

Appendix 8B

GCN Survey Report (CSA 2024b)

Great Crested Newt Report

November 2024

**Upper Ogmore
Wind Farm,
Maesteg**

Prepared by
CSA Environmental

On behalf of
Fisher German

Report No: CSA/6891/02

Report Reference	Date	Revision	Prepared by	Approved by	Comments
CSA/6891/02	26/11/2024		GG	Csm	DRAFT



CONTENTS

Page

1.0	Introduction	2
2.0	Legislation, Planning Policy & Standing Advice	3
	Licensing	3
3.0	Methods	5
	Desk Study	5
	Habitat Suitability Index (HSI) Assessment	5
	Environmental DNA (eDNA) Sampling	5
4.0	Results	6
	Desk Study	6
	Habitat Suitability Index (HSI) Assessment	6
	Environmental DNA (eDNA) Sampling	6
5.0	Discussion	7
6.0	References	8

Appendices

Appendix A: Pond Plan (CSA/6891/103)

1.0 INTRODUCTION

- 1.1 This report has been prepared by CSA Environmental on behalf of Fisher German. It sets out the findings of great crested newt *Triturus cristatus* survey work for Upper Ogmore Wind Farm (hereafter referred to as 'the Site'). Overhead and underground power lines for a new 66kv electricity line are proposed at the Site, for which outline permission for a Development of National Significance will be sought.
- 1.2 The scope of this report has been determined with due consideration for best-practice guidance provided by the Chartered Institute of Ecology and Environmental Management (CIEEM, 2017), and to the Biodiversity: Code of practice for planning and development (BS 42020:2013) published by the British Standards Institution (2013).

2.0 LEGISLATION, PLANNING POLICY & STANDING ADVICE

2.1 Great crested newts are legally protected as European Protected Species (EPS) under Regulation 43 of the Conservation of Habitats and Species Regulations 2017. These Regulations make it an offence to:

- Deliberately capture, injure, kill or capture a great crested newt
- Deliberately disturb great crested newts, impairing their ability to survive, breed, reproduce or rear/nurture their young
- Damage or destroy a breeding site or resting place used by a great crested newt

2.2 Great crested newts are also fully protected under the Wildlife & Countryside Act 1981 (as amended), making it an offence to:

- Intentionally or recklessly disturb a great crested newt while it is occupying a structure or place of shelter or protection
- Intentionally or recklessly obstruct access to any structure or place of shelter or protection

2.3 Disturbance of great crested newts is covered by both the 2017 Regulations and the 1981 Act. Disturbance that impairs survival or successful reproduction would be covered by the Regulations, while less significant acts of disturbance may only be covered by the Act.

2.4 It is important to note that great crested newts and their habitats (such as breeding ponds) are protected throughout the year, regardless of whether or not newts are present at the time.

2.5 Great crested newts are also listed as a species of principal importance for the conservation of biodiversity in Wales, under Section 42 (S42) of the Natural Environment and Rural Communities (NERC) Act 2006. The S42 species list is used to guide decision-makers, including planning authorities, in implementing their duty under Section 40 of the NERC Act to have regard to the conservation of biodiversity in Wales, when carrying out their normal functions.

Licensing

2.6 Where development is proposed that would result in an offence under the Habitats and Species Regulations, a statutory derogation licence may be granted by Natural Resources Wales to permit an act that would otherwise be unlawful. To obtain an EPS licence for development, it must be demonstrated that the purpose of the act to be licensed is for:

- “preserving public health or public safety or other imperative reasons of overriding public interest including those of social or economic

nature and beneficial consequences of primary importance for the environment" (Regulation 55(2)(e))

2.7 In addition, Natural Resources Wales will not grant an EPS licence unless they are satisfied that:

- "There is no satisfactory alternative" (Regulation 55(9)(a))
- "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" (Regulation 55(9)(b))

3.0 METHODS

Desk Study

- 3.1 As Natural Resources Wales does not have specific published guidelines for assessing great crested newts in Wales, Natural England's Great Crested Newt Mitigation Guidelines (2001) were used. A desktop search was undertaken in May 2024 to identify ponds within 500m of the Site which may have potential to support breeding great crested newts, using Ordnance Survey (OS) mapping, the MAGIC database and aerial photography. 500m is the generally accepted typical maximum dispersal range of this species, with great crested newt most likely to use terrestrial habitat within 250m of breeding ponds.

Habitat Suitability Index (HSI) Assessment

- 3.2 Where ponds were situated within an 500m radius and connected to the Site by traversable terrestrial habitats, access permission was requested to undertake a Habitat Suitability Index (HSI) assessment, using the standard approach set out by Oldham *et al.* (2000). These assessments were undertaken on 24 June 2024 by Becca King and Georgina Gard. Pond locations and references are shown on the Pond Search Plan in Appendix A.

Environmental DNA (eDNA) Sampling

- 3.3 Environmental DNA (eDNA) sampling is used to determine the presence/ likely absence of great crested newts in ponds. This method has been shown to be a highly effective in detecting the presence of great crested newts (Biggs *et al.*, 2014). Water samples are collected and sent for laboratory DNA analysis to test for eDNA presence.

Limitations

- 3.4 Landowner permission was not granted for ponds P2 and P3 for HSI assessment and eDNA sampling.
- 3.5 Pond P1 was found to be dry and HSI assessment and eDNA sampling were therefore not possible. It is considered likely that this pond dries annually during the great crested newt survey period and is unlikely to support breeding.
- 3.6 There were no other limitations to the survey, which were conducted at an optimum time of year and in suitable weather conditions.

4.0 RESULTS

Desk Study

- 4.1 Despite spending much of their annual lifecycle within the terrestrial environment, great crested newts are dependent upon the presence of suitable aquatic breeding habitat in order for a population to persist.
- 4.2 The desktop search and subsequent pond scoping visits identified three water bodies occurring within a 500m dispersible range of the Site. These ponds are identified on the Pond Plan (CSA/6891/103 – see Appendix A). No potential breeding ponds were identified on-site during the UKHab survey.
- 4.3 Although no local records of great crested newt were returned from the data search, this may reflect a low survey effort rather than an absence of the species. Habitats present across the survey area are suitable to support dispersal, refuge and foraging of great crested newt.

Habitat Suitability Index (HSI) Assessment

- 4.4 HSI assessment of Ponds P2 and P3 was not possible due to access being expressly refused. Pond P1 was found to be completely dry and therefore an HSI assessment was not undertaken.

Environmental DNA (eDNA) Sampling

- 4.5 For the same reasons as above, eDNA sampling could not be conducted at any of the three ponds identified within 500m.

5.0 DISCUSSION

- 5.1 Access permission was not granted for ponds P2 and P3 which are both situated within the adjacent Wildfox Resort development. A check of supporting ecological survey work submitted for planning for the Wildfox proposals found no information available for great crested newts to confirm that any surveys had been conducted or presence had been established and were not scoped into the ecological chapter of the Environmental Statement. Pond P1 is seasonally dry, and so is unlikely to support a breeding population of great crested newt.
- 5.2 The presence or absence of great crested newts could not be confirmed through HSI assessment or eDNA sampling due to the lack of access. The absence of data means the suitability of P2 and P3 was assessed through OS mapping and aerial photography only. The habitats surrounding the ponds appear to be suitable for great crested newt foraging and dispersal, compared with the section of the Site closest to these ponds (c. 160m south-east) which relates to the below ground section that will follow a pre-existing highway. As such, it is considered there will be minimal habitat disturbance, should great crested newts be present.
- 5.3 On balance of the absence of records in the deskstudy and adjacent Wildfox Resort development and the nature and location of the three ponds present within dispersible range in relation to the proposed route, great crested newts are considered unlikely to be present within the Site and are not considered to pose a constraint.
- 5.4 Precautionary working methods relating to pre-commencement searches for nesting birds and reptiles will reduce risks of harm for other amphibian species. Taking these measures and the results of the above desk study and survey work into consideration, there are no additional recommendations specific to great crested newt.

6.0 REFERENCES

Biggs J, Ewald N, Valentini A, Gaboriaud C, Griffiths RA, Foster J, Wilkinson J, Arnett A, Williams P and Dunn F., 2014. *Analytical and methodological development for improved surveillance of the Great Crested Newt*. Appendix 5. Technical advice note for field and laboratory sampling of great crested newt (*Triturus cristatus*) environmental DNA. Oxford: Freshwater Habitats Trust.

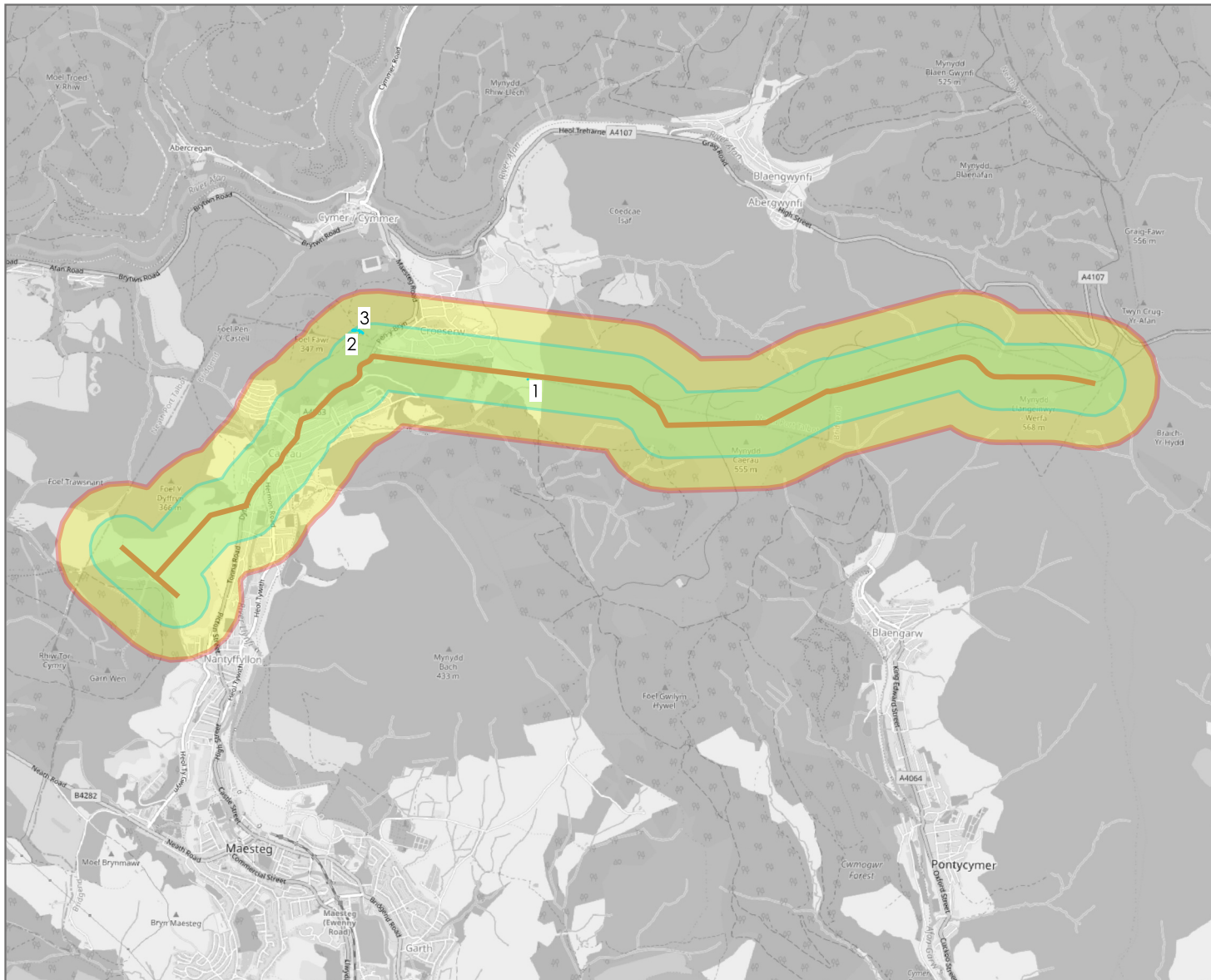
English Nature, 2001. *Great Crested Newt Mitigation Guidelines*. Peterborough: English Nature.

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Appendix A

Pond Plan

(CSA/6891/103)



-  Site boundary
-  250m buffer
-  500m buffer
-  Ponds:
 1. On-site
 2. c.160m north-west
 3. c. 210m north-west



3 Ripple Court, Bickeridge Park,
Twyning, Tewkesbury, GL20 6FG

t 01386 751100
e tewkesbury@csaenvironmental.co.uk
w csaenvironmental.co.uk

Project	Upper Ogmore (Archae)	Date	May 2024	Drawing No.	CSA/6891/103
Drawing Title	500m Pond Search	Scale	Refer to scale	Rev	-
Client	Fisher German	Drawn	GG	Checked	CSm

CSA

environmental

Dixies Barns, High Street,
Ashwell, Hertfordshire
SG7 5NT

t 01462 743647
e ashwell@csaenvironmental.co.uk
w csaenvironmental.co.uk

Office 20, Citibase,
95 Ditchling Road,
Brighton BN1 4ST

t 01273 573871
e brighton@csaenvironmental.co.uk
w csaenvironmental.co.uk

3 Ripple Court,
Brockridge Park, Twynning,
Tewkesbury GL20 6FG

t 01386 751100
e tewkesbury@csaenvironmental.co.uk
w csaenvironmental.co.uk

Wizu Workspace, 32 Eyre
St, Sheffield City Centre,
Sheffield S1 4QZ

t 07838 290741
e sheffield@csaenvironmental.co.uk
w csaenvironmental.co.uk

Worting House,
Church Lane, Basingstoke,
RG23 8PY

t 01256 632340
e basingstoke@csaenvironmental.co.uk
w csaenvironmental.co.uk