

New Romney Enabling Scheme, Josephs Way, New Romney, Kent

Reptile Survey

A Report for Akehurst Homes

June 2019



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01 of 02

01 Akehurst Homes

02 Greenspace Ecological Solutions Ltd

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Proof read by James Johnston

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It should be noted that whilst every effort has been made to meet the client's requirements, no site survey can ensure complete assessment or prediction of the changeable onsite environment. Furthermore, should more than 12 months elapse between the date of this survey and any subsequent development, it may be necessary to consider the need for an update survey to be undertaken.

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1 PROJECT OVERVIEW

Client: Akehurst Homes

Site Address: Land Adjoining Josephs Way, New Romney, Kent

Attending Ecologists: T. Rowlinson
G. Labram
G. Newman

Survey Dates: 3rd April - 14th May 2019

Site Proposals: Residential housing development

Associated Planning Reference Number: Unknown

Source of Relevant Documents:

Document:	Source:
Site Location Plan:	Google Earth Pro
Previous Reports:	Extended Phase I Habitat and HSI Survey, October 2017. Greenspace Ecological Solutions Ltd
Site Plans:	Guy Hollaway Architects

2 INTRODUCTION

2.1 Context

- 2.1.1 In response to the findings of an Extended Phase I Habitat Survey (GES, 2017) conducted at the New Romney Enabling Scheme site at Land Adjoining Josephs Way, New Romney, Kent (henceforth referred to as 'the site') which identified habitats suitable to support reptiles, reptile surveys have been subsequently undertaken.

2.2 Site Location

- 2.2.1 The site is located approximately 500m east of the village of New Romney at National Grid reference TR 069 245. The geographical location of the site is depicted in Image 1.



Image 1: Geographical Location of The New Romney Enabling Scheme.

2.3 Site Description

- 2.3.1 The Enabling Scheme site is an area of infrequently managed grassland and scrub, extending into managed playing fields to the north, occupying a total area of approximately 1.3 hectares (ha).
- 2.3.2 Suitable habitat in the northern area of the site is limited to 1-5m strips at the field margins, where taller grass and scrub are present. The site is set within a semi urban location and is bound by Station Road to the north, wasteland to the south and residential housing to the west and east. The wider landscape is one of residential housing and agricultural land.

2.4 Policies and Legislation

National Planning Policy Framework

- 2.4.1 The National Planning Policy Framework 2019 (NPPF) aims to protect species and habitats of significant conservation importance in England. Local planning authorities have an obligation to protect such species and habitats and are also required to seek opportunities to promote and enhance biodiversity in accordance with NPPF, wildlife legislation, national and local biodiversity action plans (BAPs) and the Natural Environment and Rural Communities (NERC) Act 2006.

Legislation

- 2.4.2 All of our native reptile species inclusive of adder *Vipera berus*, grass snake *Natrix helvetica*, slow-worm *Anguis fragilis* and common lizard *Zootoca vivipara* are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). This legislation makes it an offence to intentionally kill, injure or sell native reptile species (i.e. sale, barter, exchange, transporting for sale and advertising to sell or to buy). It is not an offence under the Wildlife and Countryside Act 1981 to possess these animals.
- 2.4.3 All reptiles held in captivity are covered by the Protection of Animals Act 1911 which prohibits cruelty and ill-treatment of animals. Keeping adders is prohibited, unless licensed by the Local Authority, by the Dangerous Wild Animals Act 1976. Scientific research is controlled by the Animals (Scientific Procedures) Act 1986 and this prevents activities such as toe-clipping unless licensed by the Home Office.
- 2.4.4 Smooth snake *Coronella austriaca* and sand lizard *Lacerta agilis* receive additional European protection under the Conservation of Habitats and Species Regulations 2017 (as amended) (Habitats Regulations 2017). In addition to the protection afforded by the Wildlife & Countryside Act 1981 (as amended), this legislation makes it an offence to disturb smooth snakes and sand lizards as well as damage or destroy their places of rest and shelter.
- 2.4.5 The above is intended only as a brief introduction to the law concerning reptiles in Great Britain. Reference should always be made to the full text of the legislation if more detailed interpretation is needed.

2.5 Objectives of the Survey

- 2.5.1 The objectives of the survey were to:
- Determine the presence/likely absence and where appropriate a population size class estimate for reptile species present within the site; and

- Provide appropriate recommendations and mitigation where required.

2.6 Survey Constraints

- 2.6.1 Some public interference with refugia was noted during the survey, however mats were replaced quickly, and as mats were deployed at a density of well over the recommended minimum of 10 per ha (29 per ha in this case), this is not considered to have presented a significant constraint to the survey.

3 SURVEY METHODOLOGY

3.1 Field Survey

- 3.1.1 The methodology outlined below and employed for these surveys follows that of the current industry standard which is an adaptation of the Froglife (1999) and Herpetofauna Groups of Britain and Ireland (HGBI 1998) guidance documents.
- 3.1.2 To determine the presence/likely absence of reptiles, artificial refugia consisting of green mineral felt measuring approximately 0.7m x 1m were placed in suitable locations (earth banks, boundary features and exposed rough vegetative areas) within the site. Reptiles are ectothermic and in order to thermo-regulate, they use the felt to bask allowing the surveyor to identify reptiles present on the site.
- 3.1.3 Guidance by Froglife (1999) suggests a minimum density of 10 traps per hectare. Suitable reptile habitat across the whole site is estimated at approximately 1.4ha in total, and 41 traps were deployed. As a result, a trap density of c. 29 mats per hectare was deployed. The locations of the reptile mats are provided in Figure 1.
- 3.1.4 This survey was conducted in accordance with currently accepted good practice survey effort and as a result, seven survey visits were completed. Mats were deployed on 3rd March 2019. The survey period ran from 3rd April to 14th May 2019, with surveys conducted in suitable weather conditions favourable for the surveying of reptiles.
- 3.1.5 The Froglife (1999) guidance suggests that optimum conditions are temperatures between 9°C and 18°C (although more recent guidance (Froglife, 2016) suggests peak temperatures of 9°C to 20°C), and in absence of wind and rain, and depending on conditions, between the hours of 08:30 and 11:00 hours or 16:00 and 18:30. The optimal survey period for reptiles is considered to be April – June and September – October. Reptiles can however, be recorded outside these survey periods, if conditions remain favourable and survey times are therefore left to the discretion of the appointed ecologist.

3.2 Population Class Size Estimate

- 3.2.1 The evaluation method applied to the surveys is adapted from the guidelines established by Froglife. The scoring system is based upon the maximum number of adult and sub-adult animals, which is all animals recorded excluding hatchlings/juveniles, seen in one day. The evaluation methodology is provided in Table 1.

Table 1 – Reptile Population Status Based on Counts and Score Given

Species	Low Population	Good Population	Exceptional Population
Adder	<5	5-10	>10
Grass Snake	<5	5-10	>10
Common Lizard	<5	5-20	>20
Slow-worm	<5	5-20	>20

4 SURVEY RESULTS

4.1 Survey Results

4.1.1 Slow-worms, common lizards and a single grass snake were recorded during the surveys.

4.1.2 A summary of the weather conditions is provided in Table 2.

Table 2 – Reptile Survey Weather Conditions

Date:	Start Time:	End Time:	Precipitation:	Cloud Cover %:	Air Temp °C:	Wind Speed (BF):	Wind Direction:
03/04/2019	16:30	17:20	Dry	50	10.0	1	NA
10/04/2019	15:20	16:00	Dry	20	10.5	2	NE
17/04/2019	15:35	16:40	Dry	0	14.0	1	SW
23/04/2019	10:05	10:50	Dry	90	16.0	2	SW
29/04/2019	10:30	11:15	Dry	30	14.0	1	SW
10/05/2019	10:15	11:05	Dry	70	12.0	1	SW
14/05/2019	09:50	10:40	Dry	0	13.0	3	NE

4.1.3 A summary of the reptile survey results from the Enabling Scheme development area is provided in Table 3.

Table 3 – Reptile Survey Results within the Enabling Scheme Development Area.

Results (Peak Counts)				
Visit	Date	Common Lizard	Slow-Worm	Grass Snake
1	03/04/2019	0	1	0
2	10/04/2019	0	8	1
3	17/04/2019	0	13	0
4	23/04/2019	0	15	0
5	29/04/2019	0	14	1
6	10/05/2019	1	23	0
7	14/05/2019	0	10	0
	Peak Count	1	23	1

Exceptional Population

Good Population

Low Population

4.1.4 Reptiles were also recorded within the longer grass / scrub margins of the playing fields to the north of the enabling scheme site, as shown in Table 4 below.

Table 4 – Reptile Survey Results within the Northern Playing Field Margins.

Results (Peak Counts)				
Visit	Date	Common Lizard	Slow-Worm	Grass Snake
1	03/04/2019	0	2	0
2	10/04/2019	0	2	0
3	17/04/2019	0	7	0
4	23/04/2019	0	10	0
5	29/04/2019	1	13	0
6	10/05/2019	5	9	0
7	14/05/2019	1	11	0
Peak Count		5	13	0

Exceptional Population	Good Population	Low Population
------------------------	-----------------	----------------

4.1.5 Figure 2 shows locations of reptile recordings across the site.

4.2 Population Size Class Estimate

4.2.1 In accordance with the evaluation methodology provided in Table 1, across the Enabling Scheme development area, a peak count of 23 adults and sub-adults equates to an **'Exceptional'** population of slow-worm. The peak count of 1 adult common lizard equates to a **'Low'** population, and the peak count of a single sub-adult grass snake equates to a **'Low'** population.

4.2.2 The numbers recorded in the northern playing field margins equate to **'Good'** populations of common lizard and slow-worm.

5 CONCLUSIONS AND RECOMMENDATIONS

- 5.1 Slow-worms, common lizards and grass snakes are protected by legislation and planning policies, and as a result, any development affecting these species is of a material consideration when determining a planning application and is a topic governed by UK legislation when there is potential for harm or injury to result from the proposed development.
- 5.2 The results of the reptile survey have identified an '**Exceptional**' population of slow-worm, and '**Low**' populations of common lizard and grass snake within the Enabling Scheme Development Area, and as a result, without mitigation, the removal of habitats suitable to support reptiles is likely to result in a direct injury and/or mortality event.
- 5.3 The northern playing field margins are insufficient in size to support the additional reptiles that would be displaced by clearance of the Enabling Scheme site, and furthermore good populations of common lizard and slow-worm are already present. Having reviewed the proposed plans; it is apparent that the areas of landscaping to be included within the Enabling Scheme site would be insufficient to support the populations of reptiles recorded. It is therefore recommended that the Enabling Scheme development area be subject to a reptile trapping and off-site translocation exercise, prior to the start of works.
- 5.4 To ensure the trapping and translocation mitigation strategy is sufficient to address the presence of slow-worm, common lizard and grass snake within the area to be developed, the following methods should be implemented:
- Prior to the start of the trapping effort, a suitable receptor site should be identified, an agreement by the landowner/s that reptiles can be released within the site should be reached and any necessary habitat enhancement to increase the receptor site's carrying capacity should be implemented in full.
 - To trap reptiles out of the site of the Enabling Scheme development area, artificial refugia should be deployed at a minimum density of 100 per hectare. To stop any animals re-entering the site, reptile exclusion fencing should be installed along the boundaries of the site. This should remain intact throughout the development. An example exclusion fence design is provided in Figure 3. To allow reptiles time to find the refugia, a minimum of 10 days should be left between deployment and commencement of trapping.
 - Given the size of the site, and the ease of which a high density of mats could be deployed and checked, the artificial refugia should be checked for reptiles for a minimum of 45 trapping sessions. To ensure the site is sufficiently clear of reptiles prior to the start of

works, trapping should continue until the completion of 5 trapping days in which no reptiles are captured or the site is deemed by the appointed ecologist to be sufficiently clear to cease the trapping effort.

- All trapping should be conducted by a suitably experienced ecologist, in appropriate weather conditions and at a time of year when reptiles are active. Although somewhat weather dependent, the active period for reptiles is generally considered to be March to September (inclusive). All animals trapped should be taken in a suitable receptacle and placed carefully within the allocated receptor site.
- Upon completion of the trapping effort, the sensitive habitats should be subject to a destructive/fingertip search during supervised vegetation clearance to ensure any animals that have remained 'untrapped' are safely relocated. The destructive search will need to be conducted in accordance with the HGBI advisory notes (1998) guidance and under the supervision of a suitably experienced ecologist.

5.5 Once all the development works have been completed on site, the exclusion fencing can be removed under the supervision of a suitably qualified ecologist. Any reptiles found during the removal should be translocated to the allocated receptor site.

5.6 The northern playing field margin, beyond the Enabling Scheme development area boundaries, will not require clearance, however due to the known presence of reptiles in this area the following recommendations are made:

- The field margins should be left in their current state, i.e. as a strip of less frequently managed grass and scrub, to retain the suitable habitat for reptiles. Grounds maintenance contractors should be made aware of the presence of reptiles so that retention of the vegetated field margins can be factored into their maintenance program.
- No materials or equipment should be allowed to encroach onto the field margins during development of either the Enabling Scheme or the Sports Pavilion.
- Although the northern playing field habitats are to be retained, there may be impacts on the reptile populations due to the loss of directly linked suitable habitat to the south. To compensate for this, it is recommended that 2x log piles are installed within the field margins, in areas where they are least likely to be disturbed. This will provide additional sheltering and hibernating opportunities.

5.7 It is suggested that so long as the above mitigation strategy is implemented in full then the welfare of reptiles will be maintained, and the development will be conducted in accordance with current legislation and planning policies which serve to protect reptiles.

6 SUMMARY

- 6.1 In response to the proposed development of Land Adjoining Josephs Way, New Romney, Kent an assessment to determine the potential for the proposed to detrimentally affect reptiles has been conducted.
- 6.2 The reptile surveys identified an '**Exceptional**' population of slow-worm, and '**Low**' populations of common lizard and grass snake within the Enabling Scheme development area.
- 6.3 Having established that the retention of the populations on-site is unviable, further measures are required to ensure the welfare of reptiles is maintained are required, including identification of a suitable receptor site; a trapping effort of the Enabling Scheme site; and relocation of the trapped reptiles to the receptor site.
- 6.4 Suitable habitat in the northern playing field margins is to be retained, however measures are proposed to ensure their long-term viability, and mitigation measures have been recommended to account for any possible impacts due to the loss of linked habitat to the south.
- 6.5 So long as the provided mitigation strategies in regard to reptiles are adhered to, then the proposed will be in keeping with current legislation and planning policies which serve to protect reptiles.

7 REFERENCES

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Wildlife and Countryside Act (as amended) 1981. <http://jncc.defra.gov.uk/page-1377>

Figures



Project Title : New Romney Enabling Scheme

Job Reference : J20634

Drawing Title : Figure 1 - Reptile Mat Locations

Date : 04-06-19

Status : Final

Scale : NTS

Drawn : PW

Checked : JJ

Approved : N/A

Base Map Copyright - Google Earth

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All dimensions are to be checked on site. All measurements are for indicative purposes only.



Legend

-  Enabling Scheme Boundary
-  Reptile Mat





Project Title : New Romney Enabling Scheme

Job Reference : J20634

Drawing Title : Figure 2 - Reptile Recordings

Date : 04-06-19

Status : Final

Scale : NTS

Drawn : PW

Checked : JJ

Approved : N/A

Base Map Copyright - Google Earth

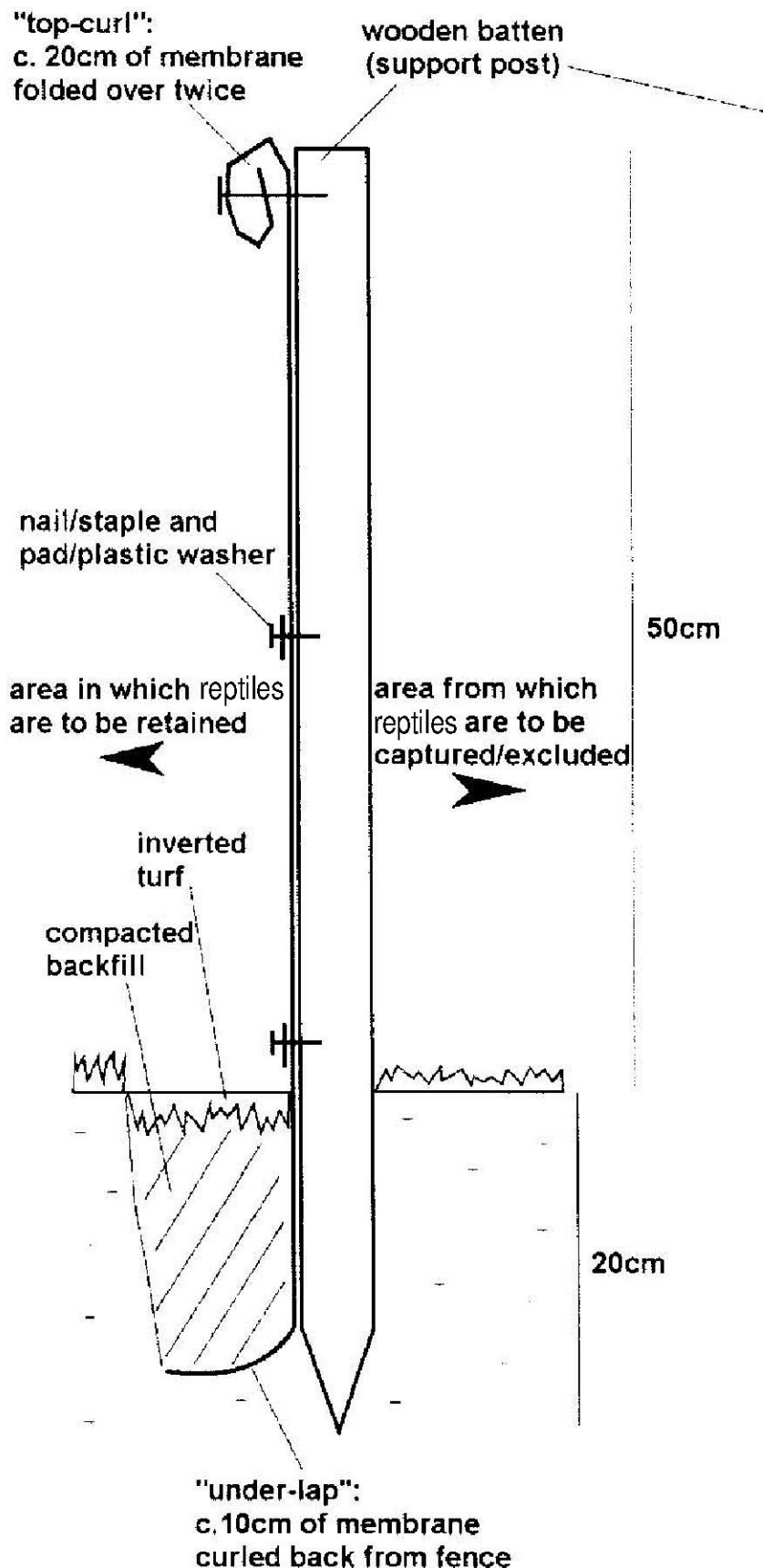
No dimensions are to be scaled from this drawing.
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Legend

- Enabling Scheme Boundary
- Slow-Worm
- Common Lizard
- Grass Snake

Circle size
indicates
relative peak
count



CROSS-SECTION

Project Title : New Romney Enabling Scheme

Job Reference : J20634

Drawing Title : Figure 3 - Example Exclusion Fence Design

Date : 04-06-19

Status : Final

Scale : NTS

Drawn : PW

Checked : JJ

Approved : N/A

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