

ECOLOGY CONSULTATION RESPONSE - GCN

PROJECT NAME: LAND AT MANOR PARK, WATERY LANE, TWYXCROSS, ATHERSTONE CV9 3QN

PURPOSE: Prepared in response to consultation comments received to planning application (ref: 25/00513/FUL).

DATE: 5th August 2025

1. Introduction

- 1.1.1. Allied Ecology Ltd. has been appointed to review and consider consultation comments received from Ecology Officers at Leicestershire County Council, in response to the planning application information submitted.
- 1.1.2. Allied Ecology undertook a Biodiversity Net Gain Assessment (BNGA) of the proposals, dated 8th April 2025, which was submitted to inform the planning application (ref: 25/00513/FUL).
- 1.1.3. The following paragraphs provide a commentary of the concerns raised by the above consultee, in relation to Great Crested Newts.
- 1.1.4. It is intended that this response addresses the concerns raised and should also be read in conjunction with the Ecological Appraisal prepared by RPS in November 2020, submitted to inform separate works at the site. While it is acknowledged that this survey work would be considered as 'out of date' to inform the planning application, in isolation, it is understood that the applicant is able to rely on the findings. For the purposes of this assessment, the findings are considered to remain reliable and informative, as their use to (in part) inform this further clarification relates to structural and descriptive elements, rather than the findings of otherwise temporally variable species data.

2. Response

Available aerial photography and photographs provided as part of the submitted Biodiversity Net Gain Assessment, appear to show the area of grassland to be subject to sport pitch creation works as relatively tussocky, and potentially able to provide terrestrial refuge opportunities to Great Crested Newt (if present locally). Further a number of ponds are identified nearby, that may provide potentially suitable aquatic opportunities to Great Crested Newt (if present locally). Considering the nature of the sports pitch creation works, further assessment / clarification regarding the potential for Great Crested Newt(s) to be impacted by the proposals has been requested.

- 2.1.1. As described within the submitted Biodiversity Net Gain Assessment, habitats present within footprint of the proposed sports pitch represent species-poor modified grassland.
- 2.1.2. This area is species-poor and used as an amenity space as part of the current usage / operation of the site. That said, adjacent areas are managed to a shorter sward height and are likely to receive a greater level of ongoing footfall. The grassland present within the site appears to be subject to a reduced frequency of mowing, albeit greater levels of damage / rutting and

‘scalping’ of developing tussocks due to the current mowing regime in place. The arisings from management also do not appear to be removed, such that they rot and compress the grassland and ultimately reduce its botanical diversity.

- 2.1.3. The ongoing grassland management is not considered to be particularly ecologically favourable, and a more sympathetic / beneficial management regime would be implemented within wider areas of the application site and habitat creation / enhancement areas.
- 2.1.4. However, and as identified within the consultation response, despite the grassland’s current management regime appearing detrimental to developing a more biodiverse sward, terrestrial opportunities for Great Crested Newts (if present locally) are present within the bases of remaining grass tussocks. It must also be acknowledged that these features are limited in their extent, due to the small size of the land to be impacted by the sports pitch creation works, and suitability of the features present.
- 2.1.5. In order to provide further context and confidence that Great Crested Newts would remain entirely safeguarded under the proposal, an assessment of the presence of ponds / other suitable aquatic habitats within 250m¹ of the proposed sports pitch location (identified using Ordnance Survey and satellite imagery and pre-existing ecological reporting undertaken at the site in 2020) was searched for, in line with best practice guidance^{2,3}. Guidance set out by Natural England states that an assessment incorporating an extended search area of 500m is required where the following factors are identified:
- Data indicates that the pond(s) has the potential to support a large Great Crested Newt population (informed by the results of the desktop study);
 - The site footprint contains particularly favourable habitat;
 - The development would have a substantial negative effect on that habitat; and
 - There is an absence of dispersal barriers.
- 2.1.6. Despite providing some limited terrestrial suitability, habitats within the site are considered not to be particularly favourable and, based on pre-existing survey data available for the wider site, a large population of Great Crested Newts is highly unlikely to be present. As such, an assessment of ponds within 250m of the proposed sports pitch remains proportionate.
- 2.1.7. This approach is further supported by the recently published Great Crested Newt Survey and Mitigation Guidelines 2025, which further states that *‘For proposed developments resulting in permanent and/or temporary terrestrial habitat loss and impacts, a GCN aquatic survey would likely only be appropriate at waterbodies located onsite and/or within 250m of the Site boundary’*.
- 2.1.8. As shown on the enclosed Plan 25488-WB1, six waterbodies are identified within 250m of the proposed sports pitch. The closest two waterbodies, referred to as WB2 and WB3 are located within 100m of the proposed sports pitch.
- 2.1.9. Survey data obtained at the site by RPS in 2020, identified WB2 as representing a ‘concrete overflow container’ and WB3 as ‘a small ornamental pond’. The assessment goes on to state that *‘due to the fact that both of these waterbodies had tall concrete sides which would*

¹ 250m is the typical maximum migratory range of this species, see English Nature (2004) ‘An assessment of the efficiency of capture techniques and the value of different habitats for the great crested newt *Triturus cristatus*’. English Nature Research Report 576

² Oldham RS, Keeble J, Swan MJS & Jeffcote M (2000) ‘Evaluating the suitability of habitat for the Great Crested Newt (*Triturus cristatus*)’. Herpetological Journal 10 (4), 143-155

³ Amphibian & Reptile Groups of the UK (2010) ‘ARG UK Advice Note 5: Great Crested Newt Habitat Suitability Index’

prevent amphibians entering, they were considered unsuitable for GCN. The next nearest feature is referred to as WB1, which is described as a *'sheer sided ornamental pond, stocked with multiple fish species'* and was also assessed to be largely unsuitable to support Great Crested Newt.

2.1.10. An additional waterbody (WBa) is shown on available Ordnance Survey mapping located between the site and waterbodies WB4 / WB5, albeit this is not visible on available aerial photography and was not identified as a pond / waterbody during the 2020 surveys. Nonetheless, the following assessment has been undertaken on the basis that it does remain present, and potentially capable of support Great Crested Newts (despite it appearing to no longer be present / be a mapping artefact).

2.1.11. A further assessment of the potential for Great Crested Newts to be impacted under the proposals is set out below, utilising Natural England's mitigation licence 'risk assessment' tool. This is prepared on the precautionary basis that if all habitats within the site were suitable / optimal to support Great Crested Newts, which is not the case, given the site's distance from all off-site ponds located up to 250m from the site, and due to the size of the site, creating the proposed sports pitch would be **'highly unlikely'** to result in an offence being committed.

Extract from Natural England's Great Crested Newt Risk Assessment tool

Component	Likely effect (select one for each component; select the most harmful option if more than one is likely; lists are in order of harm, top to bottom)	Notional offence probability score
Great crested newt breeding pond(s)	No effect	0
Land within 100m of any breeding pond(s)	0.001 - 0.01 ha lost or damaged	0.05
Land 100-250m from any breeding pond(s)	0.1 - 0.5 ha lost or damaged	0.1
Land >250m from any breeding pond(s)	No effect	0
Individual great crested newts	No effect	0
		Maximum:
		0.1
Rapid risk assessment result:		GREEN: OFFENCE HIGHLY UNLIKELY

2.1.12. Taking a precautionary approach, even if all of the off-site ponds located up to 250m from the site were found to be suitable for Great Crested Newts (which is not the case), and indeed to support a breeding population of this species, and all on-site habitats were to provide suitable terrestrial opportunities (which they don't) given the small size of the works area and distance from the off-site ponds, it is considered that no further survey work would be required to inform the proposals.

2.1.13. As a highly precautionary measure to further safeguard amphibians, and to avoid an offence under the relevant legislation being unintentionally committed, a destructive search (under Ecological Clerk of Works Supervision) could be undertaken (if present at the time) of debris piles and vegetated features prior to / during their removal. Vegetated habitats would be reduced in height as part of a 'two-stage' clearance process, which would see suitable vegetation managed to a height of ~15cm before being hand-searched.

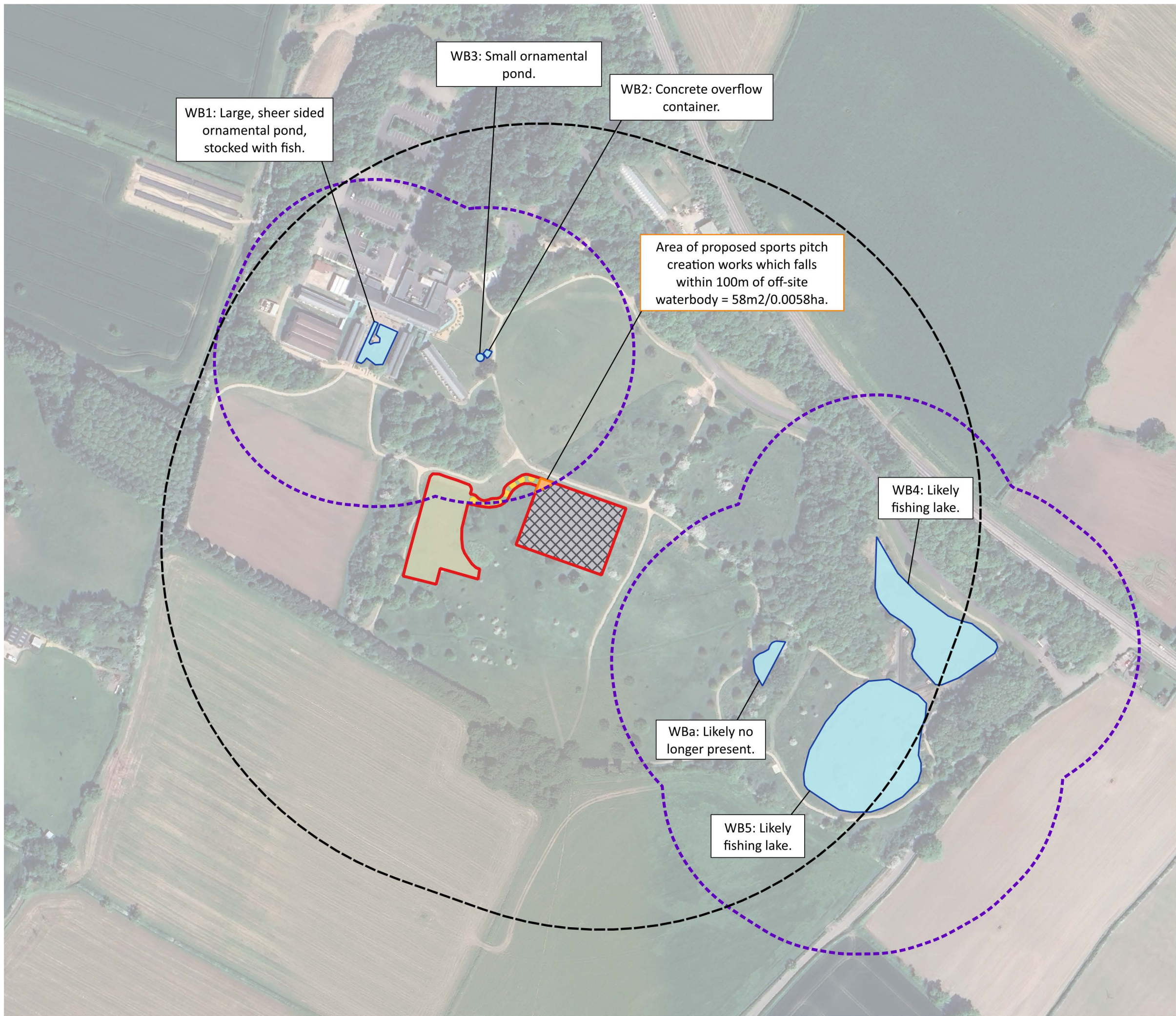
2.1.14. In the highly unlikely event that Great Crested Newt is identified during the above habitat manipulation exercise, all site works would cease, and consideration given to obtaining a Natural England mitigation licence or registering the site with the Natural England District Level Licence for Great Crested Newts, prior to recommencement. The Local Planning Authority would be provided with an immediate update, and confirmation of further actions / licensing undertaken.

3. Conclusions

- 3.1 The above clarifications, read in conjunction with the available further site specific reporting, provide a robust and proportionate level of ecological information in order to inform determination of the planning application for this site.
- 3.2 It is considered that no overruling ecological constraints to the proposals are present and that, with regards to ecology, the application is compliant with relevant local and national ecological policy provisions, legislative requirements, and current best practice guidance.

Enclosed

Plan 25448-WB1 – Waterbody Locations



Key:



Site Boundary



Proposed sports pitch creation works



250m buffer to proposed works



Off-site waterbody



100m buffer to off-site waterbodies

Land at Manor Park Way, Watery Lane,
Twycross, Atherstone, CV9 3QN

Waterbody Locations

25488-WB1

August 2025


Allied Ecology

Allied Ecology Limited
T: 07341 396984
E: info@alliedecology.co.uk
W: www.alliedecology.co.uk



Allied Ecology Ltd
Global Office Suites
111 Spalding Road
Deeping St. James
Lincolnshire
PE6 8SD

T: 07341 396948

E: info@alliedecology.co.uk

W: www.alliedecology.co.uk