James Neave
Principal Planner

Please respond to James Neave
Tel: 0330 2225 571
email: james.neave@westsussex.gov.uk

www.westsussex.gov.uk

County Planning

County Hall
Chichester
West Sussex
PO19 1RH

Tel: 01243 777 100

Camilla Fisher
RPS Group Plc.

8 February 2022

By email only

Dear Ms. Fisher,

Application Ref: WSCC/015/18/NH (APP/P3800/W/18/3218965)

Proposal: Recycling, Recovery and Renewable Energy Facility and Ancillary Infrastructure

Address: Former Wealden Brickworks (Site HB), Langhurstwood Road, Horsham, West Sussex, RH12 4QD

Condition(s):

Thank you for your recent submission regarding the above. The Council has considered the information and I am now able to inform you that:

Condition 3 – Great Crested Newt Protection Scheme

The submitted detail for condition 3 (ref: Great Crested New Method Statement – Version 5 – dated February 2022) is acceptable, and the pre-commencement element of condition 3 is now **discharged**.

Yours sincerely

James Neave

GREAT CRESTED NEWT METHOD STATEMENT

Wealden Brickworks, Britaniacrest Recycling

Great Crested Newt
Great Crested Newt
Method Statement
5
February 2022

rpsgroup.com

Document status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
1	PWMS	Hannah Knight	Nick Betson	Nick Betson	November 2020
2	PWMS	Hannah Knight	Nick Betson	Nick Betson	November 2021
3	PWMS	Nikki Hulse	Nick Betson	Nick Betson	December 2021
4	PWMS	Nikki Hulse	Nick Betson	Nick Betson	January 2022
5	PWMS	Nikki Hulse	Nick Betson	Nick Betson	February 2022

Approval for issue

Nicholas Betson	17 January 2022

Prepared for**:**

Britaniacrest Recycling Ltd.

Prepared by**:**

RPS

Hannah Knight
Senior Ecologist
Lakesbury House
Chandlers Ford
Hampshire
SO53 5SS
T 02380 810440
E hannah.knight@rpsgroup.com

Contents

Drawings

Appendices

1 INTRODUCTION

1.1 Purpose and scope of this report

1.1.1 RPS was commissioned by Britaniacrest Recycling Ltd. to prepare a Precautionary Working Method Statement for great crested newts (GCN) for the development of recycling, recovery and renewable energy facility, along with ancillary infrastructure (reference APP/P3800/W/18/3218965).

1.1.2 The site has been granted planning permission at appeal, but has a number of Conditions which need to be discharged prior to commencement. Condition 3, relating to great crested newts (GCN) states:

"Prior to the commencement of the development hereby permitted, a Great Crested Newt Protection Scheme shall be submitted to and approved in writing by the County Planning Authority. The Scheme shall detail measures to protect and/or mitigate damage to populations of Great Crested Newt and their associated habitat during construction works and the operation of the facility, and shall include a timetable for implementation. The approved Great Crested Newt Protection Scheme shall be implemented in full throughout the construction works and operation of the approved facility."

1.1.3 The Britaniacrest Recycling facility consists of approximately 3ha of land, consisting of a large metal shed surrounded by hardstanding, several smaller buildings and patches of regenerating vegetation. An access road connects the site to Langhurstwood Road to the east.

1.1.4 Land immediately north, south and east of the site is used for industrial purposes, including manufacturing centres and a landfill. To the west the site is bounded by railway, beyond which are fields divided by sections of woodland.

1.1.5 The site is situated within a rural area of West Sussex, with the surrounding landscape mostly comprising arable and pastoral fields. The town of Horsham lies approximately 0.9km south east of the site.

1.2 Status of GCN Population

1.2.1 The site has been subject to a suite of ecological surveys since 2013. A great crested newt presence / absence survey was undertaken in 2013 and identified a small population of great crested newt using two ponds (Ponds 4 and 5) approximately 220m north-east of the site boundary. No GCN were identified in the two ponds immediately north of the application boundary during these surveys (Pond 1 and 2).

1.2.2 The 2013 surveys were undertaken using a mixture of egg searching, netting, torching and bottle trapping, and were undertaken by The Ecology Consultancy (TEC 2013).

1.2.3 GCN surveys were repeated in both 2016 and 2018 by RPS (RPS 2016 & RPS 2018) which found GCN in Ponds 1,2 and 5 .Only eDNA surveys were used in this instance, due to the restrictions on night-time working on site. As such, given the lack of historic records in Ponds 1 and 2, it was concluded that the population present was 'small' and was likely established in those ponds by the transfer of vegetation supporting viable GCN eggs by wildfowl, given that there are considerable barriers between Ponds 4/5 and Ponds 1/2 in the form of amphibian fencing and other industrial works making population growth into Ponds 1 and 2 very unlikely.

1.2.4 Therefore, in order to determine the current status of GCN near the site, these eDNA surveys were repeated in 2020.

1.2.5 Water samples from the seven ponds in the surrounding area were collected for eDNA analysis, as per Biggs *et al*. (2014). Briefly, 20 water samples were collected from around each pond

perimeter. All samples were then pooled into a single bag which was then shaken for 15 seconds to thoroughly mix. Six aliquots were then pipetted into separate test tubes for final analysis by SureScreen Scientifics/Naturemetrics.

1.2.6 Ponds 4 and 5 within the surrounding area tested positive for GCN DNA (Figure 1). Data from the analysis are presented in Appendix A (result for current site highlighted where necessary).

1.2.7 All other ponds, including Ponds 1 and 2 directly adjacent to the site, were now negative, meaning GCN were not currently present in those water bodies. Given that GCN were also not present in these ponds in the original surveys in 2013, it is therefore likely that this population has become locally extinct.

1.3 Legislation

1.3.1 GCN receive strict legal protection within the UK as they're listed on Schedule 5 of the Wildlife and Countryside Act 1981, which affords them protection under Section 9, as amended. They are also listed on Annex II of the EU Habitats Directive as European Protected Species. In combination, this makes it an offence to:

- intentionally kill, injure or take (capture etc.);
- possess; intentionally or recklessly damage, destroy, obstruct access to any structure or place used by a scheduled animal for shelter or protection, or disturb any animal occupying such a structure or place; and
- sell, offer for sale, possess or transport for the purpose of sale (live or dead animal, part or derivative) or advertise for buying or selling such things.

1.3.2 GCN are also listed as being a species of principal importance in England under Section 41 of the Natural Environment and Rural Communities Act 2006.

1.3.3 GCNs will travel up to 500 m between breeding ponds and terrestrial habitat. The aim of the surveys was to determine the presence / absence of great crested newts in ponds in the surrounding area, and therefore whether they are likely to use terrestrial habitat present on site.

1.4 Effects from development

1.4.1 Ponds 4 & 5 (with GCN populations) are located outside of the application boundary, c220m to the north-east of the development..

1.4.2 These ponds are not connected to the development boundary, as they are separated from the site with GCN/reptile exclusion fencing; therefore, there is very limited chance of GCN now being present within the works area, as indicated by the continued absence of GCN from the ponds adjacent to the site (Ponds 1 and 2). As such, the full licence route and associated fencing/trapping of the development site is no longer considered necessary.

1.4.3 Notwithstanding this, Section 2 describes how the habitat removal will be undertaken sensitively, in order to ensure that, in the unlikely event that they were present, no GCN are harmed.

1.4.4 The site currently, has small areas of scrub and some ephemeral vegetation. The proposed landscaping scheme for the site will provide overall enhancements for great crested newts.

1.4.5 Further enhancements for great crested newts (and other species of amphibian) are to be included within the development and include the creation of several hibernacula along the boundary.

1.4.6 Overall, the retained habitats and new landscaping features will increase the extent of good quality terrestrial habitat for GCN in the final development, should they colonise it from the local area.

2 PRECAUTIONARY WORKING METHODS

2.1.1 The Method Statement has been prepared to discharge Condition 3, and to ensure that vegetation clearance works in advance of the main construction are undertaken in compliance with wildlife legislation as appropriate and, standing advice to protect great crested newts and to ensure the long-term survival of a population alongside the proposed development.

2.1.2 A toolbox talk will be presented to the site team undertaking vegetation clearance at the outset of the working day (as described in Appendix C). The working area required for the works including the temporary storage of materials will be delineated on the ground by the contractor and ecologist.

2.1.3 GCN are typically active at night and in terrestrial habitats will remain in places of shelter and refuge including dense tall grass cover, wooden or man made materials lying on the ground and mammal burrows. Works to clear vegetation are due be undertaken from late March to mid November when great crested newts will be out of hibernation and active. Main works to construct the facility can then be undertaken at any time of the year.

2.1.4 Prior to the start of the vegetation clearance works the following actions will be undertaken:

- the ecologist will undertake a walkover inspection of the habitats and features within the working area to identify any features/cover in whch GCN could be sheltering;
- all surface materials would be removed from the working area;
- the ecologist would undertake a fingertip of longer grassland with dense cover at ground level;
- any buried material/stone would be lifted / excvatated under the direct watching brief of the ecologist (in the period between April to mid November inclusive, if weather is suitable such that GCN would still be active); and
- any mammal burrows that could be damaged during the proposed works would be gradually excavated with hand tools.

2.1.5 The ecologist will maintain a watching brief for site works where there is a risk of GCN being present. This will include the removal of the scrub and ephemeral habitat.

2.1.6 The habitat will be strimmed, directionally, towards the retained ponds to the north, and be overseen by a suitably licenced ecologist.

2.1.7 Should large machinery be required to complete any aspect of the work, the method and speed of machine working would be agreed and monitored by the ecologist, with frequent inspections of any excavations.

2.1.8 The identification of newt species, the habitats they use and the protection they receive will be part of the toolbox talk given by the ecologist to the contractor team prior to the start of vegetation clearance works. In the event that a newt species is encountered, the works should cease until the ecologist has confirmed the species. This precautionary approach will ensure the works comply with wildlife legislation and that the actions taken by individuals are not unlawful.

2.1.9 If GCN are found during the vegetation clearance works, all work should cease and the project ecologist be called. This would most likely trigger the need for the works to be covered by a full Natural England European Protected Species (EPS) licence, or low impact licence, and would be reviewed by the project ecology team.

2.1.10 To ensure there is no risk of GCN entering the wider development works area, amphibian-proof fencing will be erected along the northern and eastern site boundaries near to the pond once vegetation clearance has been completed (Figure 2).A specficiation for the fence is provided in Appendix B.

2.1.11 The presence of GCN in the wider landscape will form part of the site induction, once main works commence, using the same details as in Appendix C. In the very unlikely event that GCN are found during the main works to construct the new facility, works in that area of the site should cease temporarily and the project ecologist consulted.

3 OPERATIONAL DEVELOPMENT

3.1.1 In order to protect GCN during the operational phase of the development, the landscape scheme has been designed to ensure enhanced connectivity from Ponds 1 and 2 to the nearby railway corridor to the west. A combination of woodland and meadow grass mixes will guide GCN along this boundary, should they occupy the ponds in the future, to facilitate distribution into the wider landscape via the green corridor along the railway.

3.1.2 The presence of ponds and the potential for GCN to be using the site will form part of the site induction for staff working on site and visitors accessing the site. This will include similar details to those set out in the tool box talk in Appendix A to enable staff working on site to know what to do, should a GCN be encountered during normal operations.

3.1.3 The operational surface water drainage scheme for the site has been designed to be GCN (and other wildlife) friendly. It will comprise a series of swales, including a long stretch to the northern edge of the circulation road closest to the existing ponds, designed to convey water off hard surfaces to an existing outfall to the south west of the site. The swales will be grass-filled ditches with shallow gradiants on each side. On this basis, any GCN that does enter the site (considered unlikely, given the areas of hard standing etc.) will not become trapped within the surface water drainage system, being able to climb out of the swales, as necessary.

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. Defra Project WC1067.* Freshwater Habitats Trust:Oxford.

English Nature (2001). *Great Crested Newt mitigation guidelines.* English Nature, Peterborough.

JNCC (2010). *Handbook for Phase 1 Habitat survey: a technique for environmental audit (revised reprint).* Joint Nature Conservation Committee, Peterborough.

RPS (2016). Wealden 3RS: *Ecology Survey Report.* RPS Southampton: Unpublished Report.

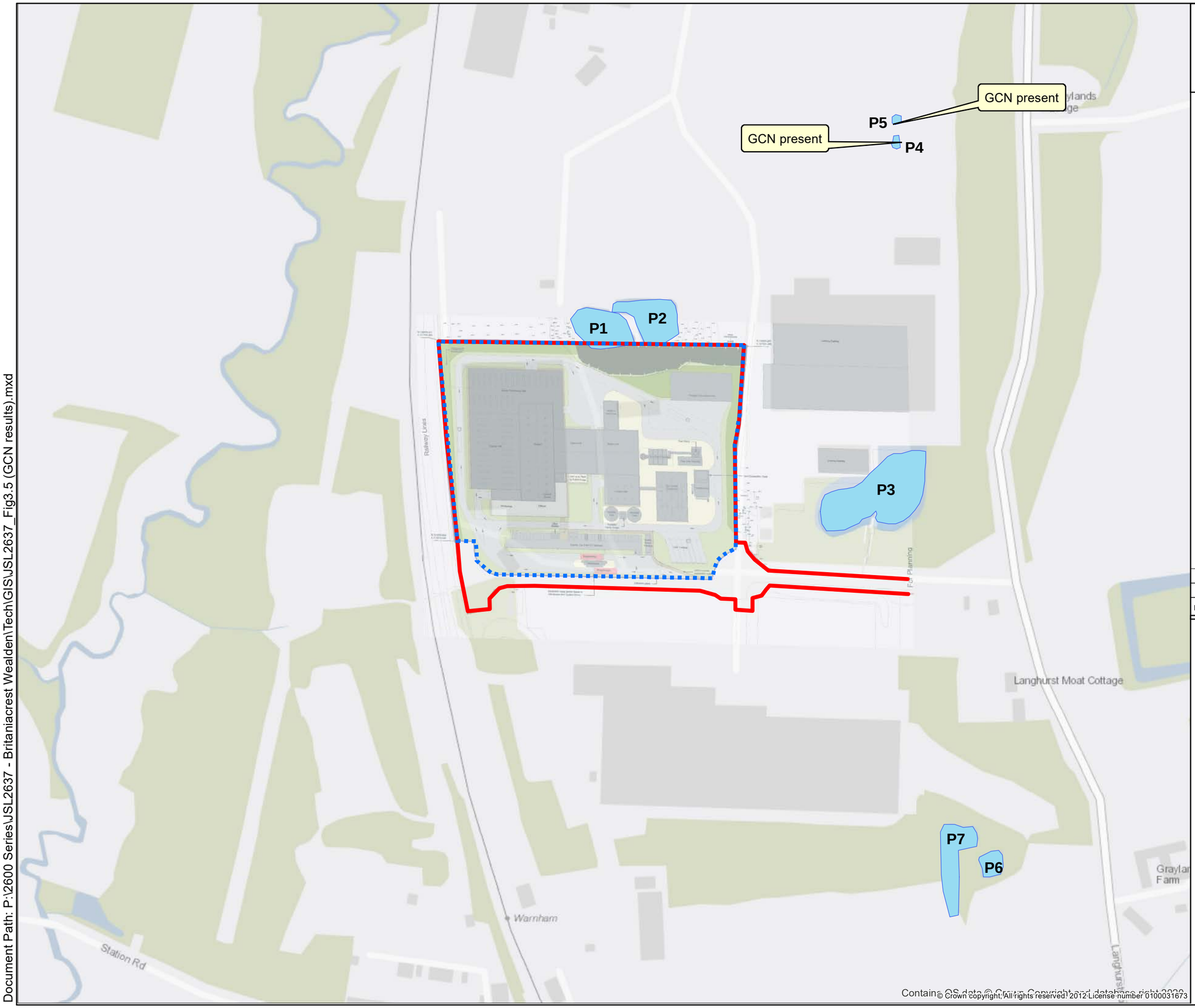
RPS (2018). Wealden 3RS: *Ecology Survey Report.* RPS Southampton: Unpublished Report.

The Ecology Consultancy (2013). *Wealden: Ecology Survey Report.*

DRAWINGS

Drawing 1: Pond Locations

Drawing 2: Fence location



Notes
1. This drawing has been prepared in accordance with the scope of RPS's appointment with its client and is subject to the terms and conditions of that appointment. RPS accepts no liability for any use of this document other than by its client and only for the purposes for which it was prepared and provided.
2. If received electronically it is the recipients responsibility to print to correct scale. Only written dimensions should be used.

Legend

- Ownership boundary
- Application boundary
- Ponds surveyed for GCN

Rev	Description	Date	Initial	Checked

MAKING COMPLEX EASY

Lakesbury House, Hiltingbury Road, Chandlers Ford, Hampshire. SO53 5SS
T: +44(0)2380 810 440 E: rpsso@rpsgroup.com F: +44(0)2380 810 449

Client: Britannia Crest

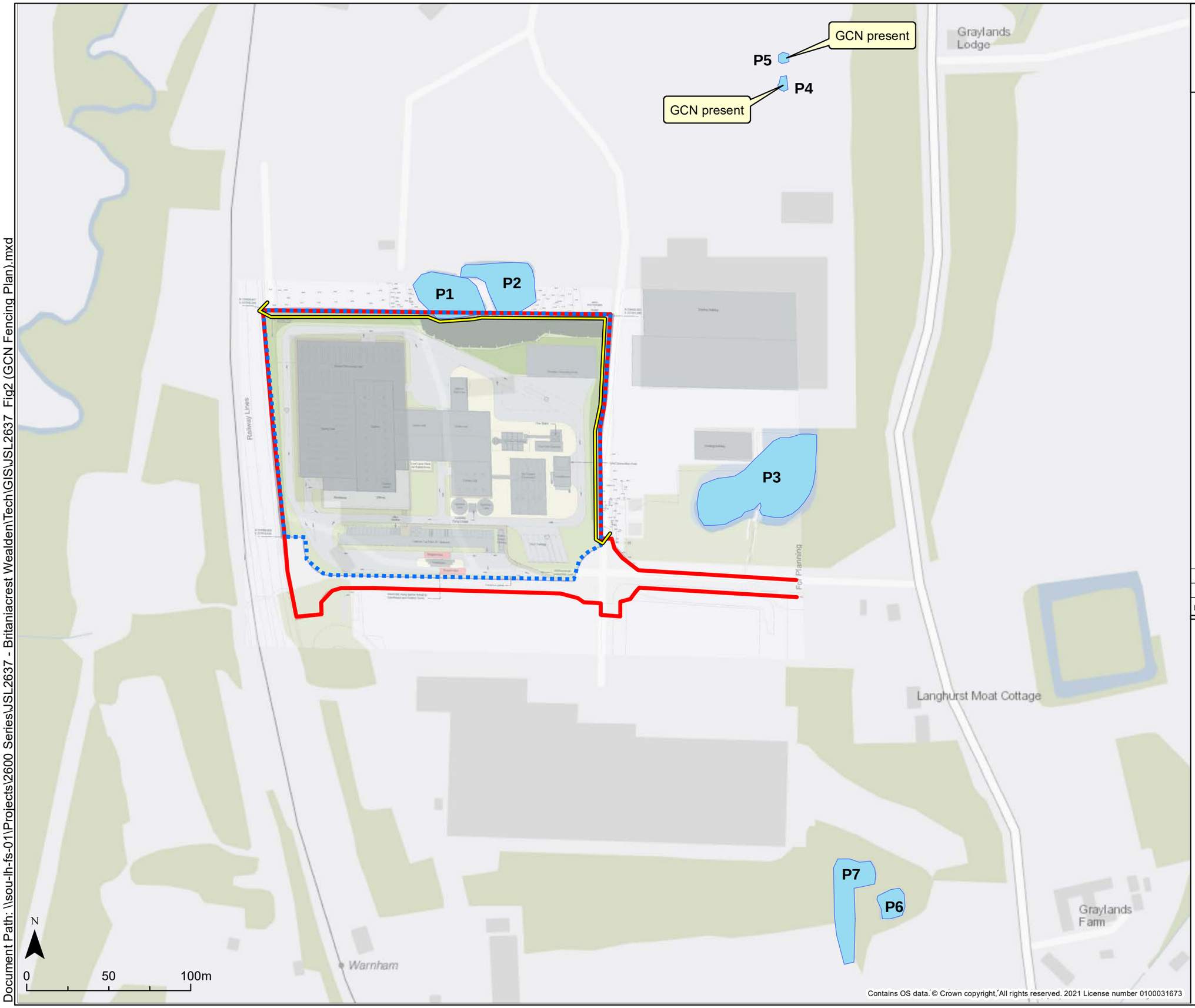
Project: Wealden Brickworks

Title: GCN survey results

Status	Drawn By	PM/Checked By
Information	HK	NB
Job Ref	**Scale @ A3**	**Date Created**
JSL2637	1:2,500	NOV' 20
Figure Number		**Rev**
1		-

rpsgroup.com/uk

Document Path: P:\2600 Series\JSL2637 - Britaniacrest Wealden\Tech\GIS\JSL2637_2637_Fig3.5 (GCN results).mxd



Notes
1. This drawing has been prepared in accordance with the scope of RPS's appointment with its client and is subject to the terms and conditions of that appointment. RPS accepts no liability for any use of this document other than by its client and only for the purposes for which it was prepared and provided.
2. If received electronically it is the recipients responsibility to print to correct scale. Only written dimensions should be used.

Legend

- Ownership boundary
- Application boundary
- Ponds surveyed for GCN
- GCN exclusion fencing

Rev	Description	Date	Initial	Checked

MAKING COMPLEX EASY

Lakesbury House, Hiltingbury Road, Chandlers Ford, Hampshire. SO53 5SS
T: +44(0)2380 810 440 E: rpsso@rpsgroup.com F: +44(0)2380 810 449

Client: Britannia Crest

Project: Wealden Brickworks

Title: GCN Fencing Plan

Status	Drawn By	PM/Checked By
Information	HK/LW	NB
Job Ref	**Scale @ A3**	**Date Created**
JSL2637	1:2,500	NOV 2021
Figure Number		**Rev**
2		-

rpsgroup.com/uk

Document Path: \\sou-lh-fs-01\Projects\2600 Series\JSL2637 - Britaniacrest Wealden\Tech\GIS\JSL2637 Fig2 (GCN Fencing Plan).mxd

APPENDICES

Appendix A

eDNA Survey Results

Report: 101279-1 Order number: 101279

Great Crested Newt eDNA Results

Company:	The Ecology Consultancy
Project code|Task code:	9866, 9877 Mount Noddy
Date of Report:	16 June 2020
Number of samples:	5

Thank you for sending your sample(s) for analysis by NatureMetrics. Your sample(s) have been processed in accordance with the protocol set out in Appendix 5 of Biggs et al. (2014).

DNA was precipitated via centrifugation at 14,000 x g and then extracted using Qiagen Blood and Tissue extraction kits.

qPCR amplification was carried out in 12 replicates per sample, using the primers and probe described by Biggs et al. (2014), in the presence of both positive and negative controls.

Results indicate GCN presence in '9877: Pond 1' and '9877: Pond 3'. No GCN were detected in '9877: Pond 2', '9866: Pond 1', '9866: Wealden Pond 2'. All controls performed as expected and so the results are conclusive.

Results are based on the samples as supplied by the client to the laboratory. Incorrect sampling methodology may affect the results. Note that a negative result does not preclude the presence of Great Crested Newts at a level below the limits of detection.

Sample	Pond ID	Arrived	Inhibition	Degradation	Score	GCN status
725	'9866: Pond 1'	05-Jun	No	No	0	Negative
721	'9866: Wealden Pond 2'	05-Jun	No	No	0	Negative
722	**'9877: Pond 1'**	**05-Jun**	**NA**	**No**	**8**	**Positive**
724	'9877: Pond 2'	05-Jun	No	No	0	Negative
726	**'9877: Pond 3'**	**05-Jun**	**NA**	**No**	**1**	**Positive**

End of report

Report issued by: Dr. CT (Cuong Q. Tang)

Contact: gcn@naturemetrics.co.uk | 01491 829042

Understanding your results

Positive	GCN DNA has been detected in this sample, meaning that at least one of the 12 replicates has been amplified. Remember that this is not a quantitative test, so you should not interpret a high eDNA score (e.g. 12/12) as necessarily indicating a larger population of GCN than a low eDNA score (e.g. 1/12).
Negative	No GCN DNA has been detected in this sample, and the internal and external controls worked as expected. This tells us that if there had been GCN DNA in the sample, we would have detected it, so we can be confident in its absence from the sample provided.
Inconclusive	No GCN DNA was detected in the sample, but the internal controls failed to amplify as expected. This means that any GCN DNA in the sample might also have failed to amplify properly, so we cannot have confidence in this negative result. Inconclusive results can be caused by the degradation of the DNA (when the DNA marker contained in the ethanol in the kits fails to amplify) or by inhibition of the reaction (when the marker added in the lab fails to amplify) caused by certain chemicals or organic compounds that may be present in the water sample.

---

inhibitors	Naturally-occurring chemicals/compounds that cause DNA amplification to fail, potentially resulting in false-negative results. Common inhibitors include tannins, humic acids and other organic compounds. Inhibitors can be overcome by either diluting the DNA (and the inhibitors), but dilution carries the risk of reducing the DNA concentration below the limits of detection.
negative control	Used to determine if PCR reactions are contaminated.
positive control	Used to determine whether the assay is working correctly.
primers	Short sections of synthesised DNA that bind to either end of the DNA segment to be amplified by PCR.
probe	A short section of synthesised DNA that binds to a specific section of the target species' DNA within the section flanked by the primers. The probe is designed to be totally specific to that species. The probe is labelled such that it fluoresces during amplification, which is used to infer the presence of the target species' DNA in the sample.
qPCR	Stands for 'quantitative PCR', sometimes also known as 'real-time PCR'. A PCR reaction incorporating a coloured dye that fluoresces during amplification, allowing a machine to track the progress of the reaction. Often used with species-specific Primers where detection of amplification is used to infer the presence of the target species' DNA in the sample. If the species is not present in the sample, no fluorescence will be detected.

Report: 101160-1 Order number: 101160

Great Crested Newt eDNA Results

Company:	RPS Group Plc
Project code|Task code:	Wealden 3RS
Date of Report:	23 April 2020
Number of samples:	3

Thank you for sending your sample(s) for analysis by NatureMetrics. Your sample(s) have been processed in accordance with the protocol set out in Appendix 5 of Biggs et al. (2014).

DNA was precipitated via centrifugation at 14,000 x g and then extracted using Qiagen Blood and Tissue extraction kits.

qPCR amplification was carried out in 12 replicates per sample, using the primers and probe described by Biggs et al. (2014), in the presence of both positive and negative controls.

Results indicate GCN presence in 'Pond 4' and 'Pond 5'. No GCN were detected in 'Pond 3'. Inhibition was detected in 'Pond 3', which was overcome by diluting the DNA. All controls performed as expected and so the results are conclusive.

Results are based on the samples as supplied by the client to the laboratory. Incorrect sampling methodology may affect the results. Note that a negative result does not preclude the presence of Great Crested Newts at a level below the limits of detection.

Sample	Pond ID	Arrived	Inhibition	Degradation	Score	GCN status
122	'Pond 3'	17-Apr	No	No	0	Negative after dilution
123	**'Pond 4'**	**17-Apr**	**NA**	**No**	**1**	**Positive**
121	**'Pond 5'**	**17-Apr**	**NA**	**No**	**12**	**Positive**

End of report

Report issued by: Dr. CT (Cuong Q. Tang)

Contact: gcn@naturemetrics.co.uk | 01491 829042

Understanding your results

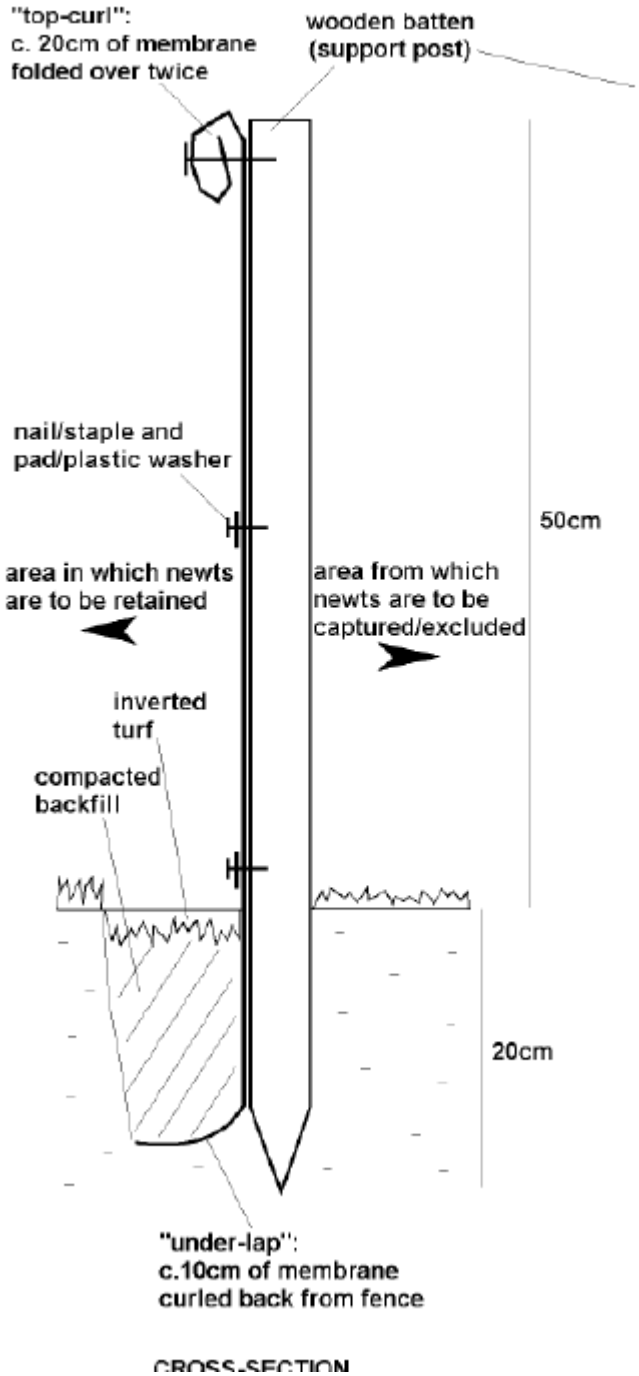
Positive	GCN DNA has been detected in this sample, meaning that at least one of the 12 replicates has amplified. Remember that this is not a quantitative test, so you should not interpret a high eDNA score (e.g. 12/12) as necessarily indicating a larger population of GCN than a low eDNA score (e.g. 1/12).
Negative	No GCN DNA has been detected in this sample, and the internal and external controls worked as expected. This tells us that if there had been GCN DNA in the sample, we would have detected it, so we can be confident in its absence from the sample provided.
Inconclusive	No GCN DNA was detected in the sample, but the internal controls failed to amplify as expected. This means that any GCN DNA in the sample might also have failed to amplify properly, so we cannot have confidence in this negative result. Inconclusive results can be caused by the degradation of the DNA (when the DNA marker contained in the ethanol in the kits fails to amplify) or by inhibition of the reaction (when the marker added in the lab fails to amplify) caused by certain chemicals or organic compounds that may be present in the water sample.

---

inhibitors	Naturally-occurring chemicals/compounds that cause DNA amplification to fail, potentially resulting in false-negative results. Common inhibitors include tannins, humic acids and other organic compounds. Inhibitors can be overcome by either diluting the DNA (and the inhibitors), but dilution carries the risk of reducing the DNA concentration below the limits of detection.
negative control	Used to determine if PCR reactions are contaminated.
positive control	Used to determine whether the assay is working correctly.
primers	Short sections of synthesised DNA that bind to either end of the DNA segment to be amplified by PCR.
probe	A short section of synthesised DNA that binds to a specific section of the target species' DNA within the section flanked by the primers. The probe is designed to be totally specific to that species. The probe is labelled such that is fluoresces during amplification, which is used used to infer the presence of the target species' DNA in the sample.
qPCR	Stands for 'quantitative PCR', sometimes also known as 'real-time PCR'. A PCR reaction incorporating a coloured dye that fluoresces during amplification, allowing a machine to track the progress of the reaction. Often used with species-specific Primers where detection of amplification is used to infer the presence of the target species' DNA in the sample. If the species is not present in the sample, no fluorescence will be detected.

Appendix B

Exclusion fencing specification (Natural England 2001)



Appendix C

GREAT CRESTED NEWT - TOOL BOX TALK STRUCTURE

Great Crested Newt

- Legal Protection
- Aquatic and Terrestrial Habitats
- Identification

Precautionary Works

- Precautionary Working Methods
- Ecological watching brief
- Individual Responsibilites

In the event that a newt is found during any of the vegetation clearance activities those works must cease temporarily and the project ecology team must be immediately informed.

The ecologist will confirm the species of newt. This will be on-site during the watching brief or via an emailed photograph if found during wider construction activities.

Ecologist Contact Numbers:

Nick Betson – 02380 810440 or or nick.betson@rpsgroup.com

If a great crested newt is present in the working area, the ecologist will liaise with the site manager and provide advice on the next steps.

It is responsibility of all site personnel to ensure that the site works comply with legislation and avoid the risk of a legal prosecution.

Great Crested Newt Identification

The great crested newt is the UK's largest newt, reaching a maximum adult overall length of up to about 17cm.

Photograph 1 - Adult Male GCN

The skin of is granular in appearance. It has a black or dark brown background colour with darker spots that in males extend onto the crest. It has very fine white spots on the lower flanks.

Mature adults range from 9 – 17cm in length and aree most typically beween 11 and 13cm. Male newts are slightly smaller than the females with a maximum length of about 15cm and have a crest which lies flat on its back when out of water (pictured).

Photograph 2 – Comparison between a great crested newt and smaller newt

Mature adult GCN are usually distinguished from the two other native newt species; the smooth and palmate newts. These newt species are smaller, between 6 and 10cm in length, often with less dark skin colouring. Young sub-adult GCN can be the same size as smaller newts but have the darker skin.

WEALDEN 3RS,

BRITANIACREST RECYCLING

IMPORTANT INFORMATION ABOUT PROTECTED SPECIES

- I have attended and understood the great crested newt “Tool Box Talk ” dated
- If I see anything which I suspect may be a great crested newt I will stop work immediately and make the site ecologist aware. I will not proceed with any work until instructed to do so by the ecologist.

Date	Print Name	Job Title	Company	Mobile No.	Signature

Date	Print Name	Job Title	Company	Mobile No.	Signature