

THE RURAL PLANNING PRACTICE



Appendix II

Precautionary Method Statement : Great Crested Newts

ADDRESS	Park Farm, Twineham Lane, Twineham RH17 5NP		
PROJECT	Proposed Ground Mounted Domestic Solar Array to Serve Park Farm House		
ON BEHALF OF	Mr and Mrs W Bunn		
DATE	June 2025	ISSUE	Planning

Precautionary Method Statement: Great Crested Newts

In order to limit the potential for committing an offence with respect to great crested newts, and to ensure the protection of common amphibians and reptiles, the following advice is given:

1.0 Introduction

1.1 Legislation

The basic protection afforded to great crested newts is listed below: It is illegal to: – deliberately kill, injure or capture (or take) great crested newts – deliberately disturb great crested newts – deliberately take or destroy the eggs of great crested newts – recklessly disturb great crested newts while it is occupying a structure of place which is used for shelter or protection or obstruct access to their places of shelter or protection; – damage or destroy a breeding site or resting place of great crested newts; – possess or transport a great crested newt or any part of a great crested newt, unless acquired legally; – sell (or offer for sale) or exchange great crested newts or parts of great crested newts. Common reptile species (slow worm, grass snake, adder, common lizard) are protected against killing, injuring and sale under UK legislation.

Other amphibians – common frog, common toad, smooth newt and palmate newt, are not offered the same legal protection but it is good practice to try to avoid harm to these species. Common toad is listed on Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 as a species of principle importance for the purpose of conserving biodiversity and thus must be regarded by the planning authority in exercising any of its functions.

1.2 GCN are potentially present locally, given nearby ponds, although their presence within the site is unlikely, there is a low risk of GCN in close proximity to working areas as the site is farmland. Natural England state that 'licensable activities should ideally be designed out of developments...with careful planning of the development combined with simple precautionary measures'. Given the small scale of this development, impacts should be able to be avoided in this manner thus negating the need for a licence.

1.3 Where Amphibians might be found Amphibians breed in ponds and other water bodies in spring, generally between February and June, with some variation with weather conditions. They spend much of the rest of their time on land, travelling, in some cases hundreds of metres from ponds. Amphibians need to find sheltered crevices and crannies in dense vegetation, under wood piles, in rubble etc. for hibernation and to shelter during the day and in dry periods. They may be found lying up among brickwork and stone walls, at and near ground level, where crevices and loose joints are

present. Toads, in particular are frequently found in such places. Amphibians also will take shelter in cracks and cavities in the ground and may bury themselves into soft earth.

1.4 Where Reptiles might be found Reptiles are found in a mixture of habitats; grass snakes are often found in damp habitats associated with ponds, streams, ditches and wet grassland but can be found in drier areas too. Adders are generally associated with heathland and heathy woods whilst slow worms are found in a variety of habitats including grassland, scrub, gardens and allotments. Lizards are generally found in heathland and grasslands. Reptiles are shy and will try to escape if disturbed. Similarly to amphibians, reptiles may use fissures in walls, or rubble for hibernation or shelter. Hibernation: Normally reptiles will try to escape if disturbed by works, though amphibians may stay put in crevices and risk being entombed or squashed. During hibernation, or periods of cold weather, reptiles and amphibians become torpid and are unable to escape, so they are particularly vulnerable to harm. If disturbed during hibernation they are likely to die as no food is available in winter months.

2.0 Avoidance Measures: Protecting Amphibians and Reptiles

2.1 Location and Layout –

The proposed working area for the solar panels is sited just over 100m from the pond to the east. The hedgerows/field edges that bound the site could serve as terrestrial habitat for amphibians and reptiles, these are to remain unaffected by the development works to install the panels.

2.2 Timing and Duration –

Although March to June are good periods for reducing risk of encountering amphibians as they are more likely to be in ponds, this timing would conflict with the breeding bird period, which is to be avoided. The works are planned to take place from approximately September through December; this timing is sensible considering that the project would not harm hibernation habitat. - The project is of short-term in nature, and the duration of groundworks will be kept as short as possible. - Works will be undertaken during daylight hours only (except for internal works) as GCN are most active at night.

2.3 Construction Methods and Special Precautions

2.3.1 Pre-construction Exclusion zone - An exclusion zone to protect hedgerows, trees and waterbodies is required throughout the development period following BS guidance 5837:2012 and should be put in place prior to the onset of works. Improve habitat can be achieved through:

- Installation of hibernacula
- Creation of log piles

Site compound - If a contractor's compound is required it must be located entirely on an existing area of hard standing close to the house.

2.3.2 During Construction Development works the following methodologies will be followed to reduce the likelihood of offences with respect to great crested newts. Site Induction/Toolbox Talk - All workers should be made aware via a 'Toolbox Talk' of this Precautionary Method Statement, protected species that could be found onsite, their protected status (see Legislation 1.0), where they might be found, methods to follow and that they should maintain a watch for Great Crested Newts (GCN), amphibians and reptiles during the period of works. Site Vigilance and Sympathetic Working - Site staff must be made aware that if great crested newts are found onsite there is a correct procedure in place to follow, and failure to halt works may result in committing an offence under the Habitats Regulations 2010. If a newt is found:

- If it is suspected that a Great Crested Newt has been found, work must be suspended and the advice of a suitably licensed GCN ecologist sought. A Natural England development license may be required before works can continue. This may entail considerable delays and costs.
- At no point should any worker handle a Great Crested Newt or suspected Great Crested Newt. Unlicensed handling is illegal and untrained handling may cause the newt unnecessary stress and injury.
- the site operatives can CONFIDENTLY (100% certainty) identify that the newt found is NOT a Great Crested Newt, the newt can be carefully moved out of the area of works and placed in nearby habitat similar to that in which it was found. A newt found on land should not be placed into a pond or other water body. If reptiles or amphibians (other than GCN) are found - If any amphibians (other than Great Crested Newt) or reptiles are found within the working area they should be removed to an area outside of the working zone, preferably in dense vegetation, a rubble pile, or under lying wood (taking care not to squash them).
- Amphibians should be picked up by placing the fingers under the body and lifting, not by grasping any part of them. They can be held still by placing a thumb gently on top of them, if necessary. - Handling should be kept to a minimum and latex gloves should be avoided. Vinyl, Nitrile and other non-latex gloves are ok and should be used where possible.
- If the amphibians/reptiles found are hibernating then they should be collected up and placed in a covered box or bucket while a suitable shelter / hibernaculum is prepared for them under the advice of an ecologist.

Additional Precautionary Working Methods –

Works will be restricted to the designated development area and the impact of works on adjacent habitats avoided by the clear demarcation of the works area.

- All proposed work must strictly be in accordance with all relevant Pollution Prevention Guidelines (PPG) published by the Environment Agency which may include but is not limited to PPG1 (general), PPG5 (works in, near, or liable to affect watercourses) and PPG6 (work at construction & demolition sites). Contingency plans should be drawn up to address chemical spillage, collision, etc.

- Access will be via the existing track and over agreed routes only with no exceptions.
- Trenches and other excavations should be backfilled before nightfall. If this is not possible, ramps must be left to allow all wildlife to easily exit.
- Avoid burning or machine removal of any potential hibernacula (wood piles, debris etc.) without a thorough hand search for amphibians, reptiles and hedgehogs.
- All new building materials should be stored on pallets or in bags to prevent them becoming used by terrestrial newts, amphibians and reptiles.
- No potential refuge features should be removed, as these may be used by hibernating amphibians.

END



Figure above: Outline of the site (red) in the context of the surrounding landscape, including the Impact Risk Zones for great crested newt. Ponds are shown in light blue – not all ponds are visible on this map. A 250m buffer is shown around the site in green and a 500m buffer in blue. Contains public sector information licensed under the Open Government Licence v3.0.

Legislation, Policy and Guidance

Reasonable Likelihood of Protected Species

Permission can be refused if adequate information on protected species is not provided by an applicant, as it will be unable to assess the impacts on the species and thus meet the requirements of the National Planning Policy Framework (2021), ODPM Circular 06/2005 or the Conservation of Habitats and Species Regulations 2017 (as amended). The Council has the power to request information under Article 4 of the Town and Country (Planning Applications) Regulations 1988 (SI1988.1812) (S3) which covers general information for full applications. CLG 2007 'The validation of planning applications' states that applications should not be registered if there is a requirement for an assessment of the impacts of a development on biodiversity interests.

Section 99 of ODPM Circular 06/2005 states:

"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in