

**Appendix 1:**

**Technical Note: Updated Bat Activity and Static Detector Survey Results (July 2021)**

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July 2021

## **Technical Note: Additional Bat Activity Surveys (Summer 2021).**

### **1.0 Introduction**

- 1.1 The following Technical Note provides the results of additional bat activity surveys completed at the appeal site in July 2021. These surveys have been completed to update the bat activity survey information gathered over the relevant survey periods in 2019.

### **2.0 Survey Methods**

#### Transect Surveys

- 2.1 The primary objective of the transect was to identify foraging areas, commuting routes and species utilisation of the Site. The transect route covered the Site. The route followed the route previously used and point count stops were incorporated to provide further information regarding bat activity levels. Each point count was a minimum of five minutes long, during which time all bat activity was recorded. The transect commenced at sunset and lasted a minimum of 2 hours. The transect additionally included surrounding land as part of a wider survey area.
- 2.2 The transect was walked at a steady pace and when a bat passed by the species, time and behaviour was recorded on a plan. This information helps to form a general view of the bat activity present and highlights what habitats types are associated with bat activity. A Wildlife Acoustics Inc. Echo Meter Touch® bat detector was used in conjunction with an Echo Meter Touch® app and Apple Inc. iPad®.
- 2.3 The transect was undertaken when conditions were suitable (i.e. when the ambient air temperature exceeded 10°C and there was little wind and no rain).
- 2.4 Post-survey, bat calls were analysed using Kaleidoscope© (Wildlife Acoustics) software package, by taking measurements of the peak frequency, inter-pulse interval, call duration and end frequency. From this, the level of bat activity across the Site and surrounding study area in relation to the abundance of individual species foraging and commuting along habitats was assessed.

### Automated Surveys – Foraging and Commuting Bats

- 2.5 Two static passive recording broadband detector were deployed within the Site in July 2021, to supplement the manual transect survey in accordance with industry guidance. This survey is intended to build upon previous automated surveys undertaken in 2019.
- 2.6 Passive monitoring was undertaken using an automated logging system (Wildlife Acoustics Inc. Song Meter® SM4BAT+ bat detector, herein referred to as a SM4BAT detector) with the output saved to an internal storage device. Two SM4BAT detectors were placed at locations around the site for five survey nights period to access the overall level of activity.
- 2.7 The detectors were programmed to activate 30 minutes before dusk and recorded continuously until 30 minutes following sunrise over an extended period of time (five consecutive nights) of suitable and/or typical weather conditions. The five-day recording period for this survey occasion was 20.07.21 – 24.07.21.
- 2.8 The recorded data was analysed using the Kaleidoscope© and BatSound® Pro software packages.

## **3.0 Results**

### Transect Surveys

- 3.1 In common with the other transect surveys completed at the site, common pipistrelle *Pipistrellus pipistrellus* is the dominant species recorded. The only other species recorded over this survey included an individual pass from unidentified Pipistrelle sp..
- 3.2 Over this survey, the overall level of activity recorded across the site was low and the majority of the activity was recorded adjacent along the northern site boundary and hedgerow H3 (Figure 1). Activity along the southern boundary was limited to occasional passes.

### Static Detector Results

- 3.3 Unit 3 was located on the southern boundary of the site (Figure 1). Over this period four bat species and four species identified to genus level were recorded. Common pipistrelle is the dominant species comprising 91% of the registrations. Pipistrelle species and Noctule were frequently recorded but the registrations from these species comprised 4.2% and 3.4% of the total registrations.
- 3.4 Over the five night recording period, the total number of common pipistrelle registrations was 997 registrations. The majority of these (483) were recorded one night and with similar recording rate over the remaining survey night. The recording rates for Pipistrelle sp. and unidentified Myotis species were significant lower with a total of 46 and 37 registrations over the survey period.
- 3.5 The registration rates from other species including brown long eared, unidentified Myotis species, soprano pipistrelle, Nyctalus species and Nyctalus / Eptesicus species recorded at below 1% of the total registrations.

- 3.6 Unit 4 was positioned along the northern boundary of the Site. Common pipistrelle was again the dominant species with 1013 registrations which comprised 85% of the total registrations. Noctule was frequently recorded with a total of 88 registration over the survey period which comprised 7.4% of the total registrations.
- 3.7 During this period Pipistrelle species and soprano pipistrelle were also recorded occasionally with a total of 56 and 17 registrations. Other species recorded at less than 1% of the total registrations included unidentified Myotis species, Nyctalus species and brown long eared.

#### **4.0 Conclusions**

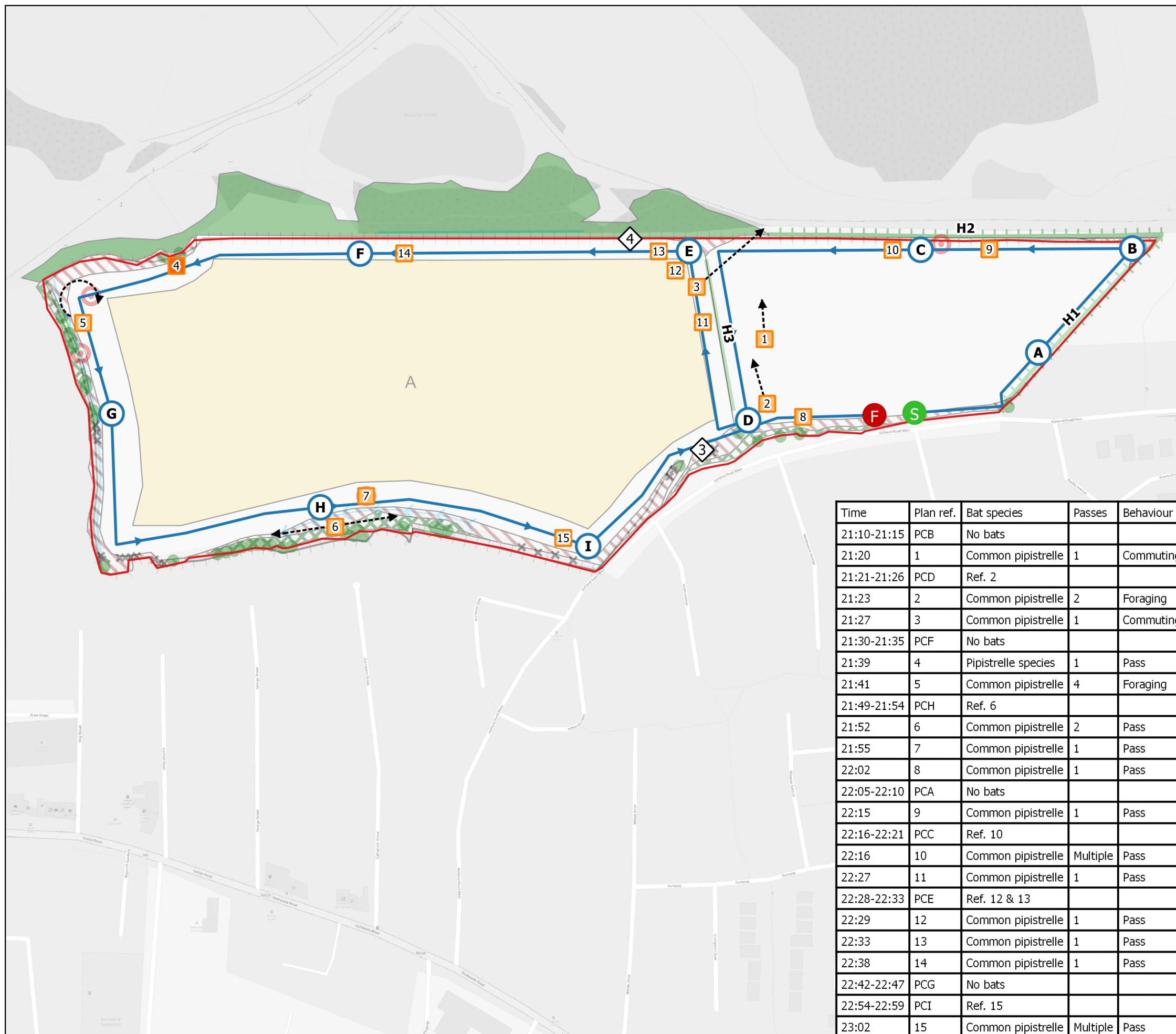
- 4.1 The results the surveys are similar to those recorded during previous surveys confirming the assemblage using the site is dominated by common and widespread species. The results also confirmed common pipistrelle is the dominant species using the site. The level of use from other species is significant lower demonstrating the habitats within the Site do not provide a significant resource any of these species.
- 4.2 Given these results, the mitigation previously outlined in the various submission document including the original ecological assessment (CD.1.12) remains valid and with the implementation of this mitigation no significant effects to the local bat population are expected.

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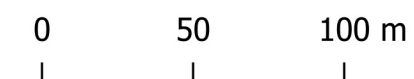
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**Key:**

- Site Boundary
- Transect Route
- Flight Arrow
- Point Count Locations
- Start point
- Finish point
- Common Pipistrelle
- Common/Soprano Pipistrelle
- Static Detector Locations (Unit Number)



Time	Plan ref.	Bat species	Passes	Behaviour
21:10-21:15	PCB	No bats		
21:20	1	Common pipistrelle	1	Commuting
21:21-21:26	PCD	Ref. 2		
21:23	2	Common pipistrelle	2	Foraging
21:27	3	Common pipistrelle	1	Commuting
21:30-21:35	PCF	No bats		
21:39	4	Pipistrelle species	1	Pass
21:41	5	Common pipistrelle	4	Foraging
21:49-21:54	PCH	Ref. 6		
21:52	6	Common pipistrelle	2	Pass
21:55	7	Common pipistrelle	1	Pass
22:02	8	Common pipistrelle	1	Pass
22:05-22:10	PCA	No bats		
22:15	9	Common pipistrelle	1	Pass
22:16-22:21	PCC	Ref. 10		
22:16	10	Common pipistrelle	Multiple	Pass
22:27	11	Common pipistrelle	1	Pass
22:28-22:33	PCE	Ref. 12 & 13		
22:29	12	Common pipistrelle	1	Pass
22:33	13	Common pipistrelle	1	Pass
22:38	14	Common pipistrelle	1	Pass
22:42-22:47	PCG	No bats		
22:54-22:59	PCI	Ref. 15		
23:02	15	Common pipistrelle	Multiple	Pass



client  
**Bellway Homes**

project  
Ashland Road,  
Sutton in Ashfield

drawing title  
**BAT TRANSECT PLAN (July 21)**

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**Figure 1**

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**Appendix 2:**

**Updated Badger Report**

**(Confidential – To be provided to relevant parties on request)**

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**Appendix 3:**  
**GCN Mitigation Strategy**

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Bellway Homes Ltd (East Midlands)

**Land off Ashland Road West, Sutton-in-Ashfield**

**GREAT CRESTED NEWT MITIGATION STRATEGY**

August 2021

**FPCR Environment and Design Ltd**

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Figure 2: Development and RAMS Areas of the Site

Figure 3: Licensable GCN Works and Fence Plan

**APPENDICES**

Appendix 1: 20 Day Terrestrial Trapping Survey Results

Appendix 2: Edna Laboratory Results (2020)

## 1.0 INTRODUCTION

- 1.1 The following document provides a mitigation strategy for great crested newt (GCN) *Triturus cristatus* and has been prepared by FPCR Environment & Design Ltd on behalf of Bellway Homes Ltd (East Midlands). in relation to land north of Ashland Road West in Sutton-in-Ashfield, Nottinghamshire (Central Grid Reference: SK 47788 59511 (Figure 1)).
- 1.2 An Ecological Appraisal (FPCR, February 2020) was submitted in support on an outline planning application for the construction of up to 300 residential properties with associated residential gardens, hard-standing and areas of green infrastructure (Planning reference number: V/2020/0184).
- 1.3 This mitigation strategy has been produced to provide sufficient background information in relation to GCN, including proposed mitigation measures to maintain the Favourable Conservation Status (FCS) of the species, if present in a water body situated within the Brierly Forest Park Local Nature Reserve (LNR).
- 1.4 In 2020 access was requested from Ashfield District Council (ADC) to carry out aquatic surveys on pond 1 (P1) and pond 2 (P2) which was refused during the optimal survey period due to Coronavirus (Figure 1). Access was granted to complete eDNA testing of P2 in June 2020 (Appendix 2). The results of the eDNA survey returned an inconclusive result due to high levels of white precipitate. In 2021 access letters were posted to ADC by recorded delivery in April 2021 with access again being refused. Pond 3 (P3) was not highlighted on any aerial imagery in 2020 but was identified 2021 located within the grounds of Brierly Forest Visitors Centre, approximately 240m west of the application site.
- 1.5 Pond 1 (P1) is heavily stocked with fish and in use by a local fishing group (Brierly Pond Fishing Club). The Habitat Suitability Assessment (HSI) classified P2 to as being of 'poor' suitability for GCN. Pond 3 (P3) is a man-made circular shaped general wildlife pond adjacent the visitors centre immediately surrounded by amenity grassland and areas of hardstanding. The HSI score associated with P3 confirmed the pond has 'average' suitability to support GCN. Taking into account the average score and unsuitable terrestrial habitat between the pond and the application site GCN are not considered a constraint within P1 and P3. Consequently, the following mitigation strategy focuses on the potential presence of GCN in Pond P2 and the potential effects of the proposals on a population which maybe present in Pond P2.
- 1.6 Due to the lack of access to survey P2, a 20-day terrestrial trapping exercise (CL09) was undertaken along the north eastern application site boundary at the closest point to the off-site pond (P2). This survey was completed to assess the likely presence or absence of GCN in the wider area.
- 1.7 This survey was completed using Natural England's terrestrial trapping option, which allows the installation of 20m length of Temporary Amphibian Fencing (TAF), 15 bucket traps and artificial refugia (carpet tiles). The trapping equipment was installed on 28<sup>th</sup> June 2020 with daily checks over 20 continuous days. The 20m of TAF was located within the core terrestrial habitat zone (0-50m from P2) considered to be the core zone of utilisation for GCN if present in P2. No GCN were captured during the 20 day terrestrial trapping exercise.
- 1.8 Given the habitats present it is considered that development over 250m from P2 of the site can be completed following a strict method statement and development and a Risk Assessment and Method Statement (RAMS) has also been included within this document for these works. This risk

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assessment considers the legal protection offered to GCN by the Conservation of Habitats and Species Regulations 2010 (*as amended*).

## 2.0 EXISTING INFORMATION

### Terrestrial habitats

- 2.1 Habitats affected by the proposed development comprises two field compartments (Figure 2). Habitats in the eastern section of the Site are dominated by species poor semi-improved grassland which is managed for hay or silage. The western field compartment is dominated by intensively managed arable land, currently arable ley, with wide field of species poor semi-improved grassland also managed for silage or hay. The site boundaries are denoted by field boundary hedgerows with a single internal hedgerow dissecting the site north to south.
- 2.2 Due to the managed nature of the application site the terrestrial habitat is considered to offer limited suitability for GCN but given the proximity to Pond P2, if present the habitats will provide limited foraging and commuting resources for GCN. Due to the nature of the managed grassland there is a lack of suitable tussock structure associated with the field compartments to offer places of shelter for GCN. Suitable terrestrial habitats for great crested newts within the site were restricted to the hedgerow boundaries, internal hedgerow and a limited area of ruderal vegetation and scrub along the south-eastern boundary.
- 2.3 Ashfield Road West borders the southern site boundary with residential housing to the south, east and west.

### Aquatic Habitats

- 2.1 No waterbodies were present within the application site. Three ponds (P1, P2 and P3) are present within a 500m radius of the site, all are situated in Brierly Forest Park LNR / Local Wildlife Site (LWS) between 10m and 30m north of the site boundary. Pond P3 is located approximately 240m west of the site.
- 2.2 Pond P1 (also known as Brierly Waters) comprised a large fishing pond north of the western field compartment managed by Brierly Pond Fishing Club and was assessed as having '**poor**' suitability to support GCN, with an HSI score of 0.34 (see Table 1 for full results table).
- 2.3 This pond has full public access and was surrounded by heavily managed amenity grassland, public access paths and wooden fishing platforms. Approximately half of the pond's perimeter was vegetated with dense scrub and trees while the rest was managed to allow angling. The water quality was clear but poor due to lack of aquatic invertebrates, and water surface was entirely open with less than 1% aquatic vegetation present at the time of survey. Waterfowl were recorded on the pond.
- 2.4 Pond P2 was a small field pond approximately 30m north of eastern field compartment. From reviewing aerial imagery it is likely the pond has been in situ since around 2010 and used to store water runoff with a small pump type structure on high ground next to the pond with a small, slow running stream also feeding into the pond. At the time of a walkover in July 2021 the pond was choked with vegetation and reed starting to colonise the pond with limited areas of standing water. As a result of the updated Habitat Suitability Assessment (HSI) P2 was assessed as having '**average**' suitability for GCN, with an HSI score of 0.64 (see Table 1 for full results table).
- 2.5 Pond P3 was a man-made circular pond set within the grounds of Brierly Forest Park Visitors Centre. The pond was heavily vegetated with reeds and immediately surrounded on all aspects by



a hardstanding visitor path. The pond is situated approximately 240m west of the application site separated by an area of woodland no ground flora.

**Table 1: GCN Habitat Suitability Index Scores (2021)**

	<b>P1</b>	<b>P2</b>	<b>P3</b>
<b>INDEX</b>	<b>SCORE (0-1)</b>	<b>SCORE (0-1)</b>	<b>SCORE (0-1)</b>
<b>SI 1 - Location</b>	1	1	1
<b>SI 2 – Pond Area</b>	0.8	0.5	0.2
<b>SI 3 – Pond Drying</b>	0.9	0.1	0.5
<b>SI 4 – Water Quality</b>	0.33	0.67	0.67
<b>SI 5 – Shade</b>	1	1	1
<b>SI 6 - Fowl</b>	0.1	1	1
<b>SI 7 - Fish</b>	0.01	1	0.33
<b>SI 8 - Ponds</b>	0.5	0.5	0.5
<b>SI 9 – Terrestrial Habitat</b>	0.67	1	0.67
<b>SI 10 – Macrophytes</b>	0.3	1	0.9
<b>HIS RESULT</b>	<b>0.34</b>	<b>0.64</b>	<b>0.60</b>
<b>SUITABILITY</b>	<b>POOR</b>	<b>AVERAGE</b>	<b>AVERAGE</b>

- 2.6 Environmental DNA (eDNA) sampling was undertaken to determine the presence / absence of GCN within P2 In June 2020 following guidance set out in *Analytical and Methodological Development for Improved Surveillance of the Great Crested Newt, WC1067, Appendix 5. Technical advice note for field and laboratory sampling of great crested newt (Triturus cristatus) environmental DNA*<sup>1</sup>. This methodology has been approved by Natural England for the determination of GCN presence / absence.
- 2.7 The eDNA survey was completed on 22<sup>nd</sup> June 2020 (P2) by a licensed GCN holder (CL08 - 2019-43992-CLS-CLS) from FPCR.
- 2.8 The results of the eDNA survey provided an inconclusive result due high levels of white precipitate recorded within the water sample.

<sup>1</sup>[http://randd.defra.gov.uk/Document.aspx?Document=11976\\_WC1067\\_Appendix\\_5\\_TechnicalAdviceNote.pdf](http://randd.defra.gov.uk/Document.aspx?Document=11976_WC1067_Appendix_5_TechnicalAdviceNote.pdf)

### 3.0 LEGISLATION

- 3.1 Great crested newts are afforded full protection under the Wildlife & Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended)<sup>2</sup>.
- 3.2 Under Regulation 42 of the Conservation of Habitats and Species Regulations 2017 (as amended) it is illegal to:
- Deliberately capture, injure or kill any wild animal of a European Protected Species (EPS),
  - Deliberately disturb wild animals of an EPS (affecting ability to survive, breed or rear young) – disturbance of animals includes in particular any disturbance which is likely to impair their ability to survive, to breed or reproduce, or to rear or nurture their young,
  - Deliberately disturb wild animals of an EPS (impairing ability to migrate or hibernate) – disturbance of animals includes in particular any disturbance which is likely to impair their ability in the case of hibernating or migratory species to hibernate or migrate,
  - Deliberately disturb wild animals of an EPS (affecting local distribution and abundance) – disturbance of animals includes in particular any disturbance which is likely to affect significantly the local distribution or abundance of the species to which they belong,
  - Deliberately disturb wild animals of an EPS (whilst occupying a structure or place used for shelter or protection) – intentionally or recklessly disturb any wild animal while it is occupying a structure or place which it uses for shelter or protection,
  - Damage or destroy a breeding site or resting place of a wild animal an EPS.
- 3.3 Under the Wildlife and Countryside Act 1981 (as amended) it is illegal to:
- Recklessly or intentionally kill, injure or take any wild animals included in Schedule 5.
  - Recklessly or intentionally damage or destroy, or obstruct access to any structure or place which any wild animal included in Schedule 5 uses for shelter or protection,
  - Recklessly or intentionally disturb any such animal while it is occupying a structure or place which it uses for shelter or protection.
- 3.4 Regulation 55 (Paragraphs 2 and 9) provide a series of test which must be satisfied to facilitate the granting of a 'derogation' licence by the appropriate licensing body.
- 3.5 Please note that the referenced legislation in the content and quotes from the Natural England documents referred to below is now incorrect as that legislation has since been superseded by the Conservation of Habitats and Species Regulations 2017 (and the correct Regulations are now 55 instead of 53, 43 instead of 41 and 47 instead of 45).
- 3.6 In accordance with Natural England's "How to Get a Licence " document, if (in the view of the consultant ecologist) a criminal offence under the Conservation of Habitats and Species Regulations 2010 is reasonably likely to arise from activities then a licence should be obtained from Natural England under regulation 53 prior to those activities taking place.
- 3.7 In Natural England's "How to Get a Licence", NE's view (page 12) is stated:

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<sup>2</sup> Wildlife & Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (amended)

***“a licence is needed if the consultant ecologist, on the basis of survey information and specialist knowledge of the species concerned, considers that on balance the proposed activity is reasonably likely to result in an offence under Regulation 41 (animals) or 45 (plants); or***

***if the consultant ecologist, on the basis of survey information and specialist knowledge of the species concerned, considers that on balance the proposed activity is reasonably unlikely to result in an offence under Regulation 41 or 45 then no licence is required. However, in these circumstances Natural England would urge that reasonable precautions be taken to avoid affecting EPS during works, and that an audit trail is kept on the decision-making process. If EPS are found then work should cease until you have assessed (in consultation with a consultant ecologist) whether you can proceed without committing an offence. A licence should be applied for if offences are unavoidable and the work should not be re-started until a licence is obtained”.***

- 3.8 Regulation 55 (previously regulation 53) permits a licence to be granted by Natural England where three licensing tests are met. The three licensing tests are:

***Regulation 55(2)(e) states: a licence can be granted for the purposes of “preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment”.***

***Regulation 55(9)(a) states: the appropriate authority shall not grant a licence unless they are satisfied “that there is no satisfactory alternative”.***

***Regulation 55(9)(b) states: the appropriate authority shall not grant a licence unless they are satisfied “that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range”.***

- 3.9 Licences cannot be obtained for development purposes in respect of GCN offences under the Wildlife & Countryside Act 1981 (*as amended*). Some legal defences are however available in respect of these offences.

- 3.10 In certain circumstances it is possible to avoid the offences under the above-mentioned legislation through carrying out works in a certain way which avoids or minimises the potential for the prohibited acts to be committed. Where offences under the Conservation of Habitats and Species Regulations 2017 are, in this way, unlikely to be triggered then no Natural England licence is required. In such circumstance, and as Natural England advises in “How to Get a Licence”, the methodology under which the works must be completed should be set out carefully and recorded in a written non-licensable method statement and based on the below risk assessment.

#### **4.0 RISK ASSESSMENT AND BASIS FOR WORKS >250M FROM POND 2**

- 4.1 Works to take place over 250m from P2 will progress in accordance with a non-licensable method statement on the basis that no resulting criminal offence to GCN is likely.

**Table 2: Summary of habitats, suitability for GCN and the development impacts >250m from P2**

Habitat	GCN Suitability	>250m (6.74ha)		
		Lost	Damaged	Retained / Enhanced
Poor semi-improved grassland	Low – foraging and shelter	1.37ha	N/A	0.25ha
Arable Ley	Low – foraging and shelter	4.5ha	N/A	N/A
Tall Ruderal	Low – limited foraging, dispersal and shelter	0.4ha	N/A	N/A
Hedgerow	Moderate – foraging, commuting & shelter	N/A	N/A	N/A
Dense scrub	High – foraging, shelter & commuting	0.22ha	N/A	N/A

- 4.2 There has been GCN research conducted by English Nature (now Natural England) in 2004 (English Nature Research Report Number 576). With regard to mitigation and the effects of habitat on GCN commuting distances the research report states:

*"The most comprehensive mitigation, in relation to avoiding disturbance, killing or injury is appropriate within 50m of a breeding pond. It will also almost always be necessary to actively capture newts 50-100m away. However, at distances greater than 100m, there should be careful consideration as to whether attempts to capture newts are necessary or the most effective option to avoid incidental mortality. At distances greater than 200-250m, capture operations will hardly ever be appropriate".*

- 4.3 As well as going on to say:

*"These recommendations are also broadly consistent with findings in the literature, since although a maximum routine migratory range has been estimated as approximately 250m from a breeding pond (Franklin, 1993<sup>3</sup>; Oldham and Nicholson, 1986<sup>4</sup>; Jehle (2000<sup>5</sup>)), Jehle (2000) determined a terrestrial zone of 63m, within which 95% of summer refuges were located. In addition, following the breeding season, (Jehle and Arntzen, 2000) recorded 64% of newts within 20m of the pond edge."*

- 4.4 Natural England / the Forestry Commission has in the past also provided "**Guidance on managing woodlands with great crested newts in England**" (5 April 2016). Whilst this guidance as a whole is obviously directed at woodland operations, the points made with regard to risk of harm to GCN are of general application. The Guidance states that the level of risk of operations to GCN will depend on several factors:

- **Distance from the pond:** The risk of encountering newts or their resting places generally decreases with distance from the pond. Where there are large, great crested newt populations, or particularly favourable terrestrial habitats, activities even several hundred metres away from

<sup>3</sup> Franklin, P.S. (1993). The Migratory Ecology and Terrestrial Habitat Preferences of the Great Crested Newt *Triturus cristatus* at Little Wittenham Nature Reserve. M.Phil Thesis. De Montfort University. Dept. Applied Biology and Biotechnology.

<sup>4</sup> Oldham, R.S. and Nicholson, M. (1986). Status and Ecology of the Warty Newt *Triturus cristatus*, Final Report. Leicester Polytechnic under contract to Nature Conservancy Council

<sup>5</sup> Jehle R & JW Arntzen (2000) Post-breeding migrations of newts (*Triturus cristatus* and *T. marmoratus*) with contrasting ecological requirements. Journal of Zoology (London), 251, 297-306.

the pond could result in damage, disturbance or harm. Corridors will need to be maintained between ponds to allow for dispersal.

- **Intensity of operation:** scarifying is both intensive and affects the whole area treated, whereas driving a forwarder once through an area to extract timber will have a much lower risk of causing damage, disturbance or harm.
- **Nature of the habitat:** a relatively bare forest floor below a conifer canopy will contain few potential foraging, resting and hibernation places compared to semi-natural woodland with a dense shrub layer and abundant deadwood.

4.5 The strong implication of the above research and guidance is that the risk of GCN being present more than 100m from a pond is low; and furthermore that the risk of GCN being present beyond 100m from a pond is greatest with "large populations" or "particularly favourable terrestrial habitats".

4.6 On the basis of this research and guidance, and given the updated HSI score for P2, isolation from other ponds and increasing vegetated growth reducing availability to hold open water where there will be >250m distance between any works and P2, it is unlikely that GCN will be present in the area of the Works (even if present in P2).

4.7 In addition to the above, GCN are not considered likely to commute across the site from P2 to the south of the site where no other ponds are present in the wider area and with Ashfield Road West bordering the southern boundary of the application site.

## **5.0 IMPACT ASSESSMENT AND BASIS FOR SITE CLEARANCE WORKS <250M FROM POND 2**

5.1 The only available survey data for the off-site pond (P2) consists an eDNA survey in 2020 which returned an inconclusive result due to high levels of pollutant of white precipitate.

5.2 Although no aquatic survey data has been possible due to refusal of access, the updated HSI result (July 2021) highlighted P2 as being of 'average' suitability for the presence of GCN. Taking into account the high level of white precipitate, excessive colonisation of vegetation and absence of other suitable ponds within the natural dispersal range for GCN, it is considered if GCN were present in P2 this would likely be a small, isolated population within a pond steadily decreasing in suitability.

5.3 If GCN were present in P2 detection would have been expected during the 20 day trapping exercise especially as GCN would be leaving the aquatic habitat to seek terrestrial habitat at this time of the year and being the 20m length of TAF was positioned within 50m of P2.

5.4 Taking into account the above factors it can confidently be predicted that if GCN are present in P2 the population size is likely to be struggling based on these negative influences. Therefore, any impacts can confidently be predicted while ensuring the FCS of this species can be maintained and enhances (if present) by increasing the suitability of terrestrial habitat within their immediate zone (0-50m) and intermediate zone (50-250m) from P2.

## 6.0 PROPOSED HABITAT LOSS AND IMPACTS IN THE ABSENCE OF MITIGATION

### Potential impacts during and post construction

- 6.1 In the absence of mitigation, site clearance and development of the site will result in potential impacts within 0-50m and 50-250m of P2.
- 6.2 The potential impacts are identified as:
- Potential killing or injury of GCN during site clearance and construction,
  - Loss of potential areas of shelter or rest and foraging areas,
  - Pollution of off-site P2 during/post construction,
  - Risk of killing/injuring GCN during the operational phase of the development.
- 6.3 The total area of the site is approximately 10.46ha. Terrestrial habitats within the development site are predominantly of limited suitability for GCN comprising: arable ley and species poor semi-improved grassland. Suitable terrestrial habitat is present within 0-50m of P2 although this consists of the northern boundary hedgerow which will be maintained with a 10m green buffer along the northern site boundary managed for GCN should they be present in P2.

**Table 3: Great Crested Newt Habitat Impact Zones**

Habitats	Impact Zone		Total Areas (ha)
	0-50m	50-250m	
Poor semi-improved grassland	0.283	2.611	2.894
Arable ley	0	0.559	0.559
Tall ruderal vegetation	0.001	0.159	0.160
Dense scrub	0	0.106	0.106
Hedgerow	0	106	106
<b>Total</b>	<b>0.284</b>	<b>3.435</b>	<b>3.719</b>

- 6.4 In the absence of mitigation, the temporary loss of the terrestrial habitats within the 0-50m impact zone of the GCN population within P2 is likely to result in, at most, a medium negative impact based on the limited suitability of the habitats. Loss of the terrestrial habitats within the 50 - 250m impact zone from P1 is likely to result in a low negative effect due to the limited suitability of terrestrial habitat present within the application site and optimal off-site terrestrial habitat within 50m of P2.
- 6.5 In the event that appropriate pollution prevention measures were not implemented during the construction phase of the development there is a risk that the off-site P2 could potentially be impacted. Furthermore, in the absence of appropriate mitigation on-site there is the risk of a low negative effect on GCN to becoming trapped within the development site drainage infrastructure if present.
- 6.6 Appropriate mitigation and compensation will be designed and implemented to offset development related impacts on this species. Further details are provided below.

## 7.0 GCN MITIGATION STRATEGY

7.1 In order to ensure the Favourable Conservation Status (FCS) of GCN during and upon completion of development the following mitigation and enhancement strategy has been devised based on the implementation of NLP4. The full details of the strategy are subject to reaching agreement with Natural England licensing and, as such, are subject to change. The main components of the strategy comprise:

- The removal of GCN from the construction zone within 0-50m and 50-250m of P2 prior to the commencement of development operations using standard translocation equipment as per the GCNMG over an appropriate trapping period,
- The provision of an on-situ receptor area to receive any GCN captured during the translocation exercise,
- The installation and retention of exclusion GCN fencing around the construction zone for the duration of the construction phase,
- The creation of additional long-term GCN terrestrial and aquatic habitat areas through the retention of existing habitat features and the planting of new habitats,

### GCN Receptor Site

7.2 Due to the nature of the proposed development, habitat provisions will be provided in two stages. The first stage will comprise enhancements associated with the receptor area along the northern site boundary hedgerow at the closest point to P2 and other suitable connected off-site habitats with the provision of two hibernacula and two log piles (Figure 3). Any GCN caught during the translocation exercise will be released into this receptor area which connects to P2 and associated off-site habitats.

7.3 On completion of the development the Stage 2 receptor site on land surrounding the balancing facility and in the 10m buffer along the northern boundary will be provided.

### Site Clearance

7.4 Prior to commencement of the development all suitable habitats within 250m of the application from P2 (excluding the receptor site) will be removed. This clearance exercise will be completed during suitable weather conditions over the period of March - October (inclusive) following the granting of a Natural England development licence using New Licensing Policy 4 (NLP 4). Suitable weather conditions will comprise nocturnal air temperatures exceeding 5°C, with rain or damp ground conditions.

7.5 Temporary amphibian fencing (TAF) will be installed along the northern boundary (excluding the receptor site), western boundary and internally covering those habitats within 250m of P2. Bucket traps will be installed every 5 to 10m to provide an appropriate trapping density (in accordance with the Great Crested Newt Mitigation Guidelines (GCNMG)<sup>6</sup>). These areas will then be trapped out for a minimum period of 30 days with any captured GCN translocated into the receptor area. Upon completion of the trapping period appropriate areas of the site shall be destructively searched where required under ecological supervision, prior to the commencement of works (any amphibians captured shall be translocated into the proposed receptor site). The boundary fence shall remain

<sup>6</sup> English Nature 2001. *Great crested newt mitigation guidelines*. English Nature, Peterborough.

in-situ and fit-for-purpose for the duration of the construction works to ensure no GCN can re-enter working area.

### **GCN Reserve Area (Stage 2)**

- 7.6 On completion of the development the remaining GCN reserve area (Stage 2) will be made available to GCN. The provision of the following enhancements will be provided to maintain the FCS of this species.
- Hibernacula and log piles;
  - Balancing facility;
  - Tussock forming grassland (Emorsgate EM10);
  - Meadow grassland (EM2); and
  - Native scrub planting.
- 7.7 Mitigation for the proposed development will be provided along the northern site boundary and to the northeast of the site. The provision of these mitigation measures will provide significantly enhanced habitat for GCN over the terrestrial habitats currently present within the site (managed grassland and arable land) to be lost. Given the connectivity to the LNR, Pond P2 and the optimal habitats adjacent to Pond P2, the creation and enhancement of habitats within the site will provide additional optimal habitats for this species within their natural range, if present.
- 7.8 Within the Stage 1 receptor site the creation of two hibernacula and two log piles to provide places of shelter, rest and foraging for the population during the translocation exercise and development phase.
- 7.9 In addition to those measures outlined at paragraph 7.6, an additional eight hibernacula and eight log piles will be created within the overall Stage 2 reserve area on completion of works to further enhance shelter / resting opportunities for GCN and increase the foraging resource in this area of the site. The design and construction of the hibernacula would include a fill of hard-core, brick rubble, logs, sleepers etc. plus loose topsoil and a cap of topsoil covered with turf. Areas of exposed fill around the margins would be required to allow access for GCN and other amphibians. Turf would be seeded with a wildflower seed mix and surrounding grassland sown with a mix of wildflower seed and tussock forming grass species.
- 7.10 Appropriate pollution prevention control measures shall be implemented during the construction and operational phases of the development to minimise any potential risk of pollution of the off-site GCN waterbody, whilst appropriate hydrological measures shall be built-into the development to ensure no such risk during the operational phase of the development. Measures including offset gully's and dropped kerbs adjacent areas of greenspace will ensure any potential risk to GCN from becoming trapped within infrastructure will also be minimised in the long-term.
- 7.11 Once established, habitats within the site will provide 1.16ha of optimal GCN terrestrial habitat along the northern site boundary. These habitats will include places of rest and shelter and will be managed to ensure the FCS of GCN is maintained in the long-term.



Table 4: Habitat Impacts

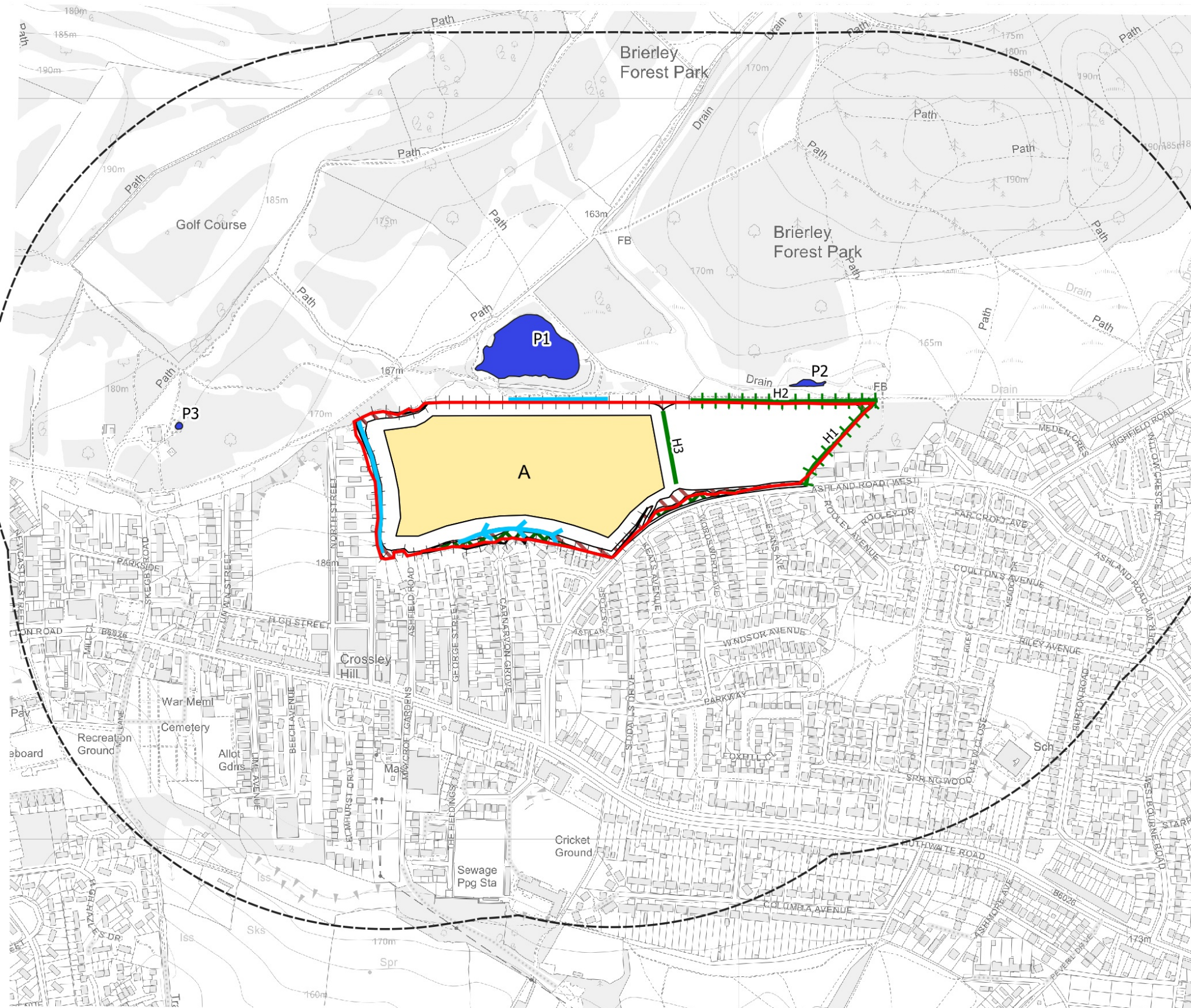
Habitats	Impact Zone								Total Areas
	Lost	Retained	Damaged	Enhanced	Lost	Retained	Damaged	Enhanced	
	0-50m				50-250m				
Scrub	0	0	0	0	0.101	0	0.006	0	0.107
Tall ruderal vegetation	0	0	0.001	0	0.131	0	0.028	0	0.160
Poor semi-improved grassland	0	0	0.283	0	2.045	0	0.565	0	2.893
Arable ley	0	0	0	0	0.559	0	0	0	0.559

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### Key

- Site Boundary
- Pond Location
- 500m Site Boundary Buffer
- A Cultivated/disturbed land - arable
- Other tall herb and fern - ruderal
- Poor semi-improved grassland
- X Scrub - dense/continuous
- Standing water
- Running water
- Intact hedge - species-poor
- Hedge with trees - species-poor
- Fence



client  
**Bellway Homes (East Midlands) Ltd.**

project  
**Land off Ashland Road  
Sutton-in-Ashfield, Nottinghamshire**

drawing title  
**WATERBODT LOCATION PLAN**



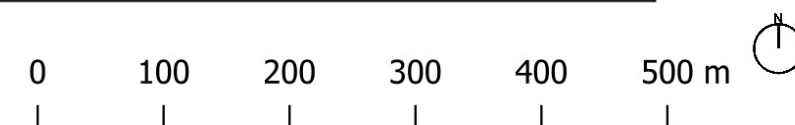
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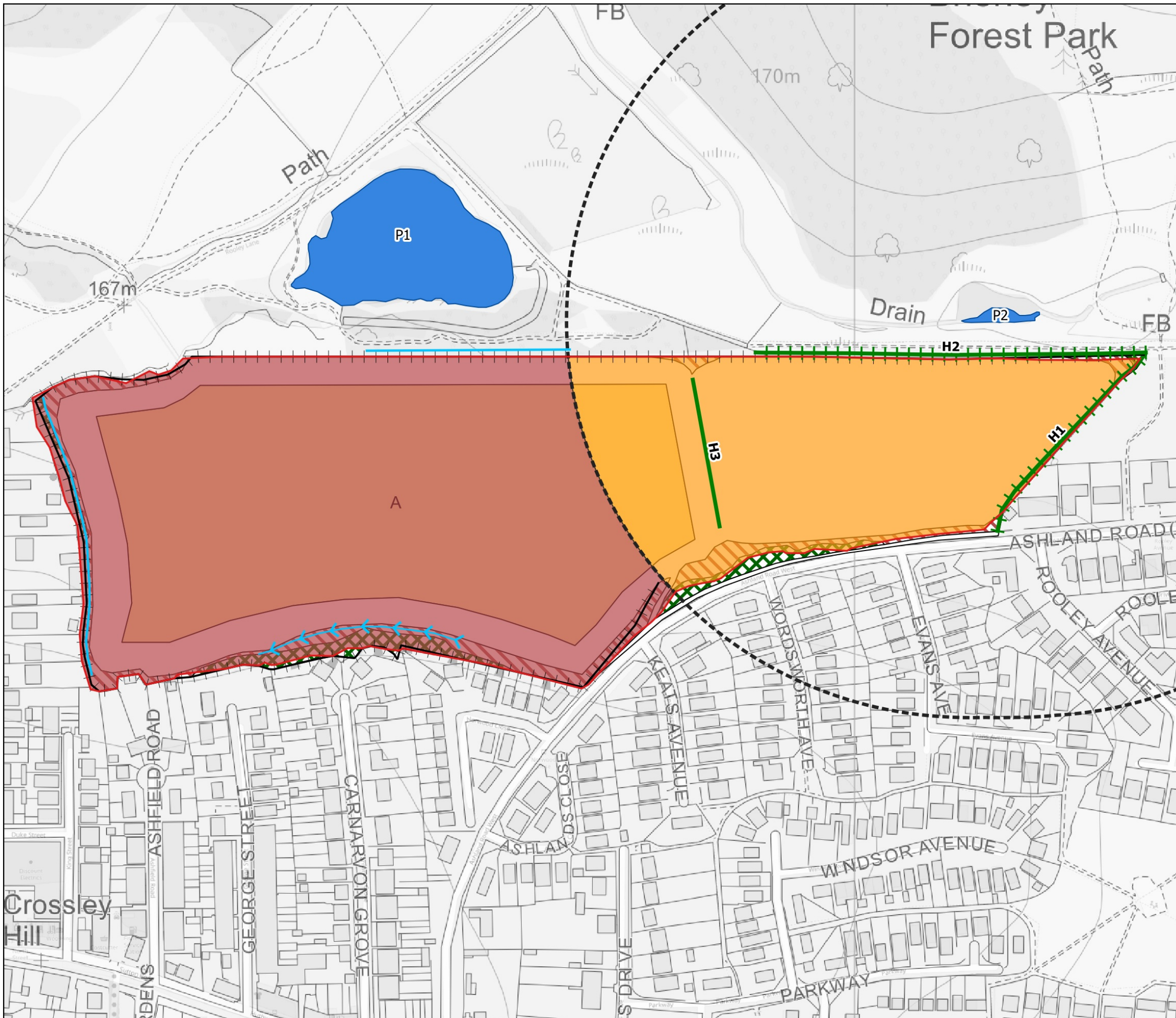
drawn  
JEJ

issue  
10/8/2021

drawing / figure number  
**Figure 1**

rev  
-





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**Key**

- Site Boundary
- 250m buffer (Pond P2)
- RAMS Area (>250m from P2)
- EP SL Area (<250m from P2)

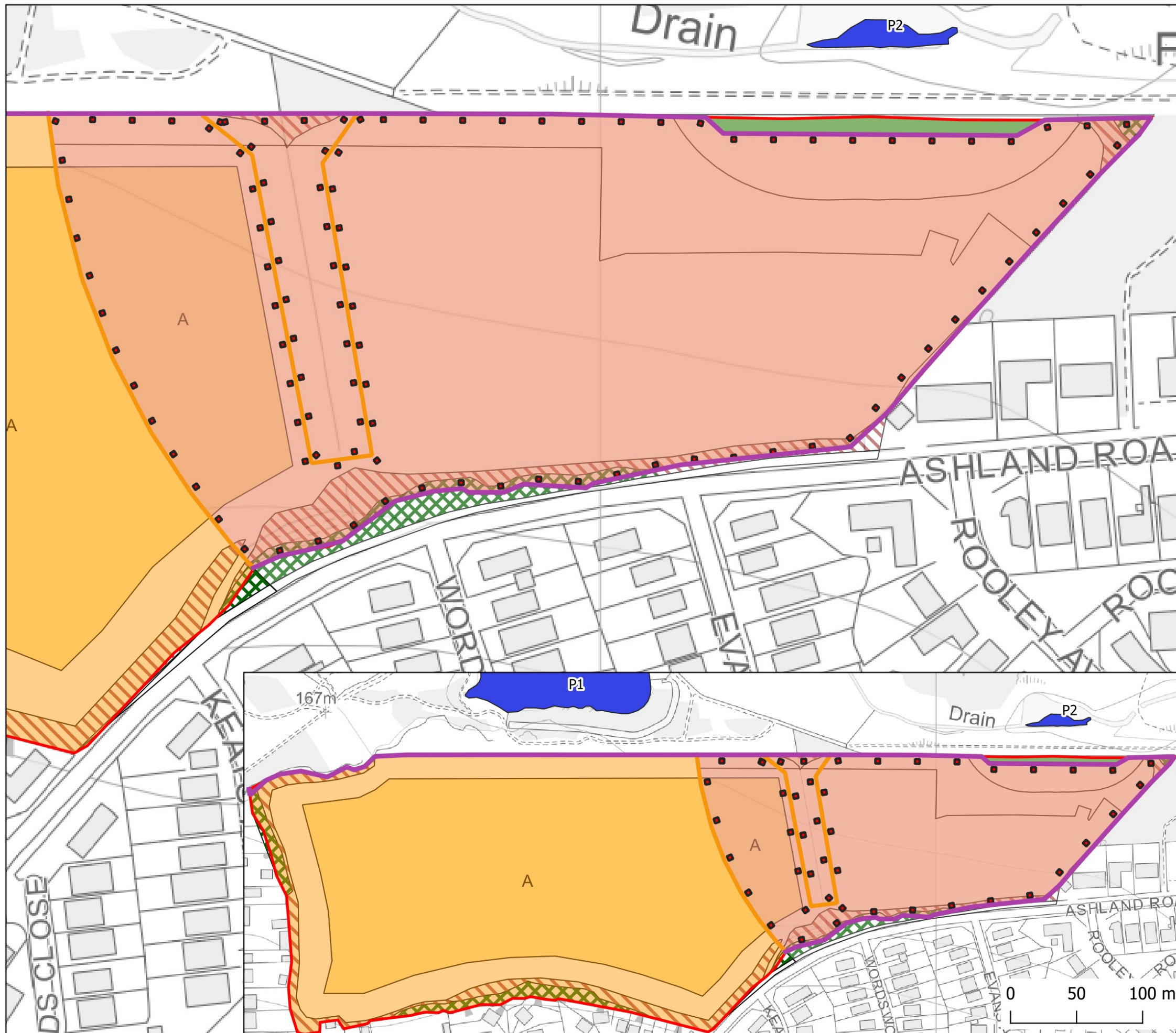
client  
Bellway Homes (East Midlands) Ltd  
project  
Land off Asland Road,  
Sutton-in-Ashfield, Nottinghamshire  
drawing title  
RAMS / EP SL SITES AREAS



scale @A3  
1:2500  
drawing / figure number  
drawing JEJ  
issue  
3/8/2021  
Rev



**Figure 2**

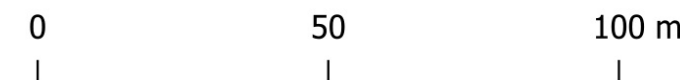


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### Key

- Site Boundary
- Waterbody
- Bounday TAF
- Drift TAF
- Indicitive Bucket / Refigia Locations
- Indicitive Receptor Area
- Area within 250m P2
- Area over 250mm from P2
- Phase 1 habitats**
- A Cultivated/disturbed land - arable
- Other tall herb and fern - ruderal
- Poor semi-improved grassland
- Scrub - dense/continuous



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Bellway Homes (East Midlands) Ltd.

project  
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Sutton-in-Ashfield, Nottinghamshire

drawing title  
**TRAPPING AND TRANSLOCATION PLAN**

scale @A3  
1:1300

drawing / figure number  
**Figure 3**

drawn  
JEJ

issue  
13/8/2021

rev  
-

**Appendix 1:**

**Results of 20 Day Terrestrial Trapping Exercise**

**Appendix 1:**

**Results of 20 Day Terrestrial Trapping Exercise**

<b>Terrestrial Trapping Results June – July 2021 – Land north of Ashland Road West</b>				
Date	Overnight Min Temp	Morning Temp	Ground Conditions	GCN Captured
Day 1 – 29 <sup>th</sup> June 2021	13C°	16C°	Wet / overnight rain	No
Day 2 – 30 <sup>th</sup> June 2021	11C°	14C°	Damp	No
Day 3 – 1 <sup>st</sup> July 2021	10C°	14C°	Damp	No
Day 4 – 2 <sup>nd</sup> July 2021	12C°	19C°	Damp	No
Day 5 – 3 <sup>rd</sup> July 2021	15C°	17C°	Wet	No
Day 6 – 4 <sup>th</sup> July 2021	14C°	15C°	Wet	No
Day 7 – 5 <sup>th</sup> July 2021	12C°	16C°	Wet / overnight rain	No
Day 8 – 6 <sup>th</sup> July 2021	13C°	14C°	Wet	No
Day 9 – 7 <sup>th</sup> July 2021	13C°	16C°	Wet	No
Day 10 – 8 <sup>th</sup> July 2021	12C°	18C°	Wet / overnight Rain	No
Day 11 – 9 <sup>th</sup> July 2021	13C°	19C°	Damp	No
Day 12 – 10 <sup>th</sup> July 2021	14C°	16C°	Wet / overnight rain	No
Day 13 – 11 <sup>th</sup> July 2021	12C°	18C°	Damp	No
Day 14 – 12 <sup>th</sup> July 2021	14C°	16C°	Wet / overnight rain	No
Day 15 – 13 <sup>th</sup> July 2021	13C°	18C°	Wet / overnight rain	No
Day 16 – 14 <sup>th</sup> July 2021	15C°	19C°	Wet / overnight rain	No
Day 17 – 15 <sup>th</sup> July 2021	14C°	19C°	Damp	No
Day 18 – 16 <sup>th</sup> July 2021	12C°	21C°	Dry	No
Day 19 – 17 <sup>th</sup> July 2021	16C°	21C°	Dry	No
Day 20 – 18 <sup>th</sup> July 2021	17C°	22C°	Dry	No

**Appendix 2:**

**eDNA Survey Results for Pond 1 (P1) and Pond 2 (P2)**



Client: James Rigby,  
FPCR Environment and Design Ltd



ADAS  
Spring Lodge  
172 Chester Road  
Helsby  
WA6 0AR



Tel: 01159 516747  
Email: Helen.Rees@adas.co.uk

www.adas.uk

Sample ID: 2020-1506                      Condition on Receipt: White Precipitate                      Volume: Passed  
Client Identifier: Pond 2, 7919                      Description: pond water samples in preservative  
Date of Receipt: 22/06/2020                      Material Tested: eDNA from pond water samples

Determinant	Result	Method	Date of Analysis
Inhibition Control <sup>†</sup>	2 of 2	Real Time PCR	24/06/2020
Degradation Control <sup>§</sup>	Within Limits	Real Time PCR	24/06/2020
Great Crested Newt*	0 of 12 (GCN negative)	Real Time PCR	24/06/2020
Negative PCR Control (Nuclease Free Water)	0 of 4	Real Time PCR	As above for GCN
Positive PCR Control (GCN DNA 10 <sup>-4</sup> ng/μL) <sup>#</sup>	4 of 4	Real Time PCR	As above for GCN

Report Prepared by: Dr Helen Rees                      Report Issued by: Dr Ben Maddison

Signed:                       Signed: 

Position: Director: Biotechnology                      Position: MD: Biotechnology

Date of preparation: 24/06/2020                      Date of issue: 24/06/2020

*eDNA analysis was carried out in accordance with the stipulated methodology found in the Technical Advice Note (WC1067 Appendix 5 Technical Advice Note) published by DEFRA and adopted by Natural England.*

*\* If all PCR controls and extraction blanks give the expected results a sample is considered: negative for great crested newt if all of the replicates are negative; positive for great crested newt if one or more of the replicates are positive.*

*<sup>†</sup> Recorded as the number of positive replicate reactions at expected C<sub>t</sub> value. If the expected C<sub>t</sub> value is not achieved, the sample is considered inhibited and is diluted as per the technical advice note prior to amplification with great crested newt primer and probes.*

*<sup>§</sup> No degradation is expected within time frame of kit preparation, sample collection and analysis.*

*<sup>#</sup> Additional positive controls (10<sup>-1</sup>, 10<sup>-2</sup>, 10<sup>-3</sup> ng/μL) are also routinely run, results not shown here.*

## Appendix 1: Interpretation of results

### Sample Condition

Upon sample receipt we score your samples according to quality: good, low sediment, medium sediment, high sediment, white precipitate, and presence of algae.

There are three reasons as to why sediment should be avoided:

1. It is possible for DNA to persist within the sediment for longer than it would if it was floating in the water which could lead to a false positive result i.e. in this case GCN not recently present but present a long time ago
2. In some cases sediment can cause inhibition of the PCR analysis used to detect GCN eDNA within samples which could lead to an indeterminate result.
3. In some cases sediment can interfere with the DNA extraction procedure resulting in poor recovery of the eDNA which in turn can lead to an indeterminate result.

Algae can make the DNA extraction more difficult to perform so if it can be avoided then this is helpful.

Sometimes samples contain a white precipitate which we have found makes the recovery of eDNA very difficult. This precipitate can be present in such high amounts that it interferes with the eDNA extraction process meaning that we cannot recover the degradation control (nor most likely the eDNA itself) at sufficient levels for the control to be within the acceptable limits for the assay, therefore we have to classify these type of samples as indeterminate.

### What do my results mean?

A positive result means that great crested newts are present in the water or have been present in the water in the recent past (eDNA degrades over around 7-21 days).

A negative result means that DNA from the great crested newt has not been detected in your sample.

On occasion an inconclusive result will be issued. This occurs where the DNA from the great crested newt has not been detected but the controls have indicated that either: the sample has been degraded and/or the eDNA was not fully extracted (poor recovery); or the PCR inhibited in some way. This may be due to the water chemistry or may be due to the presence of high levels of sediment in samples which can interfere with the DNA extraction process. A re-test could be performed but a fresh sample would need to be obtained. We have successfully performed re-tests on samples which have had high sediment content on the first collection and low sediment content (through improved sample collection) on the re-test. If water chemistry was the cause of the indeterminate then a re-test would most likely also return an inconclusive result.

The results will be recorded as indeterminate if the GCN result is negative and the degradation result is recorded as:

1. evidence of decay - meaning that the degradation control was outside of accepted limits
2. evidence of degradation or residual inhibition - meaning that the degradation control was outside of accepted limits but that this could have been due to inhibitors not being removed sufficiently by the dilution of inhibited samples (according to the technical advice note)

**Appendix 4:**  
**Pond Access Request**

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**Appendix 4a:**  
**Pond Access Request 2020**

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## Kurt Goodman

---

**From:** Kurt Goodman  
**Sent:** 22 August 2021 15:19  
**To:** Kurt Goodman  
**Subject:** FW: Access for the Ahsland Road, Sutton-in-Ashfield GCN surveys

---

**From:** Sally Smith <[sally.smith@bellway.co.uk](mailto:sally.smith@bellway.co.uk)>  
**Sent:** 01 April 2020 15:03  
**To:** Kurt Goodman <[Kurt.Goodman@fpcr.co.uk](mailto:Kurt.Goodman@fpcr.co.uk)>; Wilmie van Rooyen <[wilmie.vanrooyen@fpcr.co.uk](mailto:wilmie.vanrooyen@fpcr.co.uk)>  
**Subject:** FW: Access for the Ahsland Road, Sutton-in-Ashfield GCN surveys

Hi Wilmie and Kurt

Please see e-mail below, I am afraid we have been refused access to Sutton because of Covid 19, when is the latest we need to obtain access?

I am just thinking that we wait for the consultation responses which are due back by 14 April and then make a call on doing the surveys, as it was a back-up plan to get them done behind the scenes.

Let me know your thoughts.

Sally

Sally Smith  
**Senior Planning Manager**

0116 282 0400

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**From:** Robert Blaney  
**Sent:** 01 April 2020 10:59  
**To:** Sally Smith <[sally.smith@bellway.co.uk](mailto:sally.smith@bellway.co.uk)>  
**Subject:** RE: Access for the Ahsland Road, Sutton-in-Ashfield GCN surveys

Sally

We have been refused access due to the councils remit on isolating, do not feel appropriate to let people do work in the public domain at this time.

Please let me know what you would like me to do following this?

Regards

Rob

Robert Blaney  
**Land Manager**

---

0116 282 0400  
DDI: 0116 282 0454

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**From:** Sally Smith  
**Sent:** 30 March 2020 15:46  
**To:** Robert Blaney <[Robert.Blaney@bellway.co.uk](mailto:Robert.Blaney@bellway.co.uk)>  
**Subject:** FW: Access for the Ahsland Road, Sutton-in-Ashfield GCN surveys

Rob

Please find attached GCN survey method statement, as requested. Please can you now facilitate access to the ponds adjacent to the site at Sutton in Ashfield.

Kind regards



Sally

Sally Smith  
**Senior Planning Manager**

0116 282 0400

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**From:** Wilmie van Rooyen [<mailto:wilmie.vanrooyen@fpcr.co.uk>]  
**Sent:** 30 March 2020 14:45  
**To:** Sally Smith <[sally.smith@bellway.co.uk](mailto:sally.smith@bellway.co.uk)>  
**Subject:** RE: Access for the Ahsland Road, Sutton-in-Ashfield GCN surveys

**This message originated outside of Bellway. Please exercise caution with attachments or hyperlinks.**

Hi Sally

Please find attached the GCN survey methodology as requested. Let me know if you do need any changes but hopefully that is enough to satisfy that the methods are carried out to cause as little disturbance as possible.

Kind Regards

**Wilmie van Rooyen** | Assistant Ecologist  
BSc (Hons) MSc

**fpcr** | FPCR Environment and Design Ltd, Lockington Hall, Lockington, Derby, DE74 2RH  
Office: 01509 672772. Mobile: 07891 675802. [www.fpcr.co.uk](http://www.fpcr.co.uk)

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Studio 2 Dunley Hill Court, Dunley Hill Farm, Ranmore, Dorking. RH5 6SX. 01483 282523  
The National Agri-Food Innovation Campus, Sand Hutton, York, YO41 1LZ. 01904 406112



---

**From:** Sally Smith <[sally.smith@bellway.co.uk](mailto:sally.smith@bellway.co.uk)>  
**Sent:** 27 March 2020 14:41  
**To:** Wilmie van Rooyen <[wilmie.vanrooyen@fpcr.co.uk](mailto:wilmie.vanrooyen@fpcr.co.uk)>  
**Cc:** Kurt Goodman <[Kurt.Goodman@fpcr.co.uk](mailto:Kurt.Goodman@fpcr.co.uk)>  
**Subject:** RE: Access for the Ahsland Road, Sutton-in-Ashfield GCN surveys

Hi Wilme

Yes that is fine.

Thanks

Sally

Sally Smith  
**Senior Planning Manager**

0116 282 0400

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**From:** Wilmie van Rooyen [<mailto:wilmie.vanrooyen@fpcr.co.uk>]  
**Sent:** 27 March 2020 09:57  
**To:** Sally Smith <[sally.smith@bellway.co.uk](mailto:sally.smith@bellway.co.uk)>  
**Cc:** Kurt Goodman <[Kurt.Goodman@fpcr.co.uk](mailto:Kurt.Goodman@fpcr.co.uk)>  
**Subject:** RE: Access for the Ahsland Road, Sutton-in-Ashfield GCN surveys

**This message originated outside of Bellway. Please exercise caution with attachments or hyperlinks.**

Hi Sally

Yes, I can do that. I presume that a description of the survey method and the ponds that will be surveyed will be sufficient.

Kind Regards

**Wilmie van Rooyen** | Assistant Ecologist  
BSc (Hons) MSc

**fpcr** | FPCR Environment and Design Ltd, Lockington Hall, Lockington, Derby, DE74 2RH  
Office: 01509 672772. Mobile: 07891 675802. [www.fpcr.co.uk](http://www.fpcr.co.uk)

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The National Agri-Food Innovation Campus, Sand Hutton, York, YO41 1LZ. 01904 406112



Job Ref: 7919

---

**From:** Sally Smith <[sally.smith@bellway.co.uk](mailto:sally.smith@bellway.co.uk)>  
**Sent:** 26 March 2020 13:25  
**To:** Wilmie van Rooyen <[wilmie.vanrooyen@fpcr.co.uk](mailto:wilmie.vanrooyen@fpcr.co.uk)>  
**Subject:** FW: Access for the Ahsland Road, Sutton-in-Ashfield GCN surveys

Hi Wilme

Would you be able to pull together a short note on the GCN surveys so Rob can gain access.

Thanks

Sally

Sally Smith  
**Senior Planning Manager**

0116 282 0400

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LE19 1YG

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**From:** Robert Blaney  
**Sent:** 26 March 2020 11:15  
**To:** Sally Smith <[sally.smith@bellway.co.uk](mailto:sally.smith@bellway.co.uk)>  
**Cc:** Kurt Goodman <[Kurt.Goodman@fpcr.co.uk](mailto:Kurt.Goodman@fpcr.co.uk)>; [wilme.vanrooyan@fpcr.co.uk](mailto:wilme.vanrooyan@fpcr.co.uk)  
**Subject:** RE: Access for the Ahsland Road, Sutton-in-Ashfield GCN surveys

Hi Sally

Hope you are well.

I have requested access from estates at ADC.

Can you let me have details of the proposed works and method statements to try and speed up the process?

Thanks

Rob

Robert Blaney  
**Land Manager**

0116 282 0400  
DDI: 0116 282 0454

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Meridian Business Park  
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**From:** Sally Smith  
**Sent:** 23 March 2020 16:08  
**To:** Robert Blaney <[Robert.Blaney@bellway.co.uk](mailto:Robert.Blaney@bellway.co.uk)>

**Cc:** Kurt Goodman <[Kurt.Goodman@fpcr.co.uk](mailto:Kurt.Goodman@fpcr.co.uk)>; [wilme.vanrooyan@fpcr.co.uk](mailto:wilme.vanrooyan@fpcr.co.uk)

**Subject:** Fw: Access for the Ahsland Road, Sutton-in-Ashfield GCN surveys

Hi Rob

Please see e-mail below, can you arrange access? Is the owner of the pond within the Country Park Ashfield DC or Nottinghamshire County Council? Wilme has done an LR search and it is Ashfield DC.

Thanks

Sally

Sally Smith  
**Senior Planning Manager**

0116 282 0400

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**From:** Wilmie van Rooyen <[wilmie.vanrooyen@fpcr.co.uk](mailto:wilmie.vanrooyen@fpcr.co.uk)>

**Sent:** 23 March 2020 12:19

**To:** Kurt Goodman

**Cc:** Sally Smith

**Subject:** Access for the Ahsland Road, Sutton-in-Ashfield GCN surveys

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Hi Kurt, just keeping you in the loop:

On the subject of the below, we did a land registry search and found out that the two ponds for Ashland Road belong to Ashfield District Council and even though they are open access, I think we may still need permission to put bottles in.

I've held off longer than I normally would on sending letters requesting permission as I thought that there might be a small chance the council may say that no newt surveys are necessary based on our report and didn't want to jeopardise that chance by asking for permission to survey too early (before Sally has had a response).

However, I've just given Sally a call to see if she has had a response from the council yet as we're getting closer to the time of the first surveys. She is going to speak to their land manager and get him to see if he can arrange permission, as he's been liaising with the land owner on other matters. She'll get back to me about it once she has news.

Kind Regards

**Wilmie van Rooyen** | Assistant Ecologist  
BSc (Hons) MSc

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The National Agri-Food Innovation Campus, Sand Hutton, York, YO41 1LZ. 01904 406112



Job Ref: 7919

---

**From:** Kurt Goodman <[Kurt.Goodman@fpcr.co.uk](mailto:Kurt.Goodman@fpcr.co.uk)>  
**Sent:** 23 March 2020 11:31  
**To:** Sally Smith <[sally.smith@bellway.co.uk](mailto:sally.smith@bellway.co.uk)>  
**Cc:** Wilmie van Rooyen <[wilmie.vanrooyen@fpcr.co.uk](mailto:wilmie.vanrooyen@fpcr.co.uk)>  
**Subject:** RE: Sutton - GCN Survey

Hi Sally

It is still cold currently. Providing we are allowed out we are looking to commence surveys on the adjacent pond wk commencing 06 April 2020.

I hope this assist.

Regards Kurt

---

**From:** Sally Smith <[sally.smith@bellway.co.uk](mailto:sally.smith@bellway.co.uk)>  
**Sent:** 23 March 2020 11:16  
**To:** Kurt Goodman <[Kurt.Goodman@fpcr.co.uk](mailto:Kurt.Goodman@fpcr.co.uk)>  
**Subject:** Sutton - GCN Survey

Hi Kurt

I know we discuss the GCN survey for Sutton for the neighbouring pond, has this been programmed in or is it still too cold?

Thanks

Sally

Sally Smith  
**Senior Planning Manager**

0116 282 0400

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**Appendix 4b:**  
**Pond Access Request 2021**

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## Kurt Goodman

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**From:** Simon Maddison <simon.maddison@bellway.co.uk>  
**Sent:** 16 April 2021 16:23  
**To:** Kurt Goodman  
**Cc:** Ken Yardley  
**Subject:** FW: Access for the Ashland Road, Sutton-in-Ashfield GCN surveys

Hi Kurt,

Ashfield are currently unwilling to grant you consent to go on site to undertake the new survey. I have notified them of no issues and as it's the season for surveys it's just good practice.

I shall keep you posted.

Kind Regards,

Simon Maddison  
**Head of Land**

0116 282 0400

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**From:** M.Kirk [mailto:M.Kirk@ashfield.gov.uk]  
**Sent:** 16 April 2021 09:26  
**To:** Simon Maddison <simon.maddison@bellway.co.uk>  
**Cc:** N.Gregory <N.Gregory@ashfield.gov.uk>  
**Subject:** RE: Access for the Ashland Road, Sutton-in-Ashfield GCN surveys

Hi Simon, as there are some issues with this site. Please don't do anything until I have had chance to check out our position here.

Thanks

Matthew

---

**From:** Simon Maddison <[simon.maddison@bellway.co.uk](mailto:simon.maddison@bellway.co.uk)>  
**Sent:** 15 April 2021 17:12  
**To:** M.Kirk <[M.Kirk@ashfield.gov.uk](mailto:M.Kirk@ashfield.gov.uk)>  
**Subject:** Access for the Ashland Road, Sutton-in-Ashfield GCN surveys

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Hi Matthew

Long-time no speak. I hope your keeping well.

It's that time of the year where FPCR, as our ecologists, are keen to gain access to the country park to undertake the yearly newt survey (non-intrusive).

Would you have any objections from the works going ahead week commencing 19<sup>th</sup> April?

Rob Blaney who you had previously being dealing with has moved on to pastures new, so please direct any correspondence to myself.

Kind Regards,  
Simon

Simon Maddison  
**Head of Land**  

---

  
0116 282 0400

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