

Armstrong Ecology Ltd

25 Porter Street, Staveley

Great Crested Newt Method Statement

February 2024

<b>Client:</b>	Mr and Mrs Mateer
<b>Site:</b>	25 Porter Street, Staveley
<b>Report title:</b>	Great Crested Newt Method Statement
<b>Surveyor and report author:</b>	Brian Armstrong
<b>Date of Issue:</b>	08 <sup>th</sup> February 2024
<b>Status:</b>	Final report
<b>Reference:</b>	2023-051

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# 1. Introduction

## Site Location

- 1.1 The site consists of land at 25 Porter Street, Staveley as shown in Appendix 1 and Figure 1. The OS grid reference for the centre of the site is SK 43341 74768.

## Description of project and planning context

- 1.2 Planning permission for the construction of a detached house and detached garage as shown in Appendix 2 was granted by Chesterfield Borough Council (CBC) under planning permission CHE/23/00536/FUL.

- 1.3 Planning Condition 15 of the permission requires that:

*“Due to the low risk of great crested newts being present, a Method Statement for site clearance shall be produced and submitted to the Local Planning Authority for approval. This shall include reasonable avoidance measures such as seasonal timings, strategic clearance of vegetation and any potential refugia and a watching brief. It shall also include instructions in the unlikely event that great crested newts are encountered. The approved Method Statement shall be implemented in full and a short statement of compliance submitted to the Local Planning Authority upon completion of clearance works.*

*Reason - In the interests of ecology and biodiversity in accordance with policy CLP16 and the NPPF.”*

- 1.4 The text of Planning Condition 16 is replicated below for ease of reference as it is referred to in Section 2.

*“No vegetation clearance shall take place between 1st March and 31st August inclusive, unless preceded by a nesting bird survey undertaken by a competent ecologist no more than 48 hours prior to clearance. If nesting birds are present, an appropriate exclusion zone will be implemented and monitored until the chicks have fledged. No works shall be undertaken within exclusion zones whilst nesting birds are present.*

*Reason - In the interests of ecology and biodiversity in accordance with policy CLP16 and the NPPF.”*

## Background

- 1.5 Brian Armstrong of Armstrong Ecology Ltd previously carried out a biodiversity impact assessment of the site (report reference 2023-007 dated 28/04/23) and is therefore familiar with the site. Photographs 1 to 12 taken on 20/04/23 during the field assessment of habitats are included in Section 3 for ease of reference/to give context to the description set out in Section 2. Similarly the habitat mapping undertaken as part of the biodiversity impact assessment is included in Figure 1.

### **Role of Armstrong Ecology Ltd**

- 1.6 Armstrong Ecology Ltd was subsequently commissioned in January 2024 to produce a great crested newt *Triturus cristatus* method statement for the site as required by Planning Condition 15.
- 1.7 This method statement has been produced by ecological consultant Brian Armstrong MCIEEM. Brian holds a Natural England scientific survey licence for great crested newt (Level 1 Class Licence No. 2015-17522-CLS-CLS). A summary of Brian's experience can be found at: [www.linkedin.com/in/brian-armstrong-05562226/?originalSubdomain=uk](https://www.linkedin.com/in/brian-armstrong-05562226/?originalSubdomain=uk).

## 2. Great Crested Newt Method Statement

- 2.1 A reasonable avoidance method statement for the implementation of development, including site clearance work, is set out below as required by Planning Condition 15.

### Legal status of great crested newt

- 2.2 Great crested newt and their habitats are protected under the Wildlife and Countryside Act 1981 (as amended), and by the Conservation of Habitats and Species Regulations 2017 (as amended). Great crested newt is also listed as Species of Principal Importance under the provisions of the NERC Act 2006.

### Treatment of existing pond within the site

- 2.3 If great crested newt were present within the site, the pond as shown in Figure 1 has some suitability to be used by this species.
- 2.4 The pond within the site will be drawn down (the water removed) outside of the period of March to September. Water will be removed by bailing rather than pumping during mild weather (greater than 5 °C). Once drawn down the liner will either be removed or punctured/cut to prevent it refilling.
- 2.5 If it has not been possible to draw down the pond prior to the start of construction<sup>1</sup> and it remains in situ during part or all of construction activities, appropriate fencing, such as posts with a single strand of wire wrapped with hazard tape, will be installed with at least a 2m stand-off from the pond during the implementation of development/prior to it being drawn down after the end of September. No construction work will be undertaken from inside the fenced area. Vehicle movements and materials storage will also not take place inside the fenced area.

### Treatment of hedgerows within the site

- 2.6 If great crested newt were present within the site, the hedgerows shown in Figure 1 could be used by this species as terrestrial habitat/to shelter.
- 2.7 Where hedgerows are to be retained, they will be protected during construction. Appropriate fencing, such as posts with a single strand of wire wrapped with hazard tape, will be installed with at least a 2m stand-off from these features during the implementation of development. No construction work will be undertaken from inside these fenced areas. Vehicle movements and materials storage will also not take place inside these fenced areas.
- 2.8 Where the removal of hedgerows is required<sup>2</sup>, this will be undertaken by initially reducing them to a height of approx. 10cm during mild weather (greater than 5 °C). Cut material will be removed from site to prevent the inadvertent creation of features suitable for great crested newt to shelter or for birds to nest.

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<sup>1</sup> For example if approval of this method statement takes place after the end of February.

<sup>2</sup> Noting the requirement of Planning Condition 16.

### **Treatment of other features within the site**

- 2.9 Where the removal of garden materials such as large plant pots, logs/sleepers and paving slabs is required, these are to be lifted (where this can be safely undertaken) during mild weather (greater than 5 °C) and checked for the presence of amphibians prior to their removal. The underside of lifted materials is to also be checked.
- 2.10 Modified grassland and bare ground (developed land sealed surface and artificial unvegetated unsealed surface in Figure 1) within the site do not provide opportunities for great crested newt to shelter. The modified grassland within the site will be maintained as either a short sward/close cut or bare ground for the duration of the implementation of development in order to maintain the unsuitability of these areas for great crested newt to shelter.

### **Action on finding a newt within the site**

- 2.11 Should any newt species be encountered during the above or subsequent course of the works, work will stop in the immediate area and advice will be sought from a suitably qualified ecologist<sup>3</sup> with respect to how to proceed, including consideration of the need for a European Protected Species Licence to be sought.

### **Responsible persons and lines of communication**

- 2.12 The client or a site manager appointed by them and acting on their behalf will act as the Ecological Clerk of Works (ECoW) with respect to the implementation of this method statement. Their role and responsibilities shall be as described in this document.
- 2.13 The client/ecological clerk of works may contact Armstrong Ecology Ltd ([Brian@ArmstrongEcology.com](mailto:Brian@ArmstrongEcology.com)/07966 518274) for additional advice with respect to the implementation of this method statement where required.
- 2.14 The client shall report to the planning authority with respect to the implementation of this plan as described at the end of this section.

### **The role and responsibilities of the Ecological Clerk of Works (ECoW)**

- 2.15 The ECoW will be responsible for:
- Ensuring that works to hedgerows and the pond are undertaken as described above.
  - Ensuring that works to other features is undertaken as described above.
  - Ensuring that modified grassland is maintained in a short mown condition or otherwise as bare ground.
  - Ensuring that fencing around retained features as described above has been installed prior to the commencement of works on site and photographing of this.
  - Making all contractors entering the site aware of the significance of fencing and that work, including vehicle movements and materials storage, cannot be undertaken within them.

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<sup>3</sup> The suitably qualified ecologist will confirm and advise with respect to the species of newt which has been found.

- Making a daily check, prior to the commencement of work for that day, of the fencing.
  - Stopping work should any newt<sup>4</sup> be found and seeking further advice from a suitably qualified ecologist with respect to how to proceed.
  - Ensuring that a copy of this method statement is available on site during construction.
- 2.16 Any damage to the fencing will be immediately notified to the ECoW/site manager and work paused in the relevant area until repairs have been made. Further ecologist advice will be sought as appropriate if any damage inside the fenced area has occurred.
- 2.17 The ECoW will keep a record of any damage to the fencing and what measures were implemented in response to this.

#### **Reporting implementation of the great crested newt method statement**

- 2.18 At the completion of construction the client is to provide the planning authority with a short statement of compliance including:
- Photographs of the measures implemented.
  - Any relevant documentation such as a record of any damage to the post and wire fencing and what measures were implemented in response to this.
  - Any records of newts found and what measures were implemented in response to this.

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<sup>4</sup> The suitably qualified ecologist will confirm and advise with respect to the species of newt which has been found.



### 3. Photographs

**Photograph 1: Developed Land/Sealed surface on access from Church Street**



**Photograph 2: Developed Land/Sealed surface in north part of site**



**Photograph 3: Artificial unvegetated, unsealed ground in west part of site**



**Photograph 4: : Modified grassland within the site**



**Photograph 5: Pond in south west corner of site**



**Photograph 6: Vegetated garden in the centre of the site**



**Photograph 7: Vegetated garden with non-native hedge behind in south part of site**



**Photograph 8: Non-native hedge in north part of site**



**Photograph 9: Beech hedgerow in centre of the site**



**Photograph 10: Yew hedgerow on east site boundary**



**Photograph 11: Lime tree in south east corner of site**









**Photograph 12: Apple tree within the site (magnolia tree to rear)**



## 4. Figures



### Legend

-  Artificial unvegetated, unsealed surface
-  Developed land; sealed surface
-  Introduced shrub
-  Modified grassland
-  Ponds (non-priority habitat)
-  Vegetated garden
-  Non-native and ornamental hedgerow
-  Native hedgerow
-  Existing Medium Urban Tree
-  Existing Small Urban Tree

### Armstrong Ecology Ltd

[www.ArmstrongEcology.com](http://www.ArmstrongEcology.com)

**Site:** 25 Porter Street, Staveley

**Figure 1:** Existing Habitats Within the Site

**Drawn by:** Brian Armstrong

**Scale:** 1:500 @ A4

**Date:** 25/04/23

Copyright: Armstrong Ecology Ltd

No dimensions are to be scaled from this drawing/  
measurements are included for indicative purposes only.

Base plan taken from Commonbond Studio Proposed Site  
Plan A3-PL\_103 dated 19/04/23

## **Appendix 1: Existing Site Plan**



Current access to 25 Porter Street using unit private driveway (area in yellow and purple is outside of ownership of 25 Porter Street - access is by right of way over others land)

Turning Zone

Unless indicated otherwise, this drawing is for information only. Do not scale from this drawing. Use figured dimensions only. Figured dimensions are in millimetres except where indicated otherwise. All levels are in metres. All dimensions and levels shall be verified on site before proceeding with works and such dimensions are to be the responsibility of the contractor. Report all drawing errors and omissions to the architect. Where building components are described in the specification as contractor designed, 'construction' information relating to those components on this drawing represents design intent only.  
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B	11/01/2024	existing turning circle shown
A	01/09/2023	
Rev.	Date	Revision notes

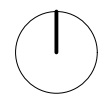
**Commonbond studio**  
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hello@commonbond.studio

**Project**  
25 Porter Street Staveley  
**Status**  
Planning

**Client**  
Mr and Mrs Mateer  
**Scale**  
@A3 1:500

**Drawing No.**  
A3 - PL\_003  
**Revision**  
B

**Drawing Title**  
Existing Site Plan (1:500)



Site Plan at 1:500

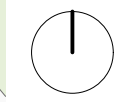


## **Appendix 2: Proposed Site Plan**



Current access to 25 Porter Street using neighbours driveway (area in yellow is outside of ownership of 25 Porter Street - access is by right of way over others land)

Drawing showing new vehicular access for 25 Porter Street from Porter Street as per application: CHE/23/00034/FUL



Site Plan at 1:500



Unless indicated otherwise, this drawing is for information only. Do not scale from this drawing. Use figured dimensions only. Figured dimensions are in millimetres except where indicated otherwise. All levels are in metres. All dimensions and levels shall be verified on site before proceeding with works and such dimensions are to be the responsibility of the contractor. Report all drawing errors and omissions to the architect. Where building components are described in the specification as contractor designed, 'construction' information relating to those components on this drawing represents design intent only.  
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D	25/01/2024	
C	18/09/2023	
B	12/09/2023	
A	01/09/2023	

Rev.	Date	Revision notes
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<b>Project</b> 25 Porter Street Staveley	<b>Status</b> Planning
<b>Client</b> Mr and Mrs Mateer	<b>Scale</b> @A3 1:500
<b>Drawing No.</b> A3 - PL_103	<b>Revision</b> D
<b>Drawing Title</b> Proposed Site Plan (1:500)	