

**Primrose Cottage Stable,
Primrose Lane, Weald,
Bampton
Great Crested Newt Working
Method Statement**

On Behalf of:
Sam and Adrian Smart

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Contents

1. Executive Summary	2
2. Introduction.....	3
Background	3
Aims and Objectives	3
About the Author	3
3. Legislation and Planning Policy	5
4. Great Crested Newt Working Method Statement.....	7
Local Context.....	7
Working Method Statement	8
5. References.....	9

1. Executive Summary

- 1.1 Primrose Cottage is located on Primrose Lane situated in Weald, Bampton which lies within the West Oxfordshire district of the county of Oxfordshire (Central Grid Reference SP 3132 0280).
- 1.2 There are plans to carry out works on a stable building located in a paddock on Primrose Lane to the west of the cottage. Therefore, a Preliminary Bat and Walkover Survey was undertaken.
- 1.3 No signs of bats were found in or around the buildings. No potential roosting crevices were found within either building. Therefore, the stables building was assessed as having negligible potential for roosting bats and no further surveys are required.
- 1.4 There are Great Crested Newts present within the area, as indicated by survey licence returns 300m south-west of the site. The grazed paddock is sub-optimal habitat for GCN and there is no linking habitat to allow movement of GCN between the sites. When this information is placed in the Natural England GCN rapid risk assessment tool a result of Green: Offence Highly Unlikely is obtained. Therefore, GCN are not considered a constraint to the proposed works.
- 1.5 The planning permission for this was obtained, with a planning condition for a working method statement for GCN, employing reasonable avoidance measures, to be submitted and approved prior to works beginning.
- 1.6 This document lays out this working method statement, along with the background to the project.

2. Introduction

Background

- 2.1 Primrose Cottage is situated on Primrose Lane, Weald, Bampton within the West Oxfordshire district of the county of Oxfordshire (Central Grid Reference SP 3132 0280).
- 2.2 The site consists of a single storey stone-walled stable with wooden lean-to situated within a fenced off paddock, located on Primrose Lane to the west of Primrose Cottage.
- 2.3 There are plans to convert the stable building to a dwelling. Therefore, a Preliminary Bat Survey was undertaken to inform the planning decision.
- 2.4 This helped to support a successful application for planning permission (23/02297/FUL), with condition 6 of the permission being “No development shall take place (including vegetation/site clearance) until a Precautionary Working Method Statement (PWMS) for Great Crested Newts has been submitted to and approved in writing by the Local Planning Authority. The approved PWMS shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the local planning authority”.
- 2.5 Sam and Adrian Smart commissioned 4 Acre Ecology Limited on 21st March 2024 to produce a Precautionary Working Method Statement for Great Crested Newts (GCN).

Aims and Objectives

- 2.6 The aim of the document is to provide a working method statement for Great Crested Newts to prevent death or injury to individuals with the objective of discharging condition 6 of the planning permission and maintaining the conservation status of GCN in the area.

About the Author

- 2.7 Mark Satinet has been working in the field of Wildlife Conservation and Ecology since 1992. 13 years at the Wildlife Trusts working on wider countryside habitat and species projects provided a good background in habitat surveys, species identification, habitat management advice to landowners and dealing with the public and media. He became the County Mammal Recorder for Wiltshire in 2000 and set up the Wiltshire Mammal Group in 2005. He is also a voluntary Bat Warden for Natural England and has been an active member of the Wiltshire Bat Group since 2001.
- 2.8 Since 2005 he has been a consultant ecologist, first as a senior ecologist at a multi-disciplinary company for a year and then the principal ecologist running the ecology team in a specialised ecological firm for a further four years. He is a full member of

the Chartered Institute of Ecology and Environmental Management and a Chartered Environmentalist.

- 2.9 He now owns and runs his own company, 4 Acre Ecology Limited. He holds disturbance licences for bats, Great Crested Newts, Dormice, Barn Owls and Shrews and has held development licences for Great Crested Newts, bats, Badgers and Dormice and holds both a Bat Mitigation Class Licence and Great Crested Newt Low Impact Class Licence.

3. Legislation and Planning Policy

3.1 There are a number of tiers of legislation protecting wildlife in England and Wales. The highest tier is for those species protected by European Legislation, such as the Dormouse, Great Crested Newt, Otter and all species of bat. These are known as European Protected Species (EPS), which gain their protection from the Conservation of Habitats and Species Regulations (Habitat Regulations) 2017 (As Amended), whereby under section 43 it is an offence to

- deliberately capture, injure or kill an EPS
- deliberately disturb or take/destroy the eggs of an EPS
- damage or destroy a breeding site or resting place of an EPS

3.2 Nationally protected species are either fully protected (e.g. Water Vole, Bat) or partially protected (e.g. Adder or Smooth Newt) under the Wildlife and Countryside Act (WCA) 1981 and amendments, including the Countryside and Rights of Way Act (CRoW) 2000. Under the WCA it is an offence to:

- intentionally kill, injure or take any wild bird, take or destroy any wild bird egg or take, damage or destroy any nest while it is in use or being built
- intentionally or recklessly disturb any wild bird included in Schedule 1 while it is building a nest or is in, on or near a nest containing eggs or young; or disturb dependent young of such a bird
- intentionally or recklessly at any other time take, damage, destroy or otherwise interfere with any nest habitually used by any wild bird included in Schedule A1
- intentionally or recklessly kill, injure or take from the wild or possess all or any part of a Schedule 5 species
- intentionally or recklessly damage or destroy any structure or place which a schedule 5 species uses for shelter or protection, or disturb a schedule 5 species while it is occupying such a place
- obstruct access to any structure or place which a schedule 5 species uses for shelter or protection
- intentionally pick, uproot or destroy any wild plant included in Schedule 8

3.3 The CRoW Act 2000 added the term recklessly after intentionally in the Wildlife and Countryside Act 1981 and introduced a maximum custodial sentence of 6 months for offences.

- 3.4 The Natural Environment and Rural Communities Act 2006 (NERC) made provision about bodies concerned with the natural environment and rural communities and in connection with wildlife, sites of special scientific interest, National Parks and the Broads. Section 41 established a list of the living organisms and types of habitat which in the Secretary of State's opinion are of principal importance for the purpose of conserving biodiversity. This is known as the UK Biodiversity Action Plan (BAP) list.
- 3.5 The National Planning Policy Framework (NPPF) updated in 2018 (Revised in July 2021) states that Planning policies and decisions should contribute to and enhance the natural and local environment by:
- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
 - b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
 - c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
 - d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
 - e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
 - f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
- 3.6 To protect and enhance biodiversity and geodiversity, plans should:
- a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and
 - b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

4. Great Crested Newt Working Method Statement

Local Context

- 4.1 Primrose cottage stables is located on Primrose Lane at the south-western edge of Bampton, 690m north-east of Weald. To the immediate north is a pasture field, with housing to the south and west. To the east is a large detached property with the Shill Brook beyond. In the wider landscape is wood-pasture to the west, with large agricultural fields beyond. To the south are large agricultural fields and to the east there are smaller fields with hedgerow and small areas of woodland. To the north is the mixed housing and associated buildings of Bampton.
- 4.2 A Great Crested Newt licence return showed this species was present 300m south-west of the site in 2014 (MaGIC 2022), but aerial images indicate the pond has been built over since (Google Imagery 2022). The paddock surrounding the stables is grazed grassland which is sub-optimal habitat for GCN. There is no linking habitat between the site of GCN record and the stables, with GCN having to cross large areas of hardstanding to reach the stable, with the nearest positive pond 720m to the SW.
- 4.3 The stable and surrounding land is very small, so when this information is placed into the Natural England rapid risk assessment tool for GCN a result of Green: Offence Highly Unlikely is obtained, as shown 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 score
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)	No effect	0
Land >250m from any breeding pond(s)	0.01 - 0.1 ha lost or damaged	0.001
Individual great crested newts	No effect	0
	Maximum:	0.001
Rapid risk assessment result:	GREEN: OFFENCE HIGHLY UNLIKELY	

- 4.4 Therefore, the impact to Great Crested Newts from habitat loss is considered to be negligible, but there is still a risk of harming individuals if in the unlikely event that GCN are moving across the site. Therefore, a GCN working statement, employing reasonable avoidance measures, will be followed for the site clearance and development works.

Working Method Statement

- 4.5 The footprint of the development and its surrounds will be maintained in its current condition, of tightly mown grassland until the development is started. This will prevent habitat developing for GCNs, which would then encourage them into the development footprint.
- 4.6 The contractors will be given a tool-box talk before works commence. This will describe the legal protection for GCNs other amphibians and reptiles, how to recognise them, what action should be taken if any are found and have the method statement explained to them clearly.
- 4.7 Any demolition work, disturbance of log or stone piles or other ground works will be carried out from mid-March to the end of October, when GCNs are active and during daylight hours, as GCNs are mainly nocturnal.
- 4.8 Any vegetation clearance works will be undertaken when common amphibians and reptiles are likely to be fully active i.e. during the April to October period. Any taller vegetation will be cut in two passes, from south to north. The first will be no lower than 150mm and the second, on the following day will be as close to ground level as possible. Arisings will be removed on both days to prevent the creation of hibernacula. The clearance will be supervised by an experienced ecologist.
- 4.9 Clearance of logs, brash, stones, rocks or piles of similar debris will be undertaken carefully and by hand. This is particularly important for any dry-stone walls, where GCNs are often found.
- 4.10 Any materials, such as bricks, blocks and wood, will be stored on pallets or tarpaulins to discourage amphibians from using them as shelter. Any demolition materials will be removed from the site immediately to prevent reptiles and amphibians using them to shelter in during the works.
- 4.11 All construction vehicles will access the site via the existing road system and remain on the hard standing and working footprint.
- 4.12 Excavations will be filled in as soon as possible after they are made. Excavations will be made when required, in a phased order, rather than all at the start of the development, to minimise the time holes are exposed for.
- 4.13 Any trenches, if left open, will always have ramp placed in it to allow GCNs and other wildlife to climb out of the trench if they fall into it.
- 4.14 Any excavated holes will be checked for GCNs if left open overnight. If GCNs are found, a licenced ecologist will be brought to site. Any GCNs found will be moved to the nearest suitable habitat by a licensed ecologist.

5. References

Countryside and Rights of Way Act 2000. Available on-line at:

<http://www.legislation.gov.uk/ukpga/2000/37/contents> accessed 14/11/10

The Conservation of Habitats and Species Regulations (and amendments) 2021. Available on-line at: <http://www.legislation.gov.uk/uksi/2021/1012/contents/made>. Accessed on 10/01/2022

English Nature, 2001: *Great Crested Newt Mitigation Guidelines*. English Nature, Peterborough

Froglife, 2001: *Great Crested Newt Conservation Handbook*. Froglife, Halesworth

MAGIC, 2022. Available on-line at: <http://magic.defra.gov.uk/website/magic/>. Accessed on 03/10/2022

Natural England, 2010: *Rapid Risk Assessment: WML-A14-2 Method Statement*. Available online at <http://www.naturalengland.org.uk/ourwork/regulation/wildlife/licences/applicationforms.aspx#2>. Accessed 24/3/24

Natural England, 2010: *Ten 'Handy Hints' for obtaining a bat mitigation licence at first Submission*. Available at: http://www.naturalengland.org.uk/Images/bat-handy-hints_tcm6-15663.pdf. Accessed on 22/3/12.#

National Planning Policy Framework, 2021. Available online at: [National Planning Policy Framework - Guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/92506/nppf-2021.pdf) Accessed on 10/01/2022.

Oldham, RS, Keeble, J, Swan, MJS & Jeffcote, M (2000) *Evaluating the suitability of habitat for the great crested newt (Triturus cristatus)*. Herpetological Journal: 10(4): 143-155.

Wildlife and Countryside Act 1981 (and amendments). Available on-line at: <http://www.legislation.gov.uk/ukpga/1981/69/contents>. Accessed on 14/11/10