ECOLOGY TECHNICAL NOTE

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PLANNING I DESIGN I ENVIRONMENT

1.1 This technical note has been written in response to comments received from Emma Broad, LPA Ecologist for Wrexham County Borough Council (email dated 3rd January 2024) on the outline planning application for Ruthin Road, Wrexham (Ref: P/2023/0593) - relating to ecology. Each consultee comment is summarised below in *italic*, with TEP's responses in **bold** after each point.

1.2 There are no fundamental objections to the development of this site identified within the Local Development Plan. The predominant habitats lost within the proposed development footprint include arable fields and improved and poor semi-improved grassland, with limited floristic diversity. However, there are areas of ecological value and I do not consider that the proposed layout is acceptable and its current form, and should be therefore be refused.

Our responses regarding areas of concern that are of ecological value are set out below in the following paragraphs.

1.3 There are several hedgerows and areas of woodland which are of value and an important green lane which is of high significance within the borough. The green lane has been shown to provide foraging and commuting habitat for bats, including the rare (within Wrexham County Borough) Lesser Horseshoe, and foraging opportunities for badgers as well as ancient woodland flora and veteran trees. Native tree and hedges characteristic of the local area provide strong ecosystem resilience and they deliver resources for local wildlife. These traditional hedgerows define the cultural heritage and landscape of the site. Planning Policy Wales seeks to avoid further fragmentation and isolation of habitats and species wherever possible, and ensure that wildlife corridors and stepping stones which form wider ecological networks are protected, maintained and enhanced.

Trees, woodland and hedgerows have been retained for the most part within the scheme design and are supplemented with an extensive planting scheme of native shrub and trees, new hedgerows and enhancement of the green lane and retained hedgerows. These proposals ensure that an ecological network of stepping stones and wildlife corridors can be maintained within and through the site and out to the wider area. Losses have been kept to a minimum and are only incurred where necessary in order to enable access through the site and create meaningful development parcels.

With respect to lesser horseshoe bats, the ES chapter states that 'Given the limited activity recorded by brown long-eared and lesser horseshoe during bat surveys it is likely that local populations have low reliance on habitats within the site and their Favourable Conservation Status (FCS) would unlikely be impacted as a result of the

proposed development, with their geographic distribution and range being maintained. However, poor management of trees and hedgerows where roads intersect features used by commuting and foraging bat species could result in the erosion of bat commuting corridors within the site and the surrounding locality.' Potential erosion of bat commuting corridors will be mitigated through gap planting to strengthen corridors, creation of hop-overs and a long-term management plan to maintain the structure and function of these habitats. The subsequent Bat Favourable Conservation Status Study also confirms the conclusion that the FCS of local bat populations is likely to be maintained.

1.4 *The proposed layout fails to protect this corridor, its character and intrinsic value have been entirely compromised by 2 road crossings (the spine roads), proximity of development and lighting. The crossings should be reduced to a single narrow width, and the use of green tunnels or bridges explored. These could enable the green lane to maintain ecological functionality and retain the sense of countryside and history which the lane possesses.*

Crossing of the green corridor in two locations is unavoidable in order to ensure appropriate access and traffic flows around the site, which is allocated for housing. Every effort will be made during detailed design to site the road crossings so that significant trees are avoided and so that tree crowns can be maintained as far as is possible in order to minimise gaps in the canopy along the corridor, and act as hop-overs for bat commuting routes. This, in addition to further enhancement through tree and shrub planting to strengthen more gappy sections of the corridor will ensure its continued functionality.

As a result of the proposed green infrastructure and habitat creation and enhancement commitments, the corridor will still retain significant character and value despite the road crossings, with future management ensuring these commitments are maintained.

1.5 *Alterations are also required to the layout to ensure that the corridor is kept entirely dark. There are several pinch points were external lighting will be required and will intrude within the corridor. Notably in the area of the school, cycleway and equipped play areas. Greater buffering through planting and distance will be needed to not only protect but enhance.*

The ES chapter states that a Sensitive Lighting Strategy will be required during both construction and operation in order to minimise lighting and direct it away from the green corridor, woodland edges and hedgerows. The Strategy will reference the Bats and Artificial Lighting at Night guidance published by the Institute of Lighting Professionals and the Bat Conservation Trust[1]. This will ensure that these features will be kept dark and will still be functional for use by nocturnal animals, most notably on this site, badgers and bats.

[1] Institute of Lighting Professionals and Bat Conservation Trust (2023) Guidance Note GN08/23 Bats and Artificial Lighting at Night

1.6 *Planning Policy Wales states that where trees and hedgerows are present their protection and integration should be identified, and they should be retained and protected. Removal of trees, woodland and hedgerow will only be permitted where it would achieve significant and defined public benefit. If they are proposed for loss replacement must be:*

- **Proportionate to proposed loss, as identified through GI assessment, considering wildlife and amenity.*
- **Replacement shall be at a ratio equivalent of the tree (s) lost and at a minimum ratio of at least 3 trees of a similar type and compensatory size planted for every tree lost.*

Trees, woodland and hedgerows have been retained for the most part within the scheme design. Losses are only incurred where absolutely necessary in order to enable access through the site and create meaningful development parcels.

The Landscape Strategy and Green Infrastructure Statement which accompanies this application set out the additional native shrub and tree planting that is proposed to offset losses; this includes reinforcing the old green lane corridor traversing the centre of the site. New native species-rich hedgerows will also be planted, as well as infilling of existing hedgerows, where appropriate, to increase species diversity and mitigate and enhance connectivity within the site.

Tree replacement at a ratio of 3:1 is acceptable and can be agreed through condition.

1.7 *The stream corridor also requires further protection. The proposal currently shows unnecessary culverting to provide additional access roads, and built development encroaching within 25m. The stream although small and not particularly good habitat is known to support otters, having previously found evidence and picked up a deceased animal myself, its possible that the adjacent habitat is intermittently used for lying-up.*

The watercourse is small, overgrown with hedgerow in many places and of low quality. Crossings of the watercourse by internal roads are unavoidable in the scheme design and have been kept to a minimum. Detailed design will look to keep culverted sections to a minimum in order to maintain as much open water as possible. Enhancement of the watercourse will also serve to maximise the value of this feature.

No records of otter were returned within the site and although we know that otter are present on the River Clywedog to the south and possibly known from the River Gwenfro to the north, this stream would not be a main foraging area. Although no specific survey for otter was undertaken, no evidence of otter was recorded during other surveys such as badger and hedgerow surveys which would have investigated the area of the watercourse (due to the associated hedgerow) in detail. If otter do use this watercourse it is likely to be on an occasional basis as part of a wider territory and therefore any disturbance or displacement would not be considered significant. Precautionary Working Measures in place for badger would serve to protect otter during construction activities should they be present.

1.8 [redacted] *More information is required to ensure that badgers and their long-term safety is considered by securing the availability of safe and useable green networks and commuting routes. Consideration should be given to the future conflict between badgers and home owners.*

Based on current scheme design and badger activity (which would be updated via a pre-construction survey), [redacted]. Precautionary Working Measures will also be adhered to. As stated in the ES chapter, connectivity between setts and the surrounding landscape will be considered during construction when erecting protective fencing and within landscape[redacted] Further detail would be provided during detailed design at Reserved Matters stages.

Woodland and hedgerow habitats within the site will mostly be retained within the proposed development, with areas enhanced through native planting. In addition, areas of public open space will ensure open areas of grassland habitat around the site, [redacted]

[redacted]. Any future conflict between the badgers and homeowners is likely to be limited and can be addressed during detailed design at Reserved Matters stages.

1.9 *Welsh Government Planning Policy Wales and subsequent letter to LPAs requires all development to provide Net Biodiversity Benefit. Failing to provide such a benefit is a valid reason for refusal. Enhancement must be secured by delivering biodiversity benefit over and above that required to mitigate or compensate for any negative impact. Some detailed figures on habitat gains vs losses is required to make an assessment. The site is exactly the situation where external assessment using the Building With Nature Standards would be beneficial.*

The Green Infrastructure Statement has been provided, to accompany the application following the changes to Planning Policy Wales in October 2023. This sets out the stepwise approach and how this has been considered within the development, demonstrating net biodiversity benefit with respect to the use of native species, inclusion of woodland buffer planting, species-rich grassland, new swales and attenuation ponds, installation of bat and bird boxes and the removal and management of non-native invasive species.

A Building with Nature assessment is not proposed as there would be limited benefits in doing this retrospectively.