

Adonis Ecology

Great Crested Newt Report for Proposed New Dwelling on Land off Mill Road, Wyverstone to Support a Planning Application

Project Ref: 1290

Prepared on behalf of:

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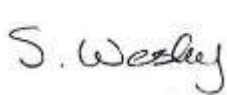
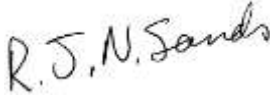
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The findings outlined within this report and the data we have provided are to our knowledge true, and express our bona fide professional opinions. This report has been prepared and provided in accordance with the Chartered Institute for Ecology and Environmental Management (CIEEM) Code of Professional Conduct and the British Standard BS 42020:2013 which provides a code of practice for biodiversity in planning and development (BSI, 2013). This standard also recommends compliance with CIEEM Guidelines for Ecological Report Writing (CIEEM, 2017).

As far as the author and report checker are aware, the only differences that occur in this report from the recommended layouts are:

- to enable greater clarity and reduce repetition (e.g. the report author is listed once on the quality assurance page in this report rather than on the front page, quality assurance page and introduction as in the CIEEM model formats);
- where there are inconsistencies in the guideline documents (e.g. the list of what should be included in the summary of an ecological report highlighted in the CIEEM Guidelines for Ecological Report Writing is different to that shown in the model formats in the same document); and
- to retain a proportionate approach in accordance with BS 42020:2013.

No method of assessment can completely remove the possibility of obtaining partially imprecise or incomplete information. Therefore, we cannot guarantee that this assessment completely defines the degree or extent of the occurrence of various species or habitats on the site, or the effectiveness of recommended actions as described in the report. In addition, as the ecological situation of a site is dynamic, this assessment pertains only to the conditions noted during the site visit. Therefore, to achieve the objectives of assessment as stated in this report, the conclusions are based on the information that was available during the time of the assessment and within the limits prescribed by our client in the agreement.

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Date of surveys:	27 th and 29 th April 2020 and 6 th , 12 th , 19 th and 27 th May 2020	

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0 SUMMARY

- 0.1 Adonis Ecology Ltd. was commissioned by Spinnaker Capital Management Ltd. to undertake a great crested newt *Triturus cristatus* population estimate survey for a proposed development on land off Mill Road, Wyverstone, Stowmarket, Suffolk, IP14 4SE, Grid Reference TM 033 674. It was understood that it is proposed to construct a single residential dwelling on the site, with associated access, parking and garden areas.
- 0.2 The surveys were recommended following a Preliminary Ecological Assessment (PEA) of the site conducted by Adonis Ecology Ltd. in October 2019.
- Further assessment of nearby ponds for great crested newt potential and then to confirm continued presence and establish the current population size was recommended (Adonis Ecology, 2019). This data was required to allow mitigation methods to be designed for the site, and to provide sufficient data for a European Protected Species Licence (EPSL) application if required.
- 0.3 The great crested newt surveys have revealed a 'medium' size class local population of great crested newts (based on Natural England (2001) guidelines), with breeding confirmed in the pond adjacent to the site as well as five other ponds within 250m of the site (Ponds 3, 5, 5a, 6 and 8 – see Figure 1 in Appendix 1), and a maximum of a single adult great crested newt found in Pond 11. The peak combined count for all surveyed ponds in one night was 49.
- 0.4 The site to be impacted was entirely composed of low to moderate suitability habitat for great crested newts, the majority of which will be impacted by the development. Given this and as breeding great crested newts were confirmed in the pond adjacent to the site, it was considered highly likely that great crested newts would be present on the site and would be at risk of harm from the planned development works. Therefore, it was considered that a full EPSL will be required to allow works to proceed lawfully. Proposed mitigation to be confirmed in the EPSL application will include a translocation of great crested newts from vegetated areas to be impacted, as well as the creation of a receptor site towards the northern boundary of the development, to consist of an area of hedgerows, grassland and shrubs, with three associated hibernacula.
- 0.5 With appropriate mitigation included in the design of the site for great crested newts, as well as an EPSL being obtained, it was considered the proposed development could proceed lawfully, and with minimal risk of impact to great crested newts.
- 0.6 All other recommendations of the PEA for other species should be followed.

1 INTRODUCTION

1.1 Background

- 1.1.1 Adonis Ecology Ltd. was commissioned by Spinnaker Capital Management Ltd. to undertake a great crested newt *Triturus cristatus* population estimate survey for a proposed development on land off Mill Road, Wyverstone, Stowmarket, Suffolk, IP14 4SE, Grid Reference TM 033 674.
- 1.1.2 The surveys were recommended following a Preliminary Ecological Assessment (PEA) of the site conducted by Adonis Ecology Ltd. in October 2019. The PEA report highlighted potential for breeding great crested newts in ponds near the site, including one immediately adjacent to the site. In addition, the terrestrial habitat on site was considered to be of likely low to moderate value for foraging, sheltering and dispersing great crested newts. The local data search also returned records of great crested newts approximately 1.3km from the site. Given the very close proximity of the site to a potential breeding pond, the significant number of other ponds nearby and the presence of great crested newts within the local data search, it was considered likely that great crested newts would be present in the local area and if so, that a Natural England European Protected Species Licence (EPSL) would be required to allow the works to proceed lawfully (Adonis Ecology, 2019)
- 1.1.3 Further assessment of nearby ponds for great crested newts was therefore recommended to confirm presence or likely absence, and if present, to establish the local population size. This data was required to allow suitable mitigation methods to be designed for the site, and to provide sufficient data for an EPSL application if required.
- 1.1.4 A total of 22 ponds were noted on the 1:10000 scale Ordnance Survey map provided by Promap (2019) within 500m of the proposed development site, of which 15 were within 250m of the site and eight of these were within 100m of the site.
- 1.1.5 A Rapid Risk Assessment (Natural England, 2019) for ponds over 250m from the site gave a result of 'offence highly unlikely' and it was therefore considered that great crested newts in ponds over 250m from the site would not contribute significantly to any population that may occur on the site.
- 1.1.6 Habitat Suitability Index (HSI) assessments (Oldham *et al.*, 2000) were undertaken on five of these ponds (Ponds 1, 2, 3, 7 and 9) during the PEA survey visit which showed Pond 1 and Pond 2 to be 'average' in suitability for breeding great crested newts and Ponds 3, 7 and 9 to be 'below average'. Ponds 12 – 15 were found to be either dry, filled in or had no suitability for breeding great crested newts (Adonis Ecology, 2019). It was recommended that the remaining ponds within 250m be subject to HSI assessments, with only those shown to be of 'below average' or greater value to be subject to additional presence/absence surveys. The locations of the ponds within 250m of the site are shown on Figure 1 in Appendix 1.

- 1.1.7 The surveys in this report therefore considered the 11 ponds shown to be within 250m of the site with some potential for great crested newts, as well as another pond found later that was not present on the OS map of the area.

Development Description

- 1.1.8 The plan used to determine the boundaries of the site and the likely impacts from the proposed development was “Proposed detached dwelling”, Drawing No. 19/08/0201 which was produced by Architectural Building Design Services.
- 1.1.9 The site was approximately 0.12ha in size and consisted of an area of rough grassland with ruderal species, as well as a boundary hedgerow on the southern side. It was understood that it is proposed to build a detached dwelling on the site with an associated driveway/parking area and a garden. This will result in approximately 45% of the habitats on site being lost, with the remainder likely to be removed/disturbed for the creation of the soft-landscaping on the site.
- 1.1.10 It was further understood that the Local Planning Authority (LPA) are expected to require the results of these great crested newt surveys to accompany the planning application for the site.

Aim and Objectives

- 1.1.11 The aim of this report is to determine the potential impacts of the proposed development of the site on great crested newts, taking into account the habitats that may be affected, positively or negatively, and the potential for impact avoidance, mitigation and enhancement.
- 1.1.12 To achieve this aim, the report has the following objectives:
- to confirm presence or likely absence of breeding great crested newts in ponds within 250m of the site and, if present, to establish the size of any local population and their proximity to the site;
 - to identify ways in which any significant risk of deleterious impacts to great crested newts could be avoided, wherever reasonably possible;
 - for any significant risks to great crested newts that could not reasonably be avoided, to describe impact avoidance measures and outline likely mitigation options for the site that would need to be included in an EPSL application for the site to allow the works to proceed lawfully.

1.2 Legislation

- 1.2.1 Legislation considered for this report included:
- Wildlife and Countryside Act 1981, as amended;
 - Conservation of Habitat and Species Regulations 2017.

2 METHODOLOGY

2.1 Great Crested Newt Survey

Habitat Suitability Index Assessments

2.1.1 The six ponds shown on the ordnance survey map that had not already been subject to an HSI assessment, in addition to another garden pond which was not present on the OS map, were all checked for suitability and likelihood of presence of great crested newts by applying the HSI assessment as developed by Oldham *et al.* (2000). The assessment was based on factors which may influence the likely presence of breeding great crested newts including for example:

- potential for excessive shading;
- presence of fish;
- suitability of pond vegetation;
- pollution or other degradation;
- local habitat context within the landscape.

2.1.2 The assessment was undertaken by a holder of a Natural England Level 1 Class Licence (2016-21724-CLS-CLS).

Presence/Absence and Population Estimate Surveys

2.1.3 The surveys were undertaken in accordance with Natural England (2001) guidelines between the 27th of April and 27th of May 2020. The surveys initially consisted of four visits to each pond with an HSI score of 0.5 or higher, using three survey methods where possible. Given the situation with the Covid 19 pandemic at the time of the surveys, in line with CIEEM guidelines for surveys during this time, to reduce travel occasions, the need for working with other staff and contact with the public that were allowing access to the ponds, the three survey methods for each pond consisted of egg searching, netting and torch surveys. Bottle trapping was not used as it would have doubled the number of visits

2.1.4 The surveys aimed to confirm presence/likely absence of great crested newts in each pond and whether the species was breeding in the ponds. Once a great crested newt egg had been confirmed in any pond and thus breeding had been confirmed, egg searching was no longer undertaken in that pond. As netting can not be used to determine the population size using any pond, once presence had been confirmed in any pond, netting was no longer conducted on subsequent occasions.

2.1.5 Following the presence/absence surveys, an additional two survey visits were undertaken on the seven ponds in which great crested newts had been found, in order to gain a population size class estimate for the local area.

2.1.6 The surveyors present on each occasion both held Natural England licences to take and disturb great crested newts for science and education as follows:

- Stewart Wesley - Level 1 Class Licence No. 2016-21724-CLS-CLS;
- Katrina Wells – Level 1 Class Licence No. 2016-20093-CLS-CLS.

Limitations

2.1.7 Access around the edges of a number of the ponds, particularly Ponds 1, 4, 9 and 11 was limited by the presence of hedgerows or dense shrubs, though the majority of the area of Ponds 9 and 11 could be seen from the sides that were accessible. Visibility through the water of Ponds 2, 5, 5a, 6 and 11 was average on most occasions, with the water either being murky or being densely filled with vegetation. Ponds 7 and 8 were very murky on all occasions and visibility was therefore poor. It was considered that these factors could have resulted in a slightly lower number of great crested newts being found in each pond than would otherwise have been found, or that may have been found if bottle trapping had been conducted. However, it was considered highly unlikely that bottle trapping or better access would have changed the population size class that was indicated by the surveys.

3 RESULTS

3.1 Great Crested Newts

3.1.1 The eleven ponds within 250m of the site are shown on Figure 1 in Appendix 1.

3.1.2 The HSI assessments undertaken during the Phase 1 survey (Ponds 1, 2, 3, 7 and 9) showed Pond 1 and Pond 2 to be 'average' in suitability for breeding great crested newts and Ponds 3, 7 and 9 to be 'below average'. At the same time ponds 12 – 15 were found to be completely unsuitable for breeding great crested newts (Adonis Ecology, 2019).

3.1.3 The HSI assessments of the remaining ponds within 250m of the site showed three ponds to be 'excellent' (Ponds 6, 8 and 11), two ponds to be average (Ponds 5 and 5a) and two ponds to be 'below average' (Ponds 4 and 10) in suitability for breeding great crested newts (see Table 1 in Appendix 2 for full HSI results).

3.1.4 During the first survey visit on the 27th April 2020, Pond 10 was found to be completely dry and held no water during any other survey visit. Therefore, it was considered this pond was unsuitable for breeding great crested newts. The presence/absence surveys have revealed no signs or evidence of great crested newts in any of Ponds 2, 4, 7 and 9 by any of the three methods (see Table 2 in Appendix 2 for full survey results).

3.1.5 A 'medium' population of great crested newts was found in each of Ponds 5 and 8 with maximum adult counts of 13 and 25 in these ponds respectively using the torching method. A 'small' population of great crested newts was found in

Ponds 1, 5a, 6 and 11 with maximum adult counts of nine, three, three and one respectively. A great crested newt egg was also found in Pond 3 though no adults were observed at any time and there was a significant population of fish in this pond. Breeding was also confirmed (through finding eggs) in ponds 1, 5, 5a, 6 and 8.

3.1.6 Overall, a 'medium' population was considered to occur in the local area, with a maximum adult count over all ponds surveyed of 49 during any one survey visit.

3.1.7 Weather conditions on each occasion were dry, with little wind, and with an air temperature of over 5°C during each night. Temperatures during each torching survey can be found in Table 3 in Appendix 2. Full Great crested newt survey results are shown in Table 2 in Appendix 2.

4 DISCUSSION OF RISK AND LEGISLATION

4.1 Great Crested Newts

Summary of Relevant Legislation

4.1.1 Great crested newts are protected under the Conservation of Habitats and Species Regulations 2017, as well as the Wildlife and Countryside Act 1981 as amended by the Countryside Rights of Way Act 2000. Offences likely to be relevant to development are to:

- intentionally, recklessly or deliberately capture, injure or kill a great crested newt;
- deliberately disturb a great crested newt in way that would affect their ability to survive, breed or rear young, or intentionally or recklessly disturb a great crested newt in a place of shelter or protection;
- damage or destroy a breeding site or resting place;
- intentionally or recklessly damage, destroy or obstruct access to a place used for shelter or protection.

4.1.2 Great crested newts are also a NERC Act Section 41 species.

Risk to Great Crested Newts

4.1.3 Great crested newts were confirmed to be breeding in six ponds with an overall 'medium' population, (which is taken to be a maximum adult count of 10-100 individuals) in the local area. None of the ponds will be directly impacted by the proposed works. It was considered there was a low risk of indirect impact to the pond immediately adjacent to the site from accidental pollution events or accidental damage. Impact avoidance measures would be sufficient to reduce this impact to negligible.

4.1.4 The site, which covered a total of approximately 0.12ha, consisted of an area of rough grassland with ruderal species, as well as a boundary hedgerow on the

southern side. The main part of the site was considered to have low to moderate potential for foraging and sheltering great crested newts, with the tall grassland having few tussocks and no significant structural diversity or species richness. The hedgerow would provide potential foraging, commuting and shelter habitat for great crested newts. Given that great crested newts were confirmed to be breeding in the pond adjacent to the site and other nearby ponds, it was considered likely that at least low numbers of great crested newts would occur within the development site.

- 4.1.5 It was understood that planning is to be sought to construct a single dwelling with associated gardens and driveway, and that much of the site will need to be stripped to bare soil to allow the construction of the dwelling and associated surroundings. Therefore, there was considered to be a high risk of harm to at least low numbers of great crested newts, and the works would be highly likely to destroy places used by great crested newts for shelter.
- 4.1.6 To prevent risk of harm to great crested newts, a translocation of great crested newts from the site will be required, and an appropriate receptor site will need to be provided to support any great crested newts moved from the development area. All works will need to be undertaken under a Natural England European Protected Species Licence (EPSL) for the site, which would allow clearance works and the destruction of potential shelter sites to proceed lawfully. Given the proximity of a breeding great crested newt pond (adjacent to site) it was considered that a Low Impact Class Licence would not be sufficient for this site, and a full EPSL would be required.

5 RECOMMENDATIONS

5.1 Further Surveys

Great Crested Newts

- 5.1.1 No further surveys for great crested newts were considered necessary, as the surveys conducted to date were considered sufficient to design appropriate impact avoidance and mitigation measures, and to obtain an EPSL for the site to allow works to proceed lawfully.
- 5.1.2 However, a site walkover visit will be required if the EPSL is not applied for within three months of the final survey visit, and full population size class surveys would need repeating if the licence is not obtained within 2 years of the survey visits.

5.2 Likely Mitigation for Great Crested Newts

- 5.2.1 Mitigation for great crested newts will be confirmed in a European Protected Species Licence (EPSL) application for the site. No site clearance works will be undertaken prior to the works being completed as described below. Mitigation is likely to include but not be limited to the following, with all works being undertaken during the newt active season (taken to be mid-March to mid-October) in temperatures over 5°C:

- receptor site to be created on the site prior to translocation works commencing. The proposed receptor site will consist of enhancement of a recently planted hedgerow on the northern boundary of the site with the addition of some larger tree standards. Provision of a second parallel native species hedgerow 4m south of the existing newly planted hedgerow. Provision of three hibernacula between the two hedgerows with some addition scrub planting and seeding with a wildflower seed mix over the remainder of the area between the hedgerows (see Figure 2 in Appendix 1 for proposals). The hibernacula will be covered in soil and seeded with the same wildflower mix to enable them to blend into the landscape. The receptor area will be retained in perpetuity to provide potential habitat for great crested newts;
- receptor site to be subject to a finger-tip search prior to creation of hibernacula and planting of shrubs;
- newt fencing to be erected around all vegetated habitats to be impacted by the proposed development. Line of fencing to be subject to careful vegetation removal and destructive search prior to fence installation;
- pitfall traps and artificial refuges will be placed at edge of fencing and be checked daily for great crested newts until a sufficient number of days have been completed (likely to be 30 days), with a minimum of five days straight with no great crested newts to be obtained before translocation visits end. At least five night time searches (checking the site at night with a torch to look for great crested newts) will be undertaken during the translocation process;
- the fence will be maintained throughout the works with a 'gate' to be installed at the site entrance to ensure great crested newts can not re-enter the site during the works. An ecologist would undertake regular checks of the fence during the works to ensure it remains fit for purpose.

6 CONCLUSION

- 6.1 It was considered that there was sufficient scope to incorporate mitigation for great crested newts within the design of the site. So long as all relevant works and mitigation were undertaken under an EPSL for this species, works could proceed lawfully with regard to great crested newts and the overall impact to great crested newts on the site would be negligible.

7 REFERENCES

- Adonis Ecology Ltd. (2017). *Preliminary Ecological Appraisal of Land off Mill Road, Wyverstone, Suffolk to Support a Planning Application*. Adonis Ecology Ltd., Lavenham, Suffolk.
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8.2 Appendix 2: Results Tables

Table 1: Habitat Suitability Index Results for the Eleven Ponds Surveyed for Presence/Absence within 250m of Land off Mill Road, Wyverstone

Habitat Suitability Criteria	Pond 1	Pond 2	Pond 3	Pond 4	Pond 5	Pond 5a
Map location	1	1	1	1	1	1
Pond area (m ²)	1	0.35	0.05	0.1	0.3	0.2
Desiccation rate	1	0.5	0.9	0.5	0.5	0.5
Water quality	0.67	0.67	0.67	0.33	0.67	0.67
Shade (%)	0.6	1	1	1	0.8	1
Presence of waterfowl	0.67	0.67	1	0.67	0.67	0.67
Presence of fish	0.67	0.67	0.67	0.67	0.67	0.67
No. ponds within 1km	1	1	1	1	1	1
Terrestrial habitat quality	0.33	0.33	0.33	0.67	0.67	0.67
Macrophyte cover (%)	0.4	0.5	0.4	0.5	0.5	0.4
HSI Score and Pond Rating	0.69 (Average)	0.62 (Average)	0.55 (Below Average)	0.55 (Below Average)	0.64 (Average)	0.62 (Average)
Habitat Suitability Criteria	Pond 6	Pond 7	Pond 8	Pond 9	Pond 11	
Map location	1	1	1	1	1	
Pond area (m ²)	1	1	0.8	0.3	0.4	
Desiccation rate	1	0.5	0.9	0.5	1	
Water quality	0.67	0.33	0.67	0.67	0.67	
Shade (%)	1	1	1	0.2	1	
Presence of waterfowl	0.67	0.67	0.67	1	0.67	
Presence of fish	1	0.33	1	1	0.67	
No. ponds within 1km	1	1	1	1	1	
Terrestrial habitat quality	0.67	0.33	0.67	0.33	1	
Macrophyte cover (%)	0.9	0.3	0.5	0.3	1	
HSI Score and Pond Rating	0.88 (Excellent)	0.57 (Below Average)	0.80 (Excellent)	0.54 (Below Average)	0.81 (Excellent)	

Poor = <0.50, Below Average = 0.50-0.59, Average = 0.60-0.69, Good = 0.70-0.79, Excellent = ≥0.80

Table 2: Weather Conditions for Great Crested Newt Surveys for Land off Mill Road, Wyverstone

Date	Temperature (°C)	Wind (Beaufort Scale)
27/04/2020	13 – 10	1-2
29/05/2020	12	1
06/05/2020	8	0
12/05/2020	9	0
19/05/2020	16	0
27/05/2020	27	0

Table 3: Great Crested Newt Survey Results and Pond Conditions for Land off Mill Road, Wyverstone

Pond No.	Visit No.	Pond Visibility	Great Crested Newts Observed		Great Crested Newt Eggs Found	Other Amphibians
			Torch Survey	Netting		
1	1	Moderate	3 male 1 female	0	Yes	2 common frogs
	2	Good	2 male	N/A	N/A	0
	3	Good	6 male 3 female	N/A	N/A	2 small newts
	4	Good	5 male	N/A	N/A	1 common frog
	5	Good	6 male 2 female	N/A	N/A	2 small newts Tadpoles
	6	Good	1 male	N/A	N/A	1 common toad
2	1	Moderate	0	0	No	1 small newt
	2	Moderate	0	0	No	Small newt egg
	3	Moderate	0	0	No	0
	4	Moderate	0	N/A	No	1 common frog
3	1	Good	0	0	Yes	1 small newt
	2	Good	0	N/A	N/A	0
	3	Good	0	N/A	N/A	0
	4	Good	0	N/A	N/A	2 small newts
	5	Good	0	N/A	N/A	1 small newt 2 common frogs
	6	Good	0	N/A	N/A	1 small newt 2 common frogs
4	1	Moderate	0	0	No	0
	2	Moderate	0	0	No	1 small newt
	3	Moderate	0	0	No	2 small newts Lots tadpoles
	4	Moderate	0	0	No	0
5	1	Moderate	9 male 3 female	0	Yes	1 small newt 1 common frog
	2	Moderate	9 male 4 female	N/A	N/A	3 small newts
	3	Moderate	3 male 4 female	N/A	N/A	3 small newts
	4	Moderate	8 male 2 female	N/A	N/A	5 small newts
	5	Moderate	4 male 8 female	N/A	N/A	4 small newts 1 common frog
	6	Moderate	3 male 5 female	N/A	N/A	15 small newts 3 common frogs
5a	1	Moderate	0	0	Yes	1 common frog and tadpoles
	2	Moderate	1 male 2 female	N/A	N/A	1 common frogs and tadpoles

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	3	Moderate	0	N/A	N/A	1 small newt
	4	Moderate	0	N/A	N/A	4 common frogs
	5	Moderate	1 male	N/A	N/A	9 common frogs
	6	Moderate	0	N/A	N/A	4 common frogs
6	1	Good	2 male	0	Yes	1 small newt 1 common frog and lots tadpoles
	2	Good	1 male	N/A	N/A	1 small newt Tadpoles
	3	Good	3 male	N/A	N/A	Tadpoles
	4	Good	1 male	N/A	N/A	0
	5	Good	1 female 1 unknown	N/A	N/A	5 small newts 2 common frogs Lots tadpoles
	6	Average	2 male	N/A	N/A	Lots tadpoles
7	1	Poor	0	0	No	0
	2	Poor	0	0	No	0
	3	Poor	0	0	No	0
	4	Poor	0	0	No	0
8	1	Poor	0	N/A	N/A	2 small newts
	2	Poor	2 male 3 female	N/A	N/A	7 small newts
	3	Average	5 male 7 female 1 unknown	N/A	N/A	5 small newts
	4	Poor	1 female	N/A	N/A	0
	5	Average	19 male 6 female	N/A	N/A	5 small newts
	6	Average	1 male 3 female	N/A	N/A	2 small newts
9	1	Good	0	0	No	0
	2	Good	0	0	No	0
	3	Good	0	0	No	0
	4	Good	0	0	No	0
11	1	Average	1 female	0	No	1 small newt
	2	Average	1 male	N/A	No	1 small newt
	3	Average	0	N/A	No	0
	4	Average	1 female	N/A	No	10 small newts
	5	Average	1 male	N/A	No	2 small newts
	6	Average	0	N/A	No	2 small newts