

REPTILE & GREAT CRESTED NEWT MITIGATION STRATEGY

THE RAMSHORN ESTATE, RAMSHORN
ROAD, OAKAMoor, ST10 3BZ

for

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CONTROL SHEET

Amos Group Limited

The Ramshorn Estate, Ramshorn Road, Oakamoor, ST10 3BZ

Reptile & Great Crested Newt Mitigation Strategy

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V2 (January 2020)

TABLE OF CONTENTS

CONTROL SHEET	1
1. INTRODUCTION	3
1.1 Scheme Background	3
1.2 Background Information	4
1.3 Objectives	4
2. METHOD STATEMENT	6
2.1 Rationale	6
2.2 Construction Method Statement	6
2.3 Timetable of Works	9
3. COMPENSATION & ENHANCEMENT MEASURES	11
3.1 Hibernacula	11
3.2 Log / brash pile	11
3.3 Post-development Monitoring & Maintenance	11
4. ANNEXES	13
4.1 Plans	14
4.2 Great Crested Newt Identification Poster	16
4.3 Contact Information	18
4.4 References & Bibliography	19
4.5 Legislation & Best Practice	21
5. QUALIFICATIONS & EXPERIENCE	23

1. INTRODUCTION

COPIES OF THIS DOCUMENT AND ALL ASSOCIATED LICENCES, ECOLOGICAL REPORTS RELEVANT TO SITE WORKS AND RELEVANT PLANNING CONDITIONS WILL BE KEPT IN THE SITE OFFICE, PRINTED, BOUND AND PLACED IN A CLEARLY-LABELLED FOLDER, SO THEY ARE AVAILABLE TO REFER TO AT ANY TIME.

1.1 Scheme Background

The site is situated at The Ramshorn Estate in Oakamoor, Staffordshire (centred on Ordnance Survey grid reference SK 0756 4559). The development proposals are for the 'erection of 6 self-catering holiday lodges with the provision of parking and associated works'. The scheme was granted full planning permission by Staffordshire Moorlands District Council on the 1 March 2021 (Application reference: SMD/2020/0238). This Reptile and Great Crested Newt Mitigation Strategy has been produced to satisfy Condition 13 and, in part, Condition 12 of the approval. Mitigation measures for other protected species have been provided within a separate report (Protected Species Survey Report (Focus Environmental Consultants, 2021b)) and should be read in conjunction with this document.

Condition 12:

'The development permitted and described above shall not commence or be carried out until the developer has submitted to the local planning authority, and they have confirmed in writing that they are satisfied with, documentation that confirms that: Natural England have granted licences relevant to works affecting Great Crested Newts and Badgers, permitting works to be undertaken legally; or that such licences are not required or necessary.'

Condition 13:

'Before any site work whatsoever (including any site clearance, stripping or site establishment) begins a programme of mitigation shall be submitted to and approved in writing by the Local Planning Authority setting out measures by which it will be ensured that any risk of threat to reptiles is minimised through the period of site preparation and construction. The programme of measures shall be supported by

survey data from the site compiled in advance of any site work in accordance with the methods detailed in the Herpetofauna Workers' Manual (Gent and Gibson 1998) and the mitigation measures shall be implemented in the sequence and form approved by the Local Planning Authority.'

1.2 Background Information

The site was previously the subject of a Preliminary Ecological Appraisal in 2019 (WDEC, 2019) and more recently a Protected Species Survey in 2021 (Focus Environmental Consultants, 2021b). The site (approximately 0.25ha in size) lies within an area of broadleaved woodland associated with The Ramshorn Estate. The site lies along an existing access track and predominately comprises parcels of bare ground / hardstanding with sparsely scattered ground flora. A small area of the site in the south-east comprises a group of young trees.

The habitats onsite are largely considered sub-optimal for reptiles and great crested newts due to the predominance of bare earth and hardstanding. However, the site does contain potential terrestrial refugia through large rocks and stone piles which will be removed to facilitate the proposed development. A presence / absence survey for great crested newts of the pond (Pond 1) situated approximately 63m south-west of the site, was carried out between March and April 2021 by Focus Environmental Consultants. These surveys confirmed the presence of great crested newts within this pond. Please refer to the relevant report for full details of this survey (Focus Environmental Consultants, 2021a).

1.3 Objectives

The objectives of this Mitigation Strategy are:

- To identify a suitable method of work (under licence where necessary) to ensure that development proposals do not result in harm to reptiles, great crested newts or any other amphibians and their breeding and/or resting places.
- To demonstrate compliance with relevant wildlife legislation, government guidance, best practice and local planning policy.
- To outline the mitigation strategy for reptiles and great crested newts to ensure their long-term survival and maintain their '*favourable conservation status*'.

- To produce a mitigation strategy to assist in discharging of Conditions 12 and 13 of the planning permission (Application ref. SMD/2020/0238).

2. METHOD STATEMENT

2.1 Rationale

The terrestrial habitat within the proposed development footprint and to be impacted upon is largely considered sub-optimal for reptiles, great crested newts and other amphibians due to the predominance of bare earth and hardstanding which offer little in the way of foraging habitat for herpetofauna. However, the site does contain potential terrestrial refugia through large rocks and stone piles which will be removed to facilitate the proposed development.

Due to the presence of a great crested newt breeding pond within 100m of the development site, a Natural England Mitigation (development) licence will be required prior to any ground clearance works (e.g. removal of potential terrestrial refugia such as large rocks and stone piles). The site meets the criteria for the application of a Great Crested Newt Low Impact Class Licence (GLICL). This is due to the proposed works meeting the following criteria: '*no ponds damaged / destroyed 50-100m*' and '*≤0.2ha GCN habitat loss*', and '*no ponds damaged / destroyed 100-250m*' and '*≤0.5ha GCN habitat loss*'.

The mitigation measures (outlined below) to be implemented under a great crested newt (development) licence for site clearance activities will also take into consideration reptile species that may be present within the local area. Implementation of these measures will minimise the potential risk of inadvertent harm to reptiles and breaching wildlife legislation (e.g. The Wildlife and Countryside Act 1981).

2.2 Construction Method Statement

The following method statement will form part of the application for a great crested newt (development) licence from Natural England and has been designed to effectively satisfy the licence requirements, as well as providing a robust procedure for the works to be carried out at the site. A timetable of works has been provided in Section 2.3, below.

Works must only be undertaken once confirmation has been received from Natural England that the site (The Ramshorn Estate) has been Registered under the LICL scheme.

- All licensable works will be supervised and / or directed by the Primary Registered Consultant. Contact information is provided in Annex 4.3.
- Prior to works commencing a tool-box talk will be provided by the Primary Registered Consultant. This talk will indicate an appropriate procedure for working within the area to minimise disturbance on site and the risk of inadvertently harming great crested newts and reptiles (and other vulnerable fauna). All contractors will be made aware of what a great crested newt looks like and what to do in the event that a great crested newt is found.
- The great crested newt site poster (see Annex 4.2) must be installed at the site in a suitable and visible location (e.g. site office).
- Site clearance works will be undertaken when reptiles and amphibians are likely to be fully active *i.e.* during the April to September period. This is to avoid the risk of discovering hibernating newts and reptiles which may result in unexpected delays. This period will be extended by one month either side (*i.e.* March and October) assuming daytime temperatures are above 10°C, and overnight temperatures are above 5°C.
- The Primary Registered Consultant (with assistance from Level 1 Assistants) will directly supervise (or undertake) the following:
 - Hand tools will be used to remove any scrub and other tall vegetation growing within the development footprint.
 - A finger-tip search of the areas of refugia to be removed will be undertaken to look for great crested newts and reptiles (and other

vulnerable fauna). This will include turning over and removing any miscellaneous items, objects or debris within the area.

- Any rocks, stone piles, rubble and brash piles will be dismantled and checked carefully for the presence of any great crested newts and reptiles.
 - An endoscope and high-powered torch will be used to inspect any gaps in existing foundations within the development footprint to be impacted upon.
 - Any foundations removed from the development footprint will be carefully broken into manageable sections and lifted (aided by a machine and bucket, where necessary). The pieces and area beneath will be carefully checked for great crested newts and reptiles. A torch will aid the search where needed.
 - Any great crested newts, reptiles or other vulnerable fauna found will be placed in a moss/grass-lined bucket and relocated to suitable, safe habitat close to Pond 1. Fauna will be kept in the bucket for a maximum of 1 hour.
- Once all licensable activities have been overseen, the Primary Registered Consultant will remain 'on call' for the remainder of the development works to provide advice and / or deal with any last minute discoveries.
 - The following precautionary actions are to be undertaken by the construction team during development operations to prevent unintentional harm to vulnerable fauna.
 - Trenches or open excavations must be covered at the end of each working day, or include a means of escape such as a sloping ramp for any vertebrate fauna that may fall in. Ramps should be no greater than

45 degrees in angle. Any holes will be securely covered. This will ensure animals are not trapped during works.

- All excavations left open overnight or longer must be checked for animals prior to the continuation of works or infilling. Back filling should be completed immediately after any excavations, ideally back filling as an on-going process to the work in hand.
- Any building materials such as bricks, stone *etc.* will be stored on pallets to discourage reptiles and amphibians from using them as shelter. Any discarded materials will be stored in skips or similar containers rather than piled on the ground.
- The use of vehicles / heavy machinery outside of the construction zone must be kept to areas of hardstanding / bare ground in order to minimise the risk of inadvertently killing or injuring vulnerable fauna.

2.3 Timetable of Works

Timescale	Activity	Responsibility
Prior to site clearance activities.	Application for a development licence for the site under the Great Crested Newt Low Impact Class Licence (GLICL) scheme. Works must only be undertaken once confirmation has been received from Natural England that the site has been Registered under the LICL scheme.	Primary Registered Consultant (Focus Environmental Consultants)
Prior to site clearance activities	Following registration of the site under the LICL scheme, a 'tool-box talk' will be provided to relevant development personnel.	Primary Registered Consultant / Contractor
During site clearance activities. March – October (when daytime temperatures are above 10°C and overnight	Direct supervision of site clearance activities, to include: • Removal of suitable vegetation (scrub, tall vegetation <i>etc.</i>) using hand tools. • Finger-tip search of refugia.	Primary Registered Consultant / Contractor

Timescale	Activity	Responsibility
temperatures are above 5°C)	• Dismantling and checking of rocks, stone piles, rubble and brash piles. • Inspection of gaps in existing foundations. Any great crested newts, reptiles or other vulnerable fauna found will be relocated to suitable, safe habitat close to Pond 1 by the Primary Registered Consultant. Once all licensable activities have been overseen, the Primary Registered Consultant will remain 'on call'.	
During construction	Implement measures to avoid unnecessary disturbance or harm to vulnerable fauna: • Covering of trenches / excavations at the end of the day, or provision of a ramp. • Back filling of excavations as an on-going process where possible. • Storage of building materials on pallets and discarded materials within skips or similar containers. • Restriction of vehicles / heavy machinery to areas of hardstanding / bare ground outside of the construction zone.	Contractor

3. COMPENSATION & ENHANCEMENT MEASURES

The following compensation and enhancement measures will be installed at the site to offset development impacts with regards to reptiles and great crested newts. Please refer to Annex 4.1 for a plan showing indicative locations of these features.

3.1 Hibernacula

One hibernaculum will be created to provide compensation for the destruction of discrete refugia at the site¹. The hibernacula will be located in proximity to the great crested newt pond (Pond 1). The hibernacula will be constructed from inert gravel, rubble, rocks and bricks (such as those discarded from the development footprint) loosely layered with topsoil. Permanent vegetation (e.g. rough grassland and scrub) will be allowed to develop over the feature to provide additional insulation and cover for newts as well as reptiles and other amphibian species.

Please refer to Figure 1, below for an example hibernacula design.

3.2 Log / brash pile

A single log / brash pile (using materials acquired through site clearance works) will be created to provide foraging and sheltering habitat for great crested newts, reptiles and other amphibian species. Habitat surrounding the log pile will be left un-cut to provide additional protection and new material will added as required.

3.3 Post-development Monitoring & Maintenance

A single site visit will be carried out by the Primary Registered Consultant to check that the compensation and enhancement measures laid out within this report have been implemented. Any measures that do not appear to be correctly installed or are insufficient will be brought to the attention of the client and remedial action will be implemented. The Primary Registered Consultant will formally 'sign off' the licensable works, including the compensation and enhancement measures, by completing a licence return form for Natural England.

¹ A finger-tip search of the area will be undertaken by the Registered Consultant prior to any ground works to facilitate construction of the hibernaculum.

The compensation and enhancement measures are designed to be low maintenance. The client will be responsible for the upkeep of the features created to ensure that they are kept in good condition and remain fully functional for the targeted species / faunal group. In the event that there are any problems, the client should contact Focus Environmental Consultants for advice.

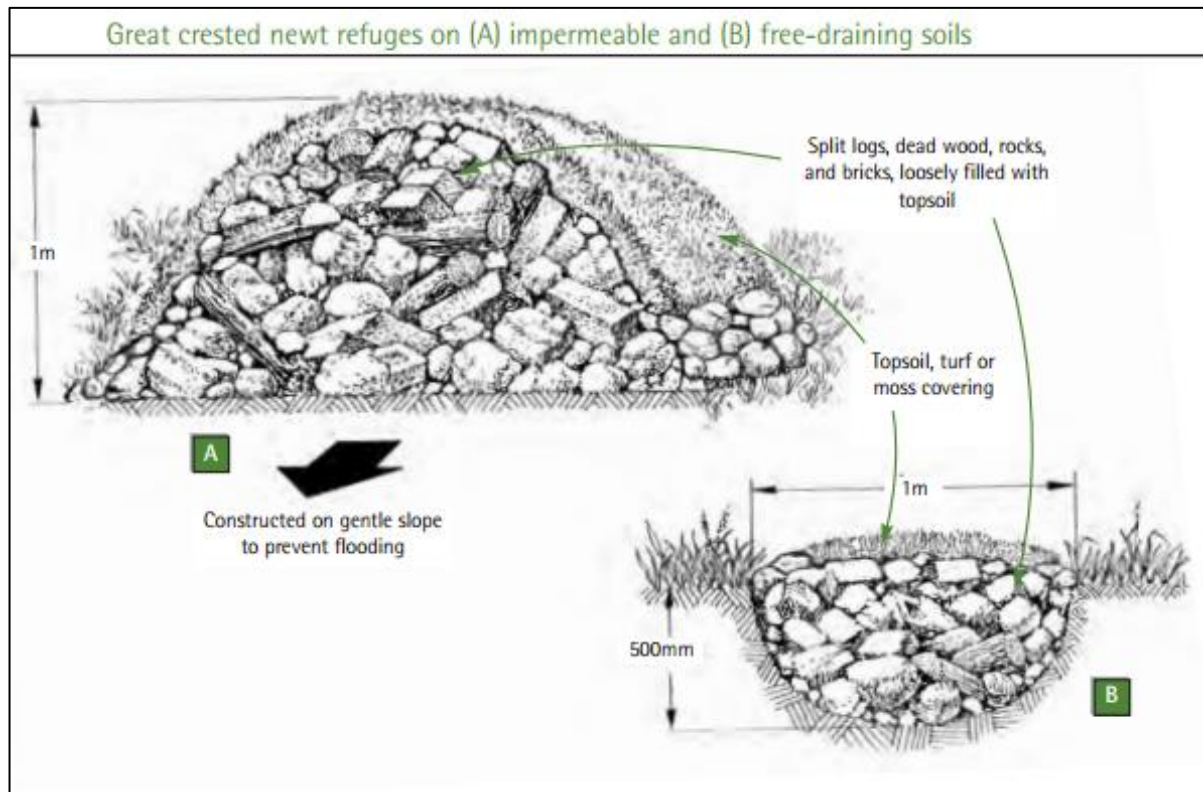


Figure 1. A great crested newt hibernacula (From p.31 of English Nature, 2001)

4. ANNEXES

4.1 Plans

4.2 Great Crested Newt Identification Poster

4.3. Contact Information

4.4 References & Bibliography

4.5 Legislation & Best Practice

4.1 Plans

Plans:

4.1.1 Mitigation, Compensation & Enhancement Plan

4.1.1. Mitigation, Compensation & Enhancement Plan

Site clearance activities will be prohibited until a great crested newt mitigation (development) licence from Natural England has been acquired. Works permitted will be directed by the Primary Registered Consultant.

Development footprint (encompasses areas of habitat (e.g. stone / rock piles, rubble) subject to licensed activities

KEY:

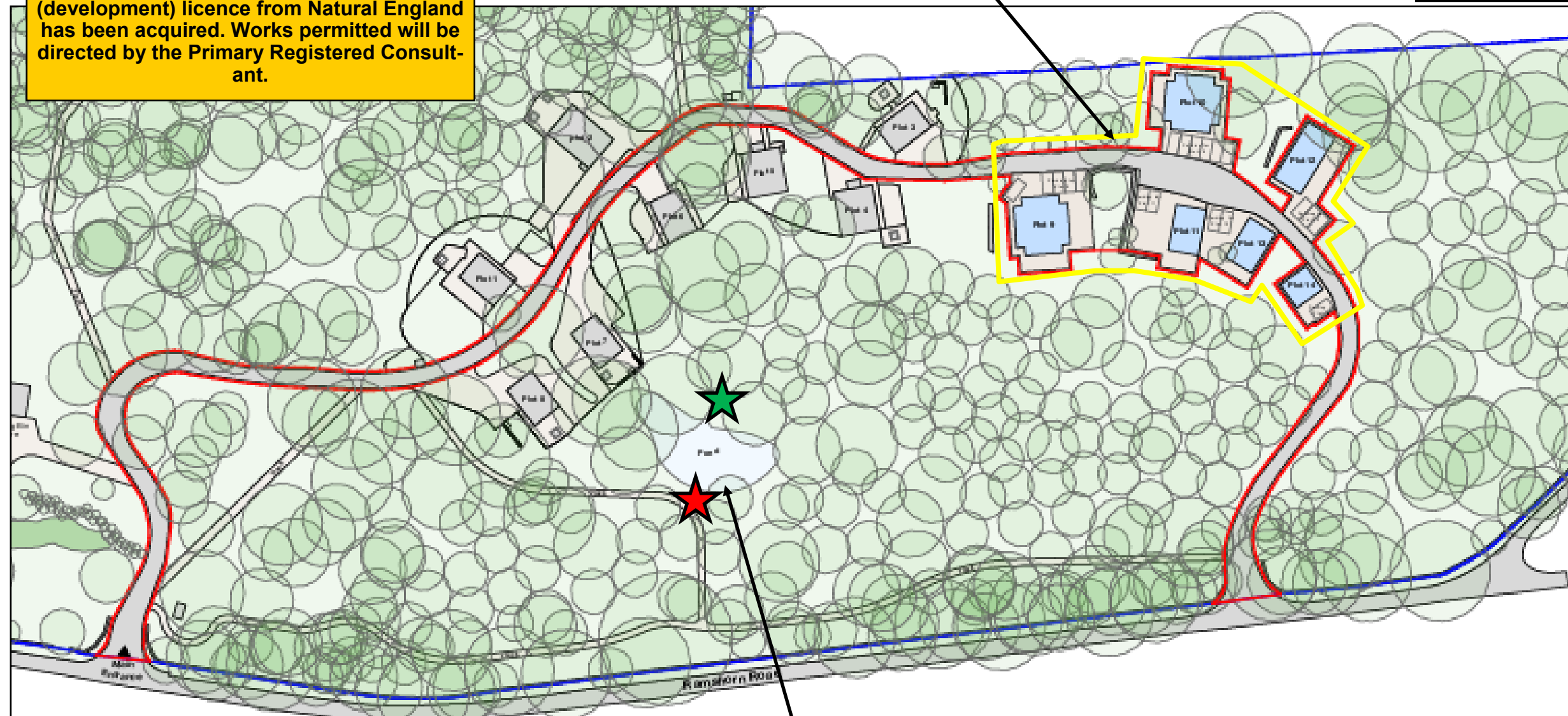
Please note that these are indicative locations and may be subject to change upon discussion with the Primary Registered Consultant.



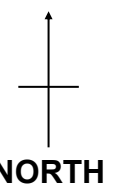
1 x Hibernaculum



1 x Log / brash pile



Pond 1
Great crested newt breeding pond



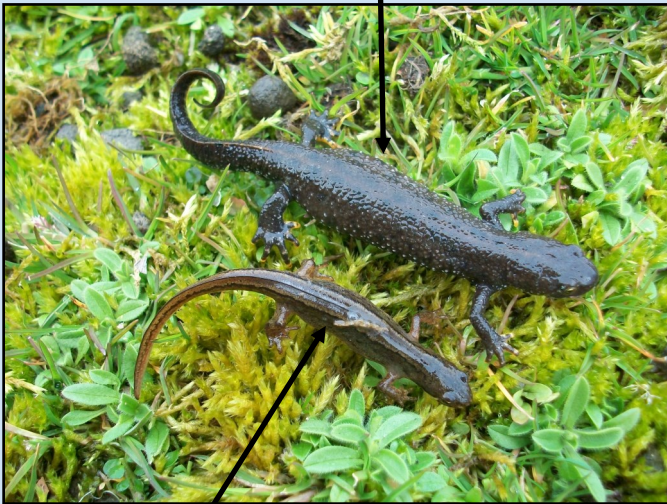
Client: Amos Group Limited
Site: The Ramshorn Estate, Ramshorn Road, Oakamoor, Staffordshire, ST10 3BZ
Title: Mitigation, Compensation & Enhancement Plan
Contract: 2230
Date: April 2021

4.2 Great Crested Newt Identification Poster

Great Crested Newts

Identification:

Great Crested Newt (female)



Smooth Newt (female)

Key features of great crested newts:

- Black / dark brown, warty skin.
- Males - crest along the back and tail (however, this is not easily visible when on land) and a white flash along the tail
- Belly is bright orange / yellow with irregular black patches / spots
- White spotting along the head and body
- Largest of the three native UK newts, growing up to 16cm in length (smooth newts <10cm; palmate newt <9cm)



Great crested newts are a European Protected Species.

If you find a great crested newt on site during the development, stop all works immediately and call Focus Environmental Consultants on **01905 780 700** to advise on the next steps.

4.3 Contact Information

4.3.1 Ecological Consultants

Primary Registered Consultant (Great Crested Newt Low Impact Class Licence):

Fern Fellowes-Day (GCN1RC0023)

Focus Environmental Consultants

Email: Fern@focus-enviro.com

Tel. 01905 780700

Project Lead & Level 1 Assistant:

Natalie Walsh

Focus Environmental Consultants

Email: Natalie@focus-enviro.com

Tel. 01905 780700

4.3.2 Natural England

In the unlikely event that any protected species not covered by an appropriate licence are identified during the works, works must cease immediately and consultation held with an ecologist. Where necessary, the ecologist will liaise with Natural England to agree and implement any licensing requirements before proceeding.

Contact No: 0300 060 3900

Copies of this document and all associated ecological reports relevant to site works, relevant planning conditions and associated protected species licences will be kept in the site office, printed, bound and placed in a clearly labelled folder, so they are available to refer to at any time. The location of these documents will be made clear during the ‘tool-box talk’ prior to the commencement of any works on-site.

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The Conservation of Habitats and Species Regulations 2017. HMSO, London.

The Natural Environment and Rural Communities Act (NERC) 2006. HMSO, London.

The Wildlife and Countryside Act 1981 (as amended). HMSO, London.

4.5 Legislation & Best Practice

4.5.1 Great Crested Newts

The great crested newt (*Triturus cristatus*) (Laurenti, 1758), is a “European Protected Species” (EPS) and listed on Annex II and Annex IV of the EC Habitats Directive. The Directive is transposed into UK law through the Conservation of Habitats and Species Regulations 2017. The following actions affecting great crested newts are prohibited under the legislation:

- deliberate capture, injury or killing of a great crested newt;
- deliberate disturbance of a great crested newt and in particular disturbance which is likely to impair their ability:
 - to survive, to breed or reproduce, or to rear or nurture their young, or
 - in the case of animals of a hibernating or migratory species, to hibernate or migrate;
 - or to affect significantly the local distribution or abundance of the species to which they belong.
- damage or destruction of a breeding site or resting place;
- possessing, controlling transporting, selling or exchanging, or offering for sale or exchange, any great crested newt, any part of a great crested newt or anything derived from one.

Great crested newts are also afforded protection from intentional or reckless ‘disturbance’ by the Wildlife and Countryside Act 1981 (as amended). The deliberate or reckless obstruction of access to a structure or place used by great crested newts for shelter and protection is also an offence under the Act. This applies to both aquatic and terrestrial habitat.

4.5.2 Reptiles

All common reptile species (grass snake, adder, common lizard and slow-worm) native to Britain are protected by Schedule 5 the Wildlife & Countryside Act, 1981 (as amended). It is illegal to:

- deliberately kill, injure a reptile or
- sale, barter, exchange, transport for sale and advertising to sell or to buy a reptile.
- In Northern Ireland they are fully protected against killing, injuring, capturing, disturbance, possession or trade.

In addition sand lizard and smooth snake are protected under Conservation of Habitats and Species Regulations 2017. The following actions affecting these reptiles are prohibited under the legislation:

- deliberate capture, injury or killing;
- deliberate disturbance and in particular disturbance which is likely to impair their ability:
 - to survive, to breed or reproduce, or to rear or nurture their young, or
 - in the case of animals of a hibernating or migratory species, to hibernate or migrate;
 - or to affect significantly the local distribution or abundance of the species to which they belong.
- damage or destruction of a breeding site or resting place;

- possessing, controlling transporting, selling or exchanging, or offering for sale or exchange, these reptiles or anything derived from them.

Sand lizards and smooth snakes are also afforded protection from intentional or reckless 'disturbance' by the Wildlife and Countryside Act 1981 (as amended). The deliberate or reckless obstruction of access to a structure or place used by these reptiles for shelter and protection is also an offence under the Act.

5. QUALIFICATIONS & EXPERIENCE

Focus Environmental Consultants® has the expertise to provide sure-fire environmental solutions to a wide range of projects. The company ethos forges the highest standards of professional scientific practice with a best value approach for our clients. Our core area of expertise is in the production of specialist environmental reports and advice to support planning applications. Our comprehensive services include Preliminary Ecological Appraisals (PEA), Ecological Impact Assessment (EclA), Habitat Regulations Assessment (HRA) and fulfilling protected species surveys, licensing and mitigation requirements. Focus Environmental Consultants is a CIEEM Registered Practice, with all ecological staff being members of this professional body. Our flexible approach, range of skills and broad project experience from major infrastructure contracts to small private developments allows us to adapt to your individual requirements. As well as offering a full suite of ecological services, Focus Environmental Consultants can provide expert arboricultural advice and reports and is building an enviable reputation for innovative habitat creation and management solutions. Focus Environmental Consultants is situated in Worcestershire, providing a convenient and central UK location.

Natalie Walsh BSc (Hons) MCIEEM

Natalie is a Senior Ecologist and has over six years' professional experience in the field of ecology. Prior to joining the company, Natalie worked as an Assistant Ecologist at a leading ecological consultancy firm. She holds a BSc (Hons) degree in Wildlife Conservation from the University of Plymouth. Her ecological experience includes Preliminary Ecological Appraisals and surveying for European Protected Species including great crested newts, bats and hazel dormice. Natalie is also a competent surveyor of badgers, reptiles, barn owls, water voles and otters. Natalie holds Natural England and Natural Resources Wales survey licences for great crested newts and bats (Class 2) and is a Full member of the Chartered Institute of Ecology and Environmental Management (CIEEM).