

Newt Precautionary Working Methods Statement

Hollyrood House, Ardingly Road, Lindfield, RH16 2QY



Planning application reference DM/24/2922

v1.1 September 2025

PD Planning UK

for Town & Country Planning matters

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1. Introduction

- 1.1. This document relates to a planning application reference DM/24/2922, submitted to Mid Sussex District Council in November 2024.
- 1.2. The site and its context are detailed in the Planning Statement and other documents supporting the application. The grounds of the former care home (vacated in 2022) extend to 3.44 acres with the buildings providing approximately 1780 sq.m of floorspace in Class C2 (residential institution) use.
- 1.3. The application seeks planning permission for the removal of outbuildings and alterations to the existing buildings and hardsurfaces to allow for a change of use from Class C2 (residential institution) use to a Class C3 (dwellinghouse) use to provide 3 no.1-bed flats, 14 no. 2-bed flats, and 2 no. 3-bed two storey dwellings (and retaining Holy Rood Cottage as a 3-bed dwelling), together with 37 no. car parking spaces, private and communal amenity spaces, landscaping, bin and cycle stores.
- 1.4. With regards to the potential for Herptofauna having a presence on the site, a Herptofauna Risk Assessment (HRA) was undertaken by Calumma Ecological Services in June 2025. The Assessment concludes that there is no evidence of Herptofauna being present, although it recommends that appropriate actions should be undertaken to ensure that there is minimal disturbance to protected species such as the Great Crested Newt (GCN) and any retained habitat across the site. This Precautionary Working Methods Statement identifies the appropriate actions to be taken.

2. Wildlife Legislation and Mitigation Guidance

- 2.1. The developer and all contractors will be made aware of the key wildlife legislation that affords protection for specific habitats and species, including the following:
 - The Wildlife and Countryside Act 1981 (as amended),
 - The Protection of Badgers Act 1992,
 - The Hedgerows Regulations 1997,
 - The Countryside and Rights of Way Act 2000,
 - The Natural Environment and Rural Communities Act 2006 and,
 - The Conservation of Habitats and Species Regulations 2017 (as amended).
- 2.2. In preparing this PWMS consideration has been given to relevant guidance including:
 - Great Crested Newt Mitigation Guidelines (English Nature, August 2001)
 - Great Crested Newt Conservation Handbook (Froglife, 2001)
 - Great Crested Newt Mitigation Principles (Naturespace Partnership, 2021)

- 2.3. It is acknowledged that the GCN is protected under the Wildlife and Countryside Act 1981 (as amended) and that it is also classed as a European Protected Species (a S41 Priority Species) under the Conservation of Habitats and Species Regulations 2017 (as amended).

3. The Site

- 3.1. The development comprises the conversion of the existing buildings with minor extensions, alterations and rooftop alterations. The proposal also includes the removal of outbuildings and structures beyond the main buildings, and their replacement with either permeable parking spaces and/or soft landscaping. The development will not result in any significant encroachment beyond the existing built form or made land.
- 3.2. GCN require suitable water bodies for breeding. The site contains no ponds or other waterbodies. There are two ponds within 250m of the site boundary as shown in Figure 5.2 of the HRA. The nearest pond is a field pond on lower land to the south of the site, used for grazing. The nearest point of the pond is approximately 70m from the southern site boundary, and 125m from the southern elevation of the main building. The next nearest pond is a garden pond on the opposite side of the Ardingly Road.
- 3.3. It is acknowledged that GCN will make use of suitable terrestrial habitat around and linking breeding ponds. Suitable terrestrial habitat may be present along hedgerows within and around the site and may be important for GCN populations associated with any nearby breeding ponds. These habitats are proposed to be entirely retained, extended and strengthened by the proposed development.
- 3.4. GCN may also be found in other habitats, such as open fields, which are less suitable for foraging but which provide linkages for dispersal of populations between more suitable habitats. Maintaining connectivity between suitable habitats is therefore important to ensure that adverse effects on GCN populations do not occur. In this case the development does not extend beyond the existing built form, nor does it encroach beyond the existing managed lawns of the former care home. The connectivity of suitable habitats will therefore be maintained through and around the development by the retention, strengthening and provision of new hedges, wildflower grassland and other habitats that are more suitable for use by the GCN.

4. The Precautionary Working Methods Statement

- 4.1. This Precautionary Working Method Statement (PWMS) has been prepared in response to the requirements of the Local Planning Authority to enable them to grant planning permission subject to appropriate conditions.

- 4.2. A physical copy of this PWMS will be provided on site prior to the commencement of development. All contractors will be made aware of its existence and provided with an electronic version, and will be required to adhere to the working methods identified.

Objectives

- 4.3. As detailed above, Great Crested Newts (GCN) and other amphibians are protected under UK law. Although no breeding population has been confirmed on site, the habitat in and around the development has the potential to support newts.
- 4.4. The objectives of this PWMS are:
-  To avoid harm to any newts that may be present within or near the site,
 -  To ensure compliance with relevant wildlife legislation, and,
 -  To set out clear working practices for contractors on site.
- 4.5. The following measures are therefore proposed to ensure that the risk of harm to individual newts during site clearance and construction is minimised.

Current landscape management and maintenance

- 4.6. The grassland around the buildings is frequently mown and the shrubs maintained, as would be expected for the former care home use. The current mowing and garden maintenance regime will therefore be maintained around the building, particularly with regard to the mown grass, to maintain the sub-optimal GCN habitat of a sward height of less than 7cm.

Appointment of an Ecological Clerk of Works

-  Prior to the commencement of development, a suitably qualified ecologist will be appointed as an Ecological Clerk of Works (ECoW). The ECoW will ensure that the mitigation and enhancement measures detailed below are implemented correctly and that any GCN or common amphibians displaced during the works are removed and relocated unharmed as far as is possible. Works will be able to commence in the absence of the ECoW once the mitigation measures below have been applied effectively, whereby the site has been sensitively cleared and assessed to be unsuitable to support GCN by the ECoW.

Toolbox talk

-  Prior to the commencement of development, all contractors that are to undertake any external works will receive a briefing or "toolbox talk" from ECoW on the legal protection of newts, their identification, and the precautionary methods to be followed. A physical copy of this PWMS will be provided on site within the staff welfare facilities that will be within the existing building. All contractors will be made aware of its existence and provided with an electronic version, and will be required to adhere to the working methods identified.

Habitat protection



Prior to the commencement of development, protective fencing will be installed around the outer edges of the built form and construction area, as indicated on the protective fencing drawing no.21B (*Appendix A*). The outer land will be a “protected zone” to ensure landscape and biodiversity features are not harmed, and protected from any encroachment of machinery, human activity and debris or materials storage. On instruction by the ECoW, newt receptor areas will be provided within the protected zone, if the existing habitat within the zone is deemed insufficient to provide a suitable habitat.



The protective fencing shall initially be “heras” type fencing to allow the movement of reptiles and other wildlife away from the construction zone. If deemed necessary by the ECoW, then this can later be supplemented with specialist “newt fencing” to prevent herptofauna from re-entering into the construction zone. The protective fencing shall be retained until the completion of the development, except for any instance where landscaping and biodiversity enhancement works are required within the protected zone.



Wildlife friendly “heras” type protective fencing and temporary protective fencing for Newts

Timing of works



Any vegetation clearance and/or ground disturbance associated with the development outside of the protected zone will be scheduled to be undertaken as far as is reasonably possible during the active newt season (March–October) and avoid the newt hibernation period (November–February).

Pre-commencement inspection



Following the installation of the protective fencing, and immediately prior to the commencement of development, the habitat around the buildings that is not within the protected zone will be subject to a pre-commencement inspection for the presence of GCN and common amphibians. This shall include a finger-tip search of shrubs and other features.

-  Any common amphibians identified during the pre-commencement inspection will be displaced to the nearest receptor area within the protected zone.

Vegetation clearance and management

-  Where vegetation is to be removed outside of the protected zone, then it will be undertaken on a methodological and staged approach. This systematic vegetation cutting approach will encourage any individual GCN and common amphibians to retreat unharmed and will prevent the creation of “habitat” islands that could potentially trap GCN and common amphibians in isolated pockets of habitat and thus increase the potential for injury or death during works.
-  The methodological removal of vegetation outside of the protected zone will be to begin the trimming and removal of vegetation from the areas closest to the buildings, moving outwards from the centre of the site, as indicated in *Appendix B*. This will allow for wildlife to relocate away from the main areas of where construction works will take place, to the more suitable retained habitat and receptors around the outer edges of the site within the protected zone. The outer areas are well connected to optimal habitats within the wider landscape, allowing for any displaced common amphibians or GCN to disperse from the site of their own accord.
-  The staged removal of vegetation outside of the protected zone will comprise an initial prune or strim of the vegetation to a height of 15cm, and for it to then be left overnight to allow any amphibians to disperse. The vegetation will then be cleared to ground level and will be maintained at this level (or lower) for the duration of the construction. GCN and common amphibians are most likely to be present at or just below ground level; the staged technique will allow any individuals present to disperse prior to reducing vegetation to ground level.
-  Vegetation within the protected zone or along the site boundaries will offer the opportunity for receptor sites. Grass within the protected zone will also be allowed to grow to a high sward height >15cm to provide suitable foraging habitat.

Storage of building materials and construction waste

-  No construction works, vehicles, machinery or storage shall be permitted within the protected zone unless agreed in advance by the ECoW for the purposes of the landscaping of the land.
-  The storage of building materials and debris associated with the development will be carefully managed to avoid the creation of large or longstanding piles that could become suitable refuge places for hibernacula and GCN's. Any waste building materials will be placed directly into skips or containers, and the formation of rubble piles will be avoided. Debris and materials will not be placed on vegetated habitats.

Groundworks and excavations



Any excavations left overnight will be covered or fitted with escape ramps, such as sloped boards, to prevent entrapment of amphibians.



Materials (pipes, piles, etc.) will be stored on raised pallets or capped to avoid use as refuges by newts.

Proposed landscaping following completion



Following completion of the development and the removal of the protective fencing, the site will be managed to promote biodiversity interest. The receptor areas already provided will be retained and reptile habitat further enhanced by the provision of a hibernaculum to provide additional refuge opportunities for GCN. This will be created using natural materials collected from the site such as logs, stone, vegetation and earth.



Examples of a hibernaculum and bug hotels to improve biodiversity and wildlife habitats

5. Conclusion

- 5.1. This Precautionary Working Methods Statement is proportionate to the nature of the development comprising the conversion and alteration of the existing buildings, and it will ensure that the risk of harm to newts will be minimised. It ensures that the development can proceed lawfully in relation to wildlife legislation.

end.

APPENDIX A LOCATION OF PROTECTIVE FENCING TO FORM PROTECTED ZONE

APPENDIX B DIRECTIONAL APPROACH TO VEGETATION CUTTING AND REMOVAL