment was to determine the suitability of the habitats for GCN on site and whether further survey and/or mitigation would be required for the proposals.
- 1.1.3** The desk study revealed one pond (Pond 1) within 250m and four ponds (Ponds 2 to 5) within 500m of the application site boundary that could potentially support breeding GCNs. The study revealed known GCN presence approximately 488m to the southwest (in close vicinity to ponds 2 to 4 at Ali's Pond LNR).
- 1.1.4** The site is a residential detached house with a garage and typical garden habitats, including a decking, patio, formal lawn, scattered trees and shrubs, and plant beds, i.e. terrestrial habitats of moderate value to GCN. The development footprint is small and will impact the existing building footprint and potentially small sections of the habitats surrounding the house which comprised of patio and formal grassland (i.e. terrestrial habitats of negligible value to GCN).
- 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 the absence of precautionary mitigation measures, there is a low risk that individual GCNs could potentially be injured and/or killed during the construction activities if a local population exists in the wider area. 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.

2 INTRODUCTION

2.1 Project Background

2.1.1 John Wenman Ecological Consultancy LLP was commissioned by Kate Rodrigues to undertake a Great Crested Newt (GCN) habitat assessment at 31 Pound Lane in Sonning to accompany a householder planning application to be submitted to Wokingham Borough Council to replace the existing garage with an annexe.

2.1.2 The application site falls within a 'Red' GCN Habitat Zone (see NatureSpace Impact Risk Maps) and therefore the Council require a statement demonstrating how the proposals will safeguard against the risk of harming GCN.

2.2 Site Location and Context

2.2.1 The site is a 0.08ha residential plot located on the eastern side of Pound Lane in Sonning (central OS grid reference: SU 76022 75222).

2.2.2 The site is in a suburban setting surrounded by other residential properties with typical garden habitats.

2.2.3 The property is in a suburban setting amongst other residential plots with typical garden habitats. Allotments are present on the eastern boundary of the rear garden. There is nearby deciduous wooded habitat approximately 210 metres to the southwest of the site, situated to the rear of Sonning Church of England Primary School and surrounded by recreation fields with tree lines connecting to Ali's Pond – a Local Nature Reserve (LNR) 365 metres west of the site. Further woodland can be found approximately 140 metres to the northeast of the site and an area of traditional orchard can be found 95 metres to the north – a Priority Habitat. Sonning Golf Club is situated approximately 615 metres to the southeast, which encompasses areas of open grassland, deciduous woodland and two areas of ancient and seminatural woodland - Holmemoor Copse and Sandpit Copse.

2.3 Report Objectives

2.3.1 The aim of the GCN habitat assessment was to determine the suitability of the habitats for GCN on site and whether further survey and/or mitigation would be required for the proposed development.

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 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 granted EPS licences; MAGIC was used in conjunction with Google Earth satellite imagery to identify ponds and assess the permeability of habitats within a 500m radius of the application site.

4.2 Field Survey

4.2.1 The application site was visually assessed for its potential to support GCNs on the 18th March 2025 by Vicky Potts MCIEEM, registered under the Natural England GCN Survey Class Licence CL08 (Registration number: 2015-9629-CLS-CLS).

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 can be carried out at any time of year under any weather conditions and the application site was fully accessible.

5 SURVEY FINDINGS

5.1 Desk Study

5.1.1 No European Protected Species (EPS) mitigation licences have been granted for GCN within a 1km radius of the application site. The study revealed a licence return confirming GCN presence from surveys undertaken in 2015 approximately 488m to the southwest at Ali's Pond LNR (in close vicinity to ponds 2 to 4).

5.1.2 MAGIC OS mapping revealed that there are five ponds that could potentially support breeding GCNs, 140 m to the northeast (Pond 1), 340 metres southwest (Pond 2), 345 metres to the west (Pond 3), 420 metres to the southwest (Pond 4) and 450 metres to the northeast (Pond 5) – as illustrated in **Figure 1** below.



Figure 1. Pond Location Plan.

5.1.3 The homeowners were aware of an observational record of GCNs using terrestrial habitats on site from ecological surveys undertaken over 10 years ago linked to a previous planning application (Planning application ref: F/2013/0117).

5.1.4 The application site falls within a 'Red' GCN Habitat Zone (see NatureSpace Impact Risk Maps) – these zones contain suitable habitat and are the most

important areas for GCN (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 site are described with photographs as follows:

5.2.2 The application site was a residential detached house with a detached garage and garden towards the eastern side (**Photographs 1 to 4**).



Photograph 1. Detached garage to be demolished, viewed from southeast.



Photograph 2. Rear garden viewed from east.

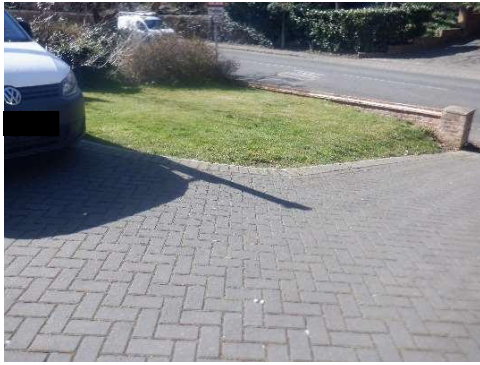


Photograph 3. Rear garden viewed from the west.

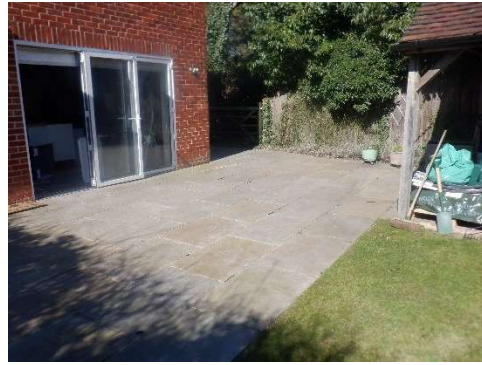


Photograph 4. Front garden viewed from the east.

5.2.3 A newly paved driveway was present to the front of the house and up to the garage and a patio was present to the rear of the house (**Photograph 5 & 6**) and leading up to the garage (**Photographs 7**). Decking was present at the eastern end of the garden which had some gaps underneath (**Photograph 8**).



Photograph 5. Paved driveway to the front of the house.



Photograph 6. Patio to the rear of the house.



Photograph 7. Patio to the front of the garage.



Photograph 8. Decking at the eastern side of the garden.

5.2.4 A cherry laurel (*Prunus laurocerasus*) and holly (*Ilex aquifolium*) hedge was present along the northern side of the driveway, with a few shrubs towards the garage including *Forsythia* sp. and lavender (*Lavandula* sp.) (**Photograph 9**) and a Persian ivy (*Hedera colchica*) hedge was present along the southern side of the rear garden and a cherry (*Prunus* sp.) tree (**Photograph 10**).



Photograph 9. Cherry laurel hedge to the front.



Photograph 10. Ivy hedge in the rear garden.

5.2.5 A few planted beds and raised beds were present in the rear garden which included pansy (*Viola* sp.), *Anemone* species, *Euonymus* species, rosemary (*Salvia rosmarinus*), and raspberry (*Rubus idaeus*) (**Photographs 11 & 12**).

Gaps were present under the raised flower bed along the northern side of the rear garden (**Photograph 13**).



Photograph 11. Planted flower beds in the rear garden along the southern side of the garage.



Photograph 12. Planted flower beds and raised flower beds along the northern side of the rear garden.



Photograph 13. Gaps under raised flowerbeds.

5.2.6 The majority of the site was formerly managed lawn dominated with perennial rye grass (*Lolium perenne*) and occasional Yorkshire fog (*Holcus lanatus*).

5.3 Risk Assessment

5.3.1 Based on the assumption that Ponds 1 to 5 support breeding GCN 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 less than 0.1ha and the Tool indicates that the loss of or damage to 0.01ha – 0.1ha of land 100m – 250m from a breeding pond and greater than 250 m from any breeding pond is highly unlikely to result in an offence – see **Figure 2** 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
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 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:	0.005
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 2. Natural England GCN Rapid Risk Assessment Tool.

6 DISCUSSION AND RECOMMENDATIONS

6.1 Assessment of Habitat Suitability

6.1.1 The desk study revealed three ponds with GCN presence (Ponds 2 to 4) and a further two ponds that could potentially support breeding GCNs (Ponds 1 & 5) within 500m of the application site boundary.

6.1.2 The application site falls within a 'Red' GCN Habitat Zone – these zones contain suitable habitat and are the most important areas for GCN (except areas that are nationally important sites designated for GCNs). The walkover survey found no waterbody in the application site – however the homeowners were aware that GCNs have been recorded onsite historically. The site was a residential detached house with garage, garden habitats, including formal lawns, shrubs, and plant beds. The garden offers terrestrial habitat of moderate value to GCN for foraging and shelter.

6.1.3 It is possible that newts using offsite habitats such as the adjacent allotments to the east of the site could enter the garden and use vegetated areas along the boundaries of the site and the decking and raised flower bed for shelter.

6.2 Impact Assessment and Required Actions

6.2.1 The development proposals involve the demolition of the existing garage and the movement of paving stones to install cables, with a footprint of less than 0.01ha. The development footprint is small and will impact existing building footprint and areas of patio and formal grassland around the house (i.e. terrestrial habitats of negligible value to GCN). There were no gaps under the existing garage for use by sheltering GCNs but there were gaps under the raised flower bed and decking. The raised flower beds will need to be moved to allow for a newer building which has a slightly larger footprint.

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 2** 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 avoidance and/or mitigation measures there is a risk that individual GCNs could potentially be injured and/or killed during the construction activities if traversing across the habitats on site or using the decking and flowerbeds for shelter. 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

- The removal of the raised flower bed should be timed to take place outside of the winter (late October through to February) to minimise the chance of disturbing newts sheltering beneath materials during the hibernation season; and
- The formal mowing of the lawn should be maintained prior to the commencement of site work to minimise the likelihood of GCN of being present during excavations.

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

- 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.

- 6.3.3** The value of the application site to wildlife could be enhanced by adding features suitable for sheltering and hibernating GCN, such as creating rockeries and areas of grassland which are allowed to grow tall and diversify should be retained within the garden.

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.