

Technical Note - Great Crested Newt

Widnam Farm, Purton

1 Introduction

The Site was granted outline planning permission at appeal in November 2024 (planning ref: PL/2021/06918) for 61 dwellings, access and open space following the demolition of two dwellings on Site.

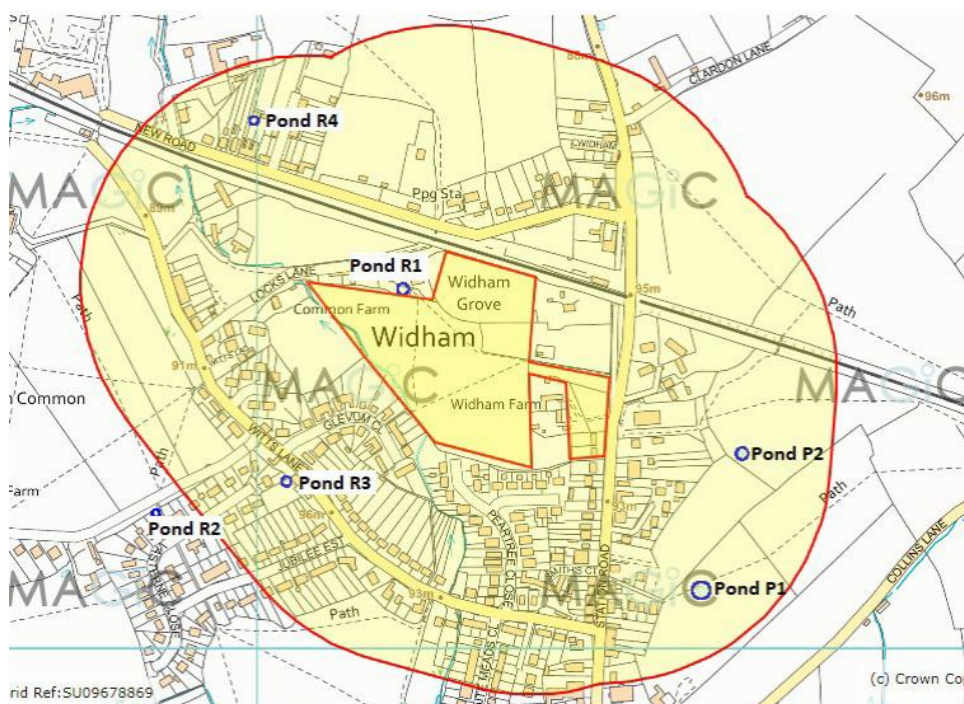
Recent anecdotal evidence from Councillor Lay regarding presence of Great Crested Newts in the wider area has been provided. The following is our reasoned response with regard these records and the appropriateness of any additional or different avoidance or mitigation measures in light of this evidence.

2 Background

The outline application was accompanied by an ecology report (Tyler Grange, 2021) which detailed various surveys undertaken in 2021.

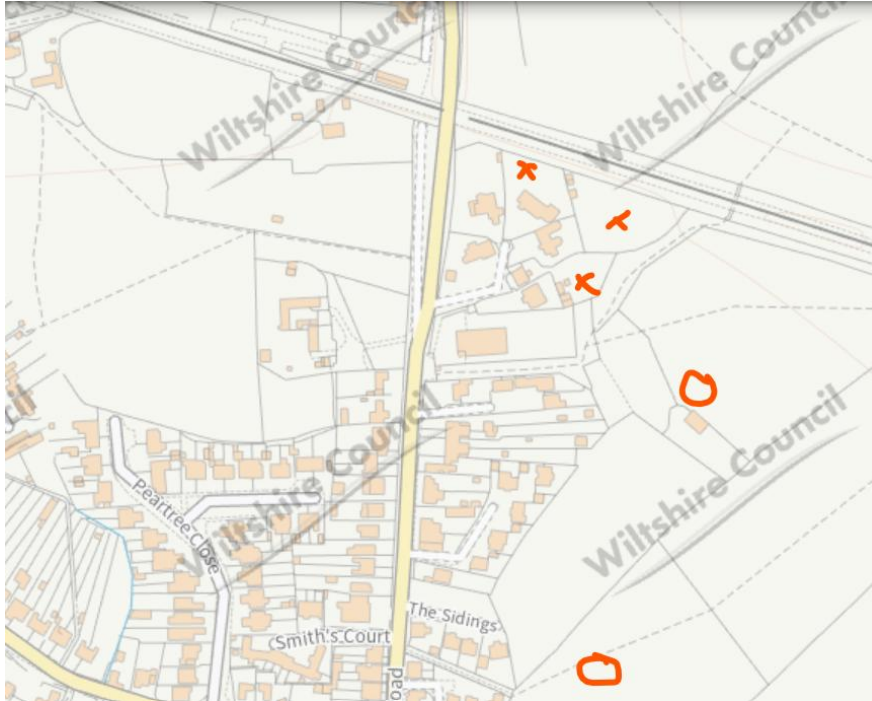
The potential presence of great crested newt (GCN) was assessed within the Ecological Impact Assessment (EclA, Tyler Grange 2023) which informed the outline proposals. As discussed, there were two ditches and a wet depression with water in, suitable for GCN breeding. However, at the time of surveying in spring these ditches were dry and therefore not suitable for GCN breeding. Therefore, there are no suitable water bodies for GCN breeding on site. The EclA recognises that the rough grassland and hedgerows onsite provide suitable foraging and commuting habitat for amphibians in their terrestrial phase.

Further surveys of numerous waterbodies (as shown below) within the Zone of Influence (250m as shown buffered below) were undertaken. Of those where access was granted, one was dry, 5 returned negative eDNA results, one was inconclusive (R4), and one returned a positive result (R2). However, this pond is at least 250m from the site boundary and separated from the site by significant barriers to dispersal (roads and residential properties).



3 Anecdotal GCN Records

Correspondence from Councillor J. Lay was received in December 2025 following the commencement of Site enabling works. Anecdotal records of GCN in garden ponds to the east of the Site as shown below (red X's).



The correspondence accompanying the above plan stated the following in relation to potential records of GCN in the wider area:

I have put X where there are known garden ponds – my garden is up onto the railway line and I have seen GCN in my pond and around my garden – to include in the gap between my concrete path and house wall and under my wheelie bin. The second cross in my neighbours garden at 6 Widham is known breeding pond as they had to do a newt survey and also had conditions set for work they had done on their property. The third cross at 5 Widham – I have rung the neighbour there to ask if they have seen any GCN.

Whilst we recognise the Council's position in regard to the precautionary principle (based on this new anecdotal evidence), we are also minded to consider the proportionality of such as approach considering the lack of suitable breeding habitats on Site, the barriers to dispersal (Station Road and existing residential properties) between the Site and the anecdotal nature of the GCN records, coupled with the abundance of equally suitable habitat within closer proximity to the records i.e. the grassland/farmland to the east, and the railway corridor directly north of these records. If GCN are supported by these off-site ponds it is likely that they form a distinct meta-population and the likelihood of GCN dispersing and using terrestrial habitat on Site would be considered extremely low. While GCN have been known to travel distances of 1000m or more (in specific circumstances, the majority of adults stay within 250m of breeding ponds. The GCN Mitigation Guidelines (English Nature, 2001) seeks to classify these zones as follows:

- 🟡 Immediate terrestrial habitat (approx. <50m from breeding pond);
- 🟡 Intermediate terrestrial habitat (approx. 50– 250m from breeding pond); and
- 🟡 Distant terrestrial habitat (approx. >250m from breeding pond).

Migration is likely associated with high risks due to predation, desiccation and other factors, so this tends to limit migration distances. A study in Western France (Jehle et al. 2011) found that 50% of radio-tracked GCN remained within 15m of the breeding pond, with 95% of individuals remaining within 63m of the pond. This indicates that where habitat is suitable, GCN remain in close proximity to their breeding ponds.

Furthermore Natural England in their own guidance in the GCN Method Statement Document around the Rapid Risk Assessment highlights that there has “been a trend towards increasingly precautionary applications, resulting from a risk-averse approach to mitigation”, and that “many recent mitigation schemes were designed for developments that actually had very little or no effect on the newt population”. Natural England advocates the use of good practice and avoidance measures to minimise the impact of a proposed activity on wildlife and in particular EPS. Such measures can help to avoid the need for highly precautionary licence applications in situations where there is a very low risk of harming newts, or in some cases can mean that only part of a site needs to be subject to a licence. Licensing should be seen as the last resort where all other alternative ways of avoiding impacts on the species have been discounted.

Further to this NE Guidance states that “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 those reasonable precautions be taken to avoid affecting European Protected Species during works, and that an audit trail is kept on the decision-making process. If European Protected Species are found, then works should cease until an assessment has been made on 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”.

4 Summary

Therefore, considering the factors as discussed above, coupled with the limited anticipated potential impacts, it is considered that the baseline assessment is valid, and that it would be reasonable to conduct works on Site via a Non-Licensed Approach directed by Reasonable Avoidance Measures (RAMs). However, through liaison with our client and for the avoidance of any further delay, we will be seeking to register the scheme with Wiltshire’s Natural England Administered District Level Licencing (DLL) Scheme. As such, through this process, any impacts to GCN (however unlikely) will be adequately mitigated through a compensatory payment to the scheme. We will continue to liaise with Wiltshire Council throughout this process and will forward the relevant DLL documentation as soon as it has been received. The stated intention to pursue the DLL route does not necessitate any amendments to the currently submitted CEMP/LEMP documents and on that basis it is considered that they can be approved without delay.

Furthermore, it should be noted that there are no design impacts or other implications related to the issues raised and no need for the pending s.73 application for new house types to be delayed further.