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Ecological Surveys • Habitat Management • Arboricultural Surveys • Vegetation Clearance

Ms Jennie Cox and Mr Andrew Page
Langham
Church Lane
Barkway
Hertfordshire
SG8 8EG

16 September 2025

Dear Ms Cox & Mr Page,

Re: Great Crested Newt Mitigation Options for Proposed Development, Land West of Langham, Church Lane, Barkway, Hertfordshire, SG8 8EG

Greenwillows Associates (GWA) was instructed to undertake a high-level assessment of likely impacts upon great crested newts (GCN) posed by the above development. Full planning permission has been granted (24/00386/FP) with the following Informative relating to GCNs:

“A great crested newt licence is required to deliver this development. It will be a criminal offence if works proceed without a great crested newt licence. It will also be a criminal offence if the terms of conditions of the licence, including in particular the mitigation and compensation requirements under the licence (which may require certain measures to be delivered before the development works start), are not adhered to.”

Subsequently in May 2025, follow up eDNA samples were taken from all relevant ponds within the potential zone of influence, see Appendix Five for pond locations and distances from the site boundary. The results of the eDNA surveys are shown in Appendix Four.

Due cognisance of the following results has been taken, and relevant points are listed below:

- The two ponds, WB1 and WB2, immediately adjacent to the proposed construction footprint returned a nil response for the presence of GCNs.
- Additional ponds WB8 and WB10 also returned a negative response for the presence of GCN.
- Pond WB6 and WB11 returned a positive result for the presence of GCN.
- A District Level Licence (DLL) or a full Natural England (NE) European Protected Species Licence (EPSL) would be financially disproportionate and a GCN low Impact Class Licence would not be feasible as normally works can only extend to 18 months.

Notwithstanding the conditions contained within the planning permission document (Decision Notice 20-12-2024), GWA has been instructed to undertake a follow up review of the need to

undertake the works under the auspices of a NE licence. It is understood from the client that the LPA planning officer would be sympathetic to a stated case for amending the condition requiring works to be undertaken under a NE licence. In support of the LPA's considerations the following points of note are made:

- The Construction footprint remains maintained as short mown amenity grassland with a compact substrate with no potential for resting/shelter GCN.
- The original eDNA sampling only returned one positive replicate in pond number 2 (Applied Ecology letter/eDNA results 18 May 2023). Based on the 2025 negative results it is likely that this is a result of a false positive rather than an indication of the presence of GCN.
- The nearest pond with a positive GCN presence is 81m from the construction footprint, separated by a public lane. Given the absence of GCN within proximity to the site and the prevailing terrestrial habitat, no offences requiring a licence are likely to be committed, namely;
 - no resting of resting/shelter habitat will be damaged or destroyed,
 - no breeding ponds will be damaged or destroyed and
 - the only minimal potential would be an inadvertent killing/injuring if a migrating GCN wandered into an unprotected construction footprint.
- Bearing in mind the existing habitat is not suitable resting/shelter habitat, the installation of a temporary amphibian exclusion fencing (TAF) would not constitute an obstruction of such habitat and therefore a licence would not be required.

Conclusions

Taking cognisance of the above, it is now considered that construction works can proceed legally under reasonably precautionary measures which would include:

- The installation of temporary amphibian fencing (TAF) around the construction footprint for the duration of construction works.
- The fencing and final inspection of the construction footprint would be undertaken by an experienced GCN ecologist and periodic visits would be undertaken to ensure the TAF is maintained fit for purpose.
- All other works would continue to be taken under the recommendations set out in the Biodiversity Plan (GWA, Jodie Boocock, June 2025).

The GCN qualifications of the author of this letter report include, *inter alia*:

Licensed GCN ecologist with twenty-two years' experience of dealing with GCN's under licence, which includes, inter alia, general survey licences, European Protected Species Licences (EPSLs), District Level Licences (DLLs), Dewsbury (box) trap licences, and possession for educational purposes in schools and community groups. Holder of a Low Impact Class Licence (LICL), the latter is only issued nationally to a limited number of ecologists who have undergone an intensive training course with Natural England and who have passed the course exam competitively. Founding Chair of the Cambridgeshire and Peterborough Amphibian and Reptile Group (CPARG), founding Chair of the Multi-agency Cambridgeshire Partnership Against Wildlife and Environmental Crime (CPAWEC) and

a professional witness in criminal prosecution cases pertaining to, inter alia, GCNs. Regular adviser to the Cambridgeshire Constabulary Wildlife Crime Officers on wildlife crime cases. Recently corresponded with Natural England to highlight areas where their approach to GCN licensing can be improved, which has prompted a change in their licensing approval procedures.

The Conservation of Habitats and Species Regulations 2017, or the 'Habitat Regulations 2017', transposes European Directives into English and Welsh legislation. This has been amended to the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 which continues the same provision for European Protected Species after Brexit. Under the 2019 Regulations, wild animals of a European Protected Species and their breeding sites or resting places are protected. It is an offence to deliberately capture, injure or kill any such wild animal and in the case of great crested newts, deliberately take or destroy their eggs. It is also an offence to damage or destroy a breeding site or resting place of any such wild animal.

Wild animals of a European Protected Species are also protected from disturbance. Disturbance of such wild animals includes in particular any disturbance which is likely:

(a) To impair their ability:

- to survive, to breed or reproduce, or to rear or nurture their young; or*
- in the case of animals of a hibernating or migratory species, to hibernate or migrate, or*

(b) To affect significantly the local distribution or abundance of the species to which they belong.

As part of my original GCN impact evaluation of your proposals, due cognisance was taken of a previous Preliminary Ecological Appraisal (PEA) undertaken by Applied Ecology (2019). The PEA included, *inter alia*, an assessment of relevant habitats and the follow-up walkover by Greenwillows Associates validated the habitats noted within the PEA report. In particular it was noted that the designated construction footprint is to be located on short mown amenity grassland which is totally compacted with no features suitable for resting/sheltering GCN. The footprint is close to two onsite ponds and an eDNA sample was taken from each pond on 28th April 2023 for subsequent laboratory analysis, the results of which indicated that presence of GCN was confirmed in Pond 2 and absent in Pond 1 (Applied Ecology 2023). It was further noted that only one replicate sample out of 12 was positive in Pond 2 suggesting that the overall population is low and probably not breeding on site.

In conclusion therefore, from a GCN ecological impact perspective, it would seem that the LPA can approve a revision to your application with an appropriate condition that the works are undertaken under reasonable precautionary measures.

Yours sincerely



Steve Parnwell BA (Hons) MCIEEM FLS FRSA

References

Applied Ecology (2019) Preliminary Ecological Appraisal Land to West of Langham, Church Road, Barkway, Hertfordshire

Applied Ecology (2023) Great Crested Newts eDNA presence/absence survey results Land West of Langham, Church Road, Barkway, Hertfordshire

British Standards Institute (2013) BS42020:2013 Biodiversity: Code of practice for planning & development.

HMSO (2017) Conservation of Habitats and Species Regulations 2017. HMSO, London amended to the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.

Appendix One: Photos

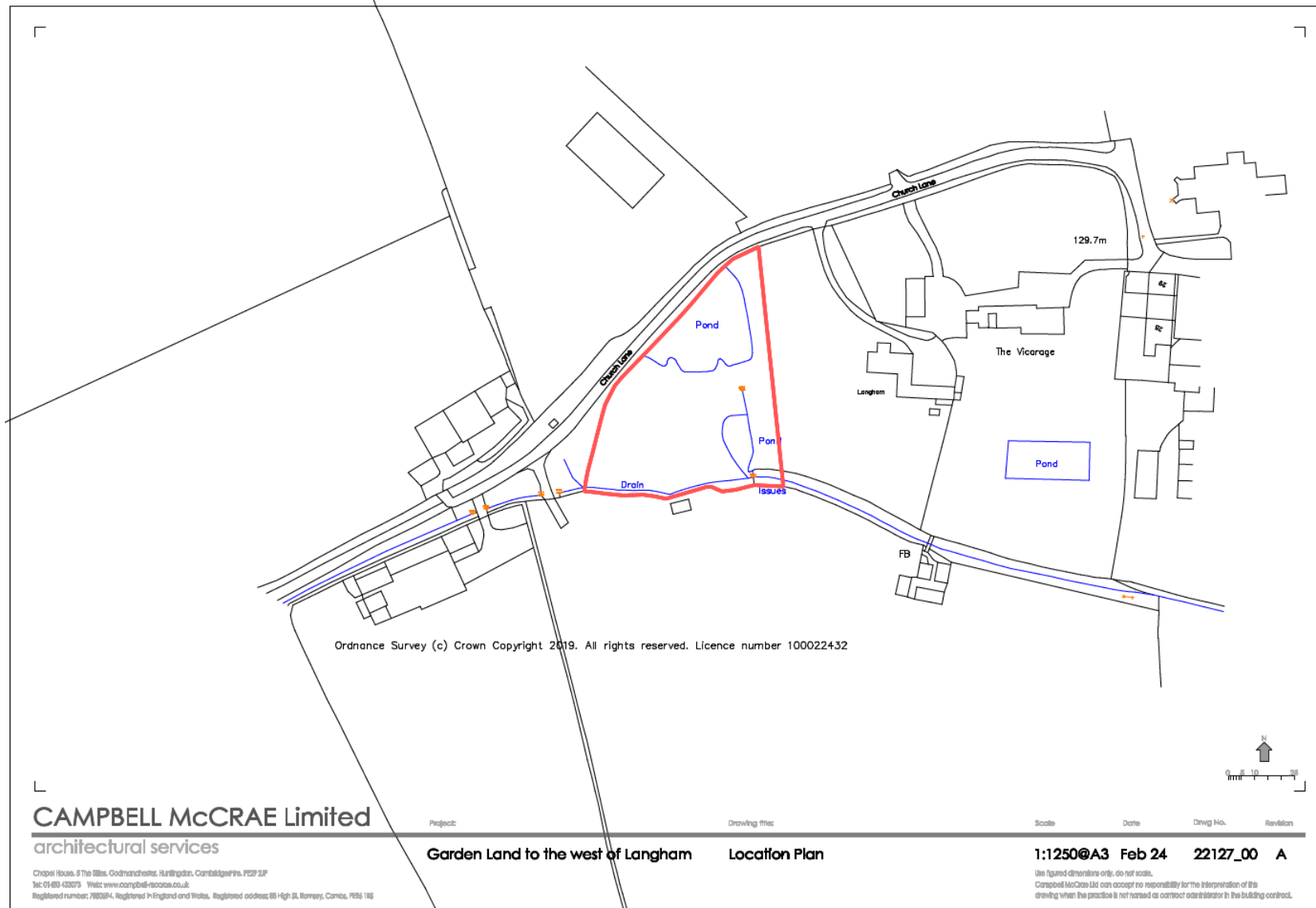


Example of compacted short-mown amenity grass showing lack of suitable GCN resting/shelter habitat

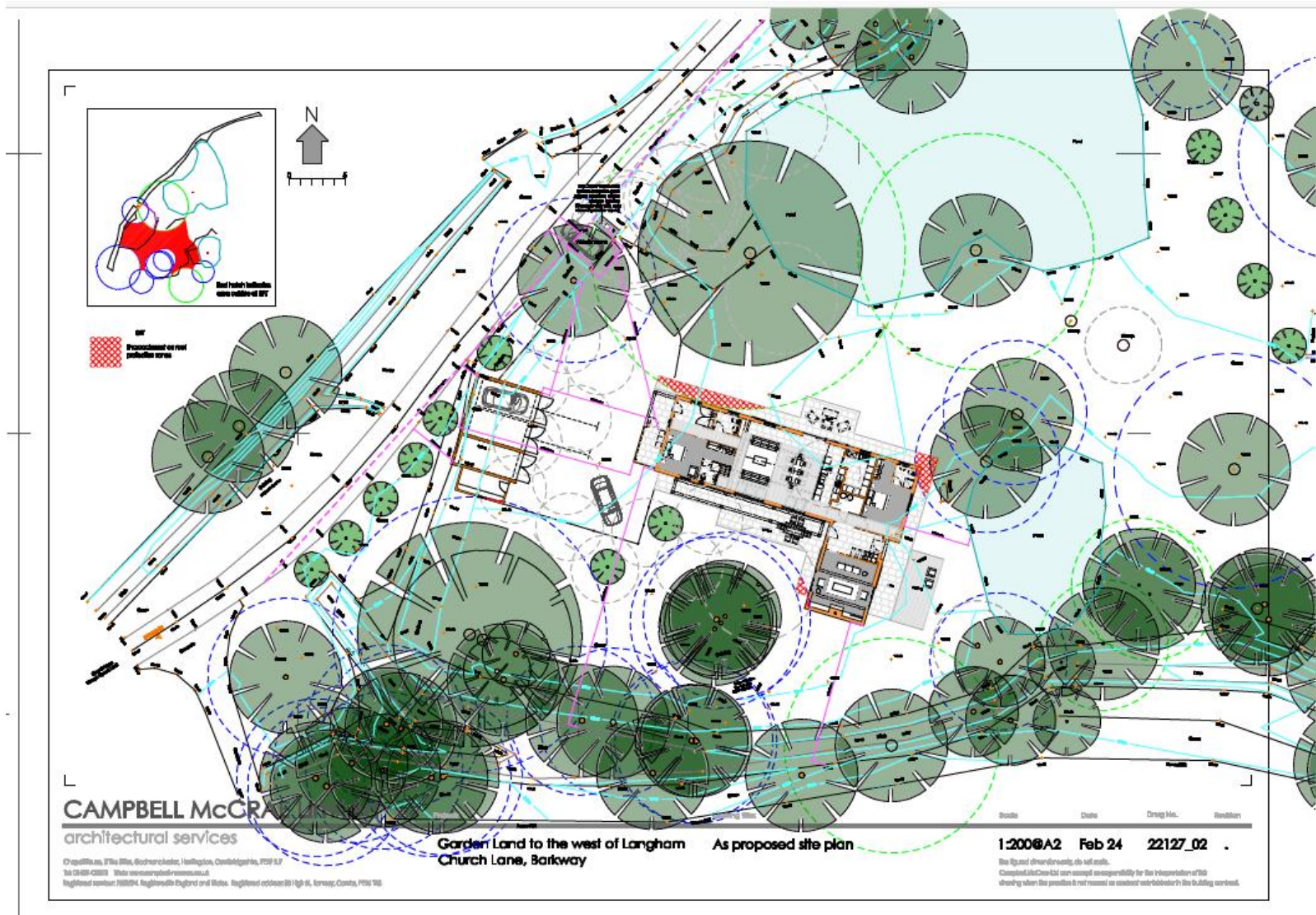


Example of compacted short-mown amenity grass showing lack of suitable GCN resting/shelter habitat

Appendix Two: Red Line Boundary of Application Site



Appendix Three: Proposed Plans



Appendix Four: eDNA results May 2025

Summary

When great crested newts (GCN), *Triturus cristatus*, inhabit a pond, they continuously release small amounts of their DNA into the environment. By collecting and analyzing water samples, we can detect these small traces of environmental DNA (eDNA) to confirm GCN habitation or establish GCN absence.

Results

Lab ID	Site Name	OS Reference	Degradation Check	Inhibition Check	Result	Positive Replicates
GCN25 1063	Barkway - WB6	X - 538362, Y 235607	Pass	Pass	Positive	12/12
GCN25 1072	Barkway - WB8	X - 538271, Y 235720	Pass	Pass	Negative	0/12
GCN25 1075	Barkway - WB11	X - 538065, Y 235669	Pass	Pass	Positive	10/12
GCN25 5436	Barkway - WB1	X - 538071, Y 235547	Pass	Pass	Negative	0/12
GCN25 5437	Barkway - WB2	X - 538076, Y 235518	Pass	Pass	Negative	0/12
GCN25 5438	Barkway - WB10	X - 538112, Y 235617	Pass	Pass	Negative	0/12

Appendix Five: Pond Locations with Distances from Site Boundary

