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23 July 2024

FAO Matthew Phillips
Planning Development Manager
Wrexham County Borough Council

Via Planning Portal

Dear Matthew

P/2023/0280 Kingmoor – Application to discharge pre-commencement condition 32 (Ecological Design Study)

On behalf of FI Real Estate Management Ltd we are making its application to discharge pre-commencement condition 32 relating to approval of an Ecological Clerk of Works. Condition 32 states:

> *No development shall take place until full details of an Ecological Clerk of Works for the duration of the construction works have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in strict accordance with the approved details.*

The following document is submitted for approval prepared by ecologists, UES:

- Ecological Design Study, UES03448/26, dated 23rd July 2024

As set out in section 1.3 the report also serves to support the compliance with condition 35 relating to vegetation clearance and necessary mitigation measures. Condition 35 states:

> *Any vegetation clearance must be undertaken outside the bird nesting season (March to August inclusive), unless a detailed bird nesting survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing with the Local Planning Authority.*

Current programme of works will commence with the trapping and translocation of great crested newts once the relevant licence has been issued. This will not be complete until after 31st August 2024 and therefore Condition 34 should not capture vegetation clearance to submit a detailed bird nesting survey. Should any change to programme cause engagement of the condition, i.e. vegetation clearance starts, or continues, after 1st March 2025, then the condition will be complied with through a separate application at that time.

Turning to the submitted report, as set out in section 1.4 the report, "…*sets out the baseline ecological information and the key ecological receptors that this report focuses on* [section 2], *before detailing the mitigation measures that will be implemented to protect these receptors during the construction phase of the development and to provide sufficient habitat during the operational phase.* [section 3]"

Sectoin 4 then sets out the specific requirements for an Ecological Clerk of Works in table 1, listing all activities and further surveys that the clerk will oversee / supervise. The table includes works set out in the Landscape Ecological Management Plan (LEMP) and Amphibian Conservation Plan; both documents having been submitted for approval against condition 31. Though neither document is expressly submitted for approval in this application we provide copies for ease of cross-referencing. As mentioned in the other application submission the LEMP is the same document agreed recently in signing the Section 106 Agreement.

As with recent submissions to conditions 31 and 37, the details will be a matter for your colleague Emma Broad to review and comment, and I ask if she has any questions relating to this document to contact Tom Kenwright, UES, as lead on this matter – 07804 246512 | tom@ues.org.uk.

Please contact me if you need any further information.

Yours sincerely,



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Enc.

cc. Emma Broad, Wrexham CBC