Company Shop Group,
Tankersley, Barnsley

Precautionary Working Method Statement – Amphibians

December 18, 2024

AB Ecology, 65 Common Lane, Auckley
Doncaster, DN9 3HX

Tel: 07957 427 204

rblackham@abecology.co.uk
www.abecology.co.uk

DOCUMENT CONTROL

Project:	Company Shop Group, Tankersley, Barnsley	
Client:	Company Shop Group	
Project Number:	2024/002	
Author:	Rachel Blackham	
Reviewer:	Adele Antcliff	
Date of Issue:	18 December 2024	
Version:	V1	
Report Reference Number:	2024/002/03	

TABLE OF CONTENTS

1 **Introduction 4**

2 **Legislation 5**

3 **Impacts 6**

4 **Risk Avoidance Measures 6**

5 **References 7**

Drawings

Drawing 1 – Site Location Plan

Appendices

Appendix A – Toolbox Talk

1 INTRODUCTION

AB Ecology were commissioned by Company Shop Group (owned by Biffa Waste Services) to prepare a Precautionary Working Method Statement (PWMS) for amphibians to satisfy Planning Condition No. 5 of Planning Permission 2024/0665 (Barnsley MBC, 2024). Planning has been granted for improvements to existing access, provision of a new site access, additional car parking, substation and enhanced landscaping at the Company Shop Group site on Wentworth Way, Wentworth Industrial Estate, Tankersley, Barnsley, S75 3DH (see Drawing 1 for site location and planning application boundary).

Planning Condition No. 5 states:

> *"No development shall take place (including vegetation/site clearance until a Precautionary Working Method Statement (PWMS) for amphibians has been submitted to and approved in writing by the Local Planning Authority. The PWMS will be completed by a suitably qualified ecologist and the approved PWMS shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the Local Planning Authority.*

This PWMS sets out the ecological considerations of the works and details the environmentally safe practices of work that must be followed to prevent impacts/harm to amphibians including great crested newt (GCN) *Triturus cristatus*.

1.1 PROPOSED WORKS

The site consists mainly of developed land with a sealed surface which has no ecological value and modified grassland that is cut regularly which has a low ecological value. The creation of the new car park and access road will result in an area of modified grassland with mixed scrub, a mature pine *Pinus* sp. tree and a number of immature silver birch *Betula pendula* and sycamore *Acer pseudoplatanus* trees being removed.

1.2 BACKGROUND

A Preliminary Ecological Appraisal (PEA) was undertaken at the site to inform the planning application (AB Ecology, 2024). The site itself sits within an industrial estate and land within the planning application boundary contains mainly poor quality terrestrial habitat for GCN or other amphibians (frequently mown grassland and hardstanding) however, there are two areas of scrub that could be used as refuges. There are no ponds within the planning application boundary, however there are ponds and records of GCN within 250 m of the planning application boundary.

Despite there being ponds within 250 m of the planning application boundary, there are no works planned for the south west corner of the site which is also unsuitable habitat (hardstanding). Although the red line boundary lies within 250 m of a GCN breeding pond (located within Sowell Pond Local Wildlife Site (LWS) to the south west; the only habitats with potential to support GCN i.e. the mixed scrub, lies 290 m away from the pond. Suitable habitats within 250 m of a breeding pond are likely to be used more frequently by GCN (English Nature, 2001).

Taking this into consideration, the impacts from the loss of small areas of scrub would be negligible on the GCN population and the precautionary risk avoidance measures listed in this PWMS would ensure no harm to individual GCN therefore no licence would be required.

1.3 PWMS PRODUCTION

This PWMS has been produced by Principal Ecologist Rachel Blackham MSc., BSc. (Hons), MCIEEM. Rachel has over 18 years' experience as a consultant ecologist and has carried out numerous traditional and eDNA surveys for amphibians during this time. She has also been involved with newt mitigation projects which have included trapping, handling and release of great crested newt. Rachel holds a Natural England Class 1 Great Crested Newt Survey Licence (Reference: 2015-18970-CLS-CLS).

2 LEGISLATION

The great crested newt is protected under UK legislation. Great crested newt is included in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) (HMSO, 1981), the Countryside and Rights of Way Act 2000 (HMSO, 2000) and Regulation 40 and Schedule 2 of The Conservation of Habitats and Species Regulations 2017 (HMSO, 2017). It is an offence to:

- Deliberately capture, injure or kill a great crested newt;
- Damage or destroy a breeding site or resting place of a great crested newt; and
- Disturb a great crested newt, including disturbance of a great crested newt in such a way as to be likely to affect:

  i) the ability of great crested newts to survive, reproduce or breed, or to rear or nurture their young;

  ii) their ability to hibernate or migrate; and

  iii) to significantly affect the local distribution or abundance of great crested newt.

Provisions are made within the UK legislation to allow for disturbance of great crested newt to take place under licence where works affect the species. The licence is issued by the appropriate statutory authority, which in England is Natural England. Licences can only be granted if there is no satisfactory alternative or if the action authorised will not be detrimental to the maintenance of the population of the species at a favourable conservation status in their natural range. Licences can be issued for scientific, research purposes (including survey work), and for the disturbance of great crested newt in relation to a development.

The four most common species of amphibian (common toad *Bufo bufo*, common frog *Rana temporaria*, smooth newt *Triturus vulgaris* and palmate newt *Triturus helveticus*) are protected by Section 9 (5) of the Wildlife and Countryside Act (1981) as amended. This only prevents the trade of these species, it does not make it illegal to collect, kill or injure the afore mentioned species. Common toad is a priority species on Section 41 of the NERC Act 2006 (HMSO, 2006).

3 IMPACTS

GCN enter a period of dormancy in winter (usually November to February) and spend time in places that afford shelter from predators and unfavourable weather conditions such as ground frost. They hide amongst tree roots or in mammal burrows or under suitable refuges such as dead wood piles. They begin moving from over wintering sites between February and April in damp conditions and usually at night. The adults will move to breeding ponds where they remain until mid-June, when they disperse back into terrestrial habitat to forage and shelter.

The potential impacts on GCN which could results in an offence being committed are killing, injury and damage to resting places. However impacts from construction at this site are considered to be unlikely as GCN are not likely to be present on site due to the distance from the breeding ponds.

The clearing of scrub could potentially kill or harm any amphibians present in the area at the time of the clearance works.

If materials to be used on site are left on the ground, it is possible that amphibians may use them as refuges and could be harmed/killed during construction works.

If large excavations/trenches are left uncovered overnight there is a risk of amphibians falling in and not being able to escape. If fences or other barriers to dispersal are erected at the site this could disturb foraging or commuting amphibians.

By undertaking reasonable avoidance measures including timing the work so that activities are undertaken when GCN are unlikely to be present in the development footprint, supervising vegetation clearance and undertaking other risk avoidance measures described in Section 4.0, there is likely to be no impacts on the nearby population of GCN or other amphibians.

4 RISK AVOIDANCE MEASURES

Before Works Start

A toolbox talk (Appendix A) will be delivered to the construction site work force which will highlight the potential presence of GCN and other amphibians and details what to do if amphibians are found when the ecologist is not present.

Scrub which needs to be cleared, should be cut using hand tools to a height of 10-15 cm under supervision of the ecologist and hand searched by the ecologist for evidence of amphibians. Once checked, the vegetation should be removed to ground level.

During Works

No trenches or deep excavations are to be left uncovered overnight throughout the construction phase as migrating GCN could fall in and become trapped. All trenches should be back filled or securely covered at the end of each working day. No barriers or fences which would prevent the free movement of GCN are to be installed therefore no disturbance to migrating GCN is likely.

Any materials that need to be stored on the site must be stored off the ground on pallets or skids so that they cannot be used as temporary refuges by GCN or other amphibians.

Timing of Works

Vegetation clearance works will be undertaken outside the amphibian hibernation period (i.e. avoid November to February) and works to only be undertaken during daylight hours when amphibians are not usually active.

By carrying out the aforementioned avoidance measures it is deemed that the works are unlikely to harm or disturb GCN and works can continue in-line with the prescribed method. However, if the scope of works changes or a GCN is found on site during the construction period, all works must cease and an appropriately licensed ecologist consulted for further advice (see Appendix A). Common amphibians such as common frog, common toad and smooth newt found during site clearance works when the ecologist is not present can be relocated to suitable habitat which will be shown to contractors during the toolbox talk.

5 REFERENCES

AB Ecology (2024) *Company Shop Group, Tankersley, Barnsley - Preliminary Ecological Appraisal.* Report Reference 2024/002/01

Barnsley MBC (2024) *Planning Permission 2024/0665*

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

HMSO (1981) *Wildlife and Countryside Act 1981* [online]. Available at: http://www.legislation.gov.uk/ukpga/1981/69 accessed [December 2024].

HMSO (2000) *Countryside and Rights of Way Act 2000* [online]. Available at: http://www.legislation.gov.uk/ukpga/2000/37/contents [accessed December 2024].

HMSO (2006) *Natural Environment and Rural Communities Act 2006* [online]. Available at: http://www.legislation.gov.uk/ukpga/2006/16/contents [accessed December 2024].

HMSO (2017) *Conservation of Habitats and Species Regulations 2017* [online]. Available at: https://www.legislation.gov.uk/uksi/2017/1012/contents [accessed December 2024].

Drawings

Drawing 1: Site Location Plan

Legend

Planning Application Boundary

Scale @ A3 1:3000

Client	Company Shop Group
Project	Company Shop Group Precautionary Working Method Statement - Amphibians
Title	Site Location Plan
Project Number: 2024/002	Date: 11/12/2024
AB Ecology	Drawing Number: 1

Appendix A

Toolbox Talk

Company Shop Group, Wentworth Way, Wentworth Industrial Estate, Tankersley, Barnsley

The preliminary ecological appraisal found that a population of great crested newt are present in a Local Wildlife Site adjacent to the Company Shop Group site. Planning has been granted for improvements to existing access, provision of a new site access, additional car parking, substation and enhanced landscaping. Generally, the habitats on site are of poor ecological value and are unlikely to support newts however a precautionary approach is being undertaken so that no harm comes to individual great crested newts which are a protected species. The precautionary risk avoidance measures listed in this toolbox talk and summarised below would ensure no harm to individual GCN therefore no licence would be required.

A Precautionary Working Method Statement (PWMS) has been developed, which if followed during the construction works, should prevent harm or disturbance to amphibians. The PWMS includes the following measures:

- Scrub should be cut using hand tools to a height of 10-15 cm under supervision of the ecologist and hand searched by the ecologist for evidence of amphibians.
- No trenches or deep excavations are to be left uncovered overnight throughout the construction phase as migrating GCN could fall in and become trapped. All trenches should be back filled or securely covered at the end of each working day.
- No barriers or fences which would prevent the free movement of GCN are to be installed therefore no disturbance to migrating GCN is likely.
- Vegetation clearance works will be undertaken outside the amphibian hibernation period (i.e. avoid November to February).
- If newt species are seen on the site when the Ecologist is not present, all works must stop and the ecologist contacted immediately.
- If common amphibians such as common frog and common toad are found during site clearance works when the ecologist is not present they can be relocated into suitable habitat such as the tall rank grassland south near the pond south of the company shop site. If a frog or toad is found on land (not in a pond) then it must be returned into the same type of habitat.

If you are unsure of any ecological issues during the works the Ecologist should be contacted immediately.

Contact the Ecologist – Rachel Blackham on

07957 427 204

or Adele Antcliff on 07958 017 800

Penalties

Offences against protected species can lead to fines of up to £5,000 per offence and potentially prison sentences of up to 6 months. Any vehicle/machinery used to commit an offence may be forfeited. Both the company and/or individuals may be held liable.

An ID guide for the various species of amphibians present near the site is included on the following pages; palmate newts *Lissotriton helveticus* are not known to be present in this area.

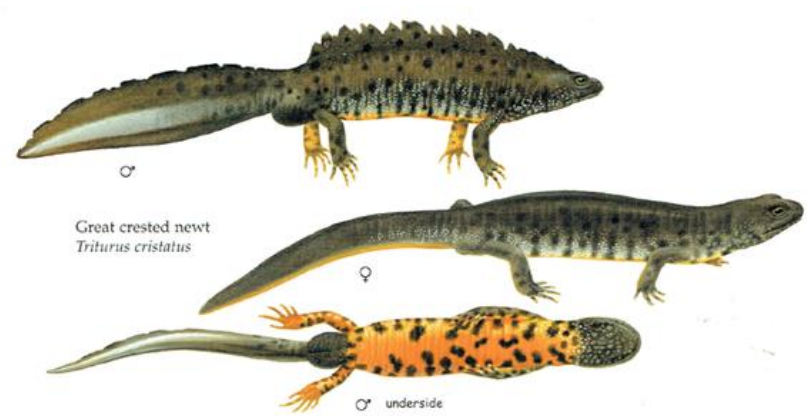
Great Crested Newt

Warty skin of two adult female great crested newts

Great crested newt belly

The largest of all British newt species, nose to tail mature adults can measure 15-18 cm in length. They are often called the 'warty newt' due to characteristic bumpy or glandular skin.

Breeding males are recognised by their large jagged crests which noticeably dip between their body and their tail (unlike smooth newts). They also have a striking silver/white flash on their tails and silver/white spots on their chin.



Both males and females have a yellow/orange belly pattern with dark spots but females do not have a crest. The most reliable way to identify great crested newts from other newt species is to look at their chin. Great crested newts have a black colouring with small white spots unlike the smooth or palmate newt.

Juvenile/immature newts will not have developed crests and although substantially smaller than the adults should be identifiable by their dark warty skin.

Smooth Newt

Smooth newt belly

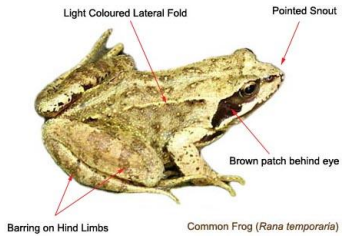
Smooth newts also known as common newts are the most common newt species found in the UK. Like the great crested newt the males have a crest running along their backs but females do not. Unlike the great crested the smooth newt crest is continuous from head to tail with no discernible dip between the body and tail.

A smooth and great crested female

Smooth newts also have a yellow/orange belly but it is not as distinctive as the great crested newt. Their skin is smooth and usually much paler (brown/green) than the dark skin of the great crested newt.

Smooth newts are much smaller than the great crested newts (measuring only 7-10cm in length). As can be seen in the photo to the left.

Common Frog



The common frog is a similar shape and size to the common toad but can be distinguished by its smooth moist skin and comparatively longer hind legs. The frog also has a more angular (pointy) head and body shape. Frogs move in short jumps and are very variable in colour from yellow/orange to dark brown.

Common Toad

The common toad although a similar size to the common frog has drier, warty or bumpy skin and is much more rounded in shape. Toads move by walking or hopping rather than jumping.