

The Market House

Erbistock

Ecological Desk Study

Prepared For: Mr N. Lloyd

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1.0 Introduction

1.1 The Environment Partnership (TEP) was commissioned by Mr N. Lloyd in September 2023, to complete an Ecological Desk Study to support a planning application for a single residential development at The Market Garden, Wrexham, LL13 0DL (hereafter referred to as 'the site').

Site Location

1.2 The location of the site is illustrated in Figure 1. The approximate central grid reference of the site is SJ 35465 41427.

Figure 1: Site location



Context

1.3 The site is within the administrative area of Wrexham County Borough Council.

1.4 Proposals are for the removal of the existing market garden buildings and greenhouses and for the construction of a single residential dwelling on the site known as The Market House.

Methods

Scope and Data Sources

1.5 Information regarding historic species records and protected sites was requested/gathered from the sources listed in Table 1. This collated data gives a useful indication of the distribution and abundance of ecological receptors at a given locale.

1.6 Table 1 summarises the scope and the preliminary ZOIs applied for this desk study. The preliminary ZOIs were applied by extending search radii of the respective distances from the site boundary.

Table 1: Scope and preliminary ecological Zones of Influence (ZOI)

Source of Information	Nature of Information
Natural Resources Wales (NRW)	Statutory designated wildlife sites of international importance within 10km Statutory designated wildlife sites of national importance within 5km Statutory designated wildlife sites of local importance within 2km
LANDMAP	Notable habitats within and adjacent to the site
North Wales Environmental Information Service (COFNOD)	Protected species records within 2km Non-statutory designated wildlife sites of local importance within 2km
Wrexham County Borough Council	Land allocations and relevant policies
ArcMap10	Ordnance & Aerial survey mapping

1.7 An absence of records does not indicate the absence of protected species from the search area.

2.0 Legislation and Policy

2.1 This section details legislation and planning policy which may have relevance to the site. Only legislation and policy of key relevance to biodiversity are included.

Relevant Legislation

International Conventions

2.2 The UK is a Contracting Party to numerous environmental conventions, the commonest form of international agreements to encourage a coordinated response to managing the environment. Key environmental conventions ratified in the UK include:

- The Convention on Wetlands of International Importance especially as Waterfowl Habitat ('Ramsar Convention'[1] or 'Wetlands Convention') - provides the only international mechanism for protecting sites of global importance;
- The Convention on the Conservation of European Wildlife and Natural Habitats (the Bern Convention[2]) - imposes legal obligations on contracting parties, protecting over 500 wild plant species and more than 1,000 wild animal species;
- The Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention[3] or CMS) - provides strict protection for endangered migratory species. The UK has currently ratified four legally binding Agreements under the convention relating to bats (EUROBATS), African-Eurasian migratory birds (AEWA), small cetaceans in the Baltic, Irish and North Seas (ASCOBANS) and albatrosses and petrels (ACAP) in addition to five Memorandum of Understanding (MoU) and is non-party range state to a further Agreement and a further MoU;
- The Convention Concerning the Protection of the World Cultural and Natural Heritage (UNESCO World Heritage Convention) - seeks to protect both cultural and natural heritage;
- The Convention on Biological Diversity (Biodiversity Convention[4] or CBD) - provides a legal framework for biodiversity conservation. Within the UK, delivery of the CBD and the Strategic Plan for Biodiversity 2011-2020[5] is guided by the UK Post-2010 Biodiversity Framework[6].

[1] Convention on Wetlands of International Importance especially as Waterfowl Habitat, Ramsar, 2.2.1971 *https://www.ramsar.org/*

[2] Convention on the Conservation of European Wildlife and Natural Habitats. Bern, 1979 *https://www.coe.int/*

[3] Convention on the Conservation of Migratory Species of Wild Animals, Bonn, June 1979 *https://www.cms.int/*

[4] Convention on Biological Diversity, Rio de Janeiro, June 1992*https://www.cbd.int/*

[5] In October 2010, at the 10th Conference of the Parties to the CBD in Nagoya, Japan, the Parties adopted a new 'Strategic Plan for Biodiversity 2011–2020' along with its 20 'Aichi targets'. *https://www.cbd.int/sp/*

[6] The framework is overseen by the Environment Departments of the four UK governments working through the Four Countries' Biodiversity Group. It demonstrates how the UK, through each of the four countries, contributes to achieving the 'Aichi targets', and identifies the activities required to complement the individual country biodiversity strategies *https://jncc.gov.uk/our-work/uk-post-2010-biodiversity-framework/*

2.3 The legal obligations of the multiple Conventions to which the UK is a Contracting Party are enacted through a suite of national environmental legislation. The most relevant are described in the following paragraphs.

Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019

Protected Species

2.4 European Protected Species (EPS) and their breeding sites or resting places are protected under Regulation 41 of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 which makes it illegal to:

- Deliberately capture, injure or kill any such animal or to deliberately take or destroy their eggs;
- Deliberately disturb such an animal; and
- Damage or destroy a breeding site or resting place of such an animal.
- European Protected Species (EPS) licenses can be granted by NRW in respect of development to permit activities that would otherwise be unlawful under the Conservation Regulations, providing that the following 3 tests (set out in the EC Habitats Directive) are passed, namely:
- The development is for reasons of overriding public interest;
- There is no satisfactory alternative; and
- The favourable conservation status of the species concerned will be maintained and/or enhanced.
- Under Regulation 9(5) of the Conservation Regulations, Planning Authorities have a duty to 'have regard to the requirements of the EC Habitats Directive' i.e. LPA's must consider the above 3 'tests' when determining whether Planning Permission should be granted for developments likely to cause an offence under the Conservation Regulations.

Protected Sites

2.5 The Regulations also deal with the assessment of potential impacts on sites of European nature conservation importance. Requirements are set out within Regulations 63 and 64 of the Habitats Regulations, where a series of steps and tests are followed for plans or projects that could potentially affect a European site. The steps and tests set out within Regulations 63 and 64 are commonly referred to as the 'Habitats Regulations Assessment' process.

2.6 All plans and projects (including planning applications) which are not directly connected with, or necessary for, the conservation management of a habitat site, require consideration of whether the plan or project is likely to have significant effects on that site. This consideration should take into account the potential effects both of the plan/project itself and in combination with other plans or projects. Where an adverse effect on the site's integrity cannot be ruled out, and where there are no alternative solutions, the plan or project can only proceed if there are imperative

reasons of over-riding public interest and if the necessary compensatory measures can be secured.

National Planning Policy

Planning Policy Wales 2021

2.7 Planning Policy Wales delivers land use planning policy for Wales and provides a framework for the effective preparation of local planning authorities' development plans. This is supplemented by 21 topic based Technical Advice Notes (TANs). Technical Advice Note 5- Nature Conservation and Planning is a key TAN in relation to nature conservation and biodiversity.

2.8 TAN 5 states that the town and country planning system in Wales should:

- work to achieve nature conservation objectives through a partnership between local planning authorities, NRW, the Environment Agency Wales, voluntary organisations, developers, landowners and other key stakeholders;
- integrate nature conservation into all planning decisions looking for development to deliver social, economic and environmental objectives together over time;
- ensure that the UK's international and national obligations for site, species and habitat protection are fully met in all planning decisions;
- look for development to provide a net benefit for biodiversity conservation with no significant loss of habitats or populations of species, locally or nationally;
- help to ensure that development does not damage, or restrict access to, or the study of, geological sites and features or impede the evolution of natural processes and systems especially on rivers and the coast;
- forge and strengthen links between the town and country planning system and biodiversity action planning particularly through policies in local development plans and the preparation of supplementary planning guidance that adds value to Local Biodiversity Action Plans (LBAPs) by highlighting the ways in which the planning system can help to deliver the objectives of LBAPs in practical ways; and
- plan to accommodate and reduce the effects of climate change by encouraging development that will reduce damaging emissions and energy consumption and that help habitats and species to respond to climate change.

Conservation of Habitats and Species Regulations

2.9 The Conservation of Habitats and Species Regulations 2017[7] (2017 Regulations) transposed the land and marine aspects of the Habitats Directive (Council Directive 92/43/EEC) and certain elements of the Wild Birds Directive (Directive 2009/147/EC) (known as the Nature Directives) into domestic law.

2.10 The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019[8] (2019 Regulations) amends the 2017 Regulations to make them operable following

[7] Conservation of Habitats and Species Regulations 2017 (SI 2017/1012) *https://www.legislation.gov.uk/uksi/2017/1012/*

[8] Conservation of Habitats and Species Regulations 2019 (SI 2019/579) *https://www.legislation.gov.uk/uksi/2019/579/*

the withdrawal of the United Kingdom from the European Union (EU). Most of the changes involve transferral of functions from European Commission to the appropriate authorities in England and Wales, also extending to Scotland and Northern Ireland and applies to Scotland and Northern Ireland (including the adjacent territorial sea to a limited degree), as regards reserved and excepted matters respectively. It also amends Section 27 of the Wildlife and Countryside Act 1981 to maintain existing protections and enforcement for species of wild birds.

2.11 All other processes or terms in the 2017 Regulations remain unchanged and existing guidance and obligations (of a competent authority) remain relevant.

National Site Network

2.12 Under the 2019 Regulations, Special Areas of Conservation (SAC) and Special Protection Areas (SPA) in the UK no longer form part of the EU's 'Natura 2000' ecological network, but instead (along with new SACs and SPAs designated under the 2019 Regulations) form the new National Site Network (NSN). Ramsar sites[1] do not form part of the NSN but remain protected in the same way as SACs and SPAs.

2.13 Proposals which may significantly affect a site belonging to the NSN and which are not connected with or necessary to the management of that site require (by Regulations 63 and 64 of the 2017 Regulations, as amended by Regulations 24 and 25 of the 2019 Regulations, respectively) competent authorities to undertake an Appropriate Assessment of the implications of the plan or project in view of that site's conservation objectives. This process is commonly referred to as a 'Habitats Regulations Assessment' (HRA). The assessment must consider the potential effects both of the plan/project itself and in combination with other plans or projects. Where an adverse effect on the site's integrity cannot be ruled out, and where there are no alternative solutions, the plan or project can only proceed if there are imperative reasons of over-riding public interest (IROPI) and if the necessary compensatory measures can be secured.

Protected Species

2.14 Certain animals and their breeding sites or resting places are protected under Regulation 43 of the 2017 Regulations, which makes it illegal to:

- Deliberately capture, injure or kill any such animal or to deliberately take or destroy the eggs of such an animal;
- Deliberately disturb such an animal; and
- Damage or destroy a breeding site or resting place of such an animal.

2.15 Disturbance is defined in the 2017 Regulations as an activity which is likely to impair a species' ability to survive, to breed or reproduce, to rear or nurture young or, in the case of animals hibernating or migratory species, to hibernate, migrate or which may affect significantly the local distribution or abundance: of the species.

2.16 A bat's resting place is known as a roost site. Because bats tend to be faithful to roost sites, but their biology is such that different roost site characteristics are preferred at

different times of the year by different species for different functions, a bat roost is considered to be afforded protection even when it is not occupied.

2.17 Certain plant species are protected under Regulation 47 of the 2017 Regulations against deliberate picking, collecting, cutting, uprooting or destruction. It is also an offence to be in possession or control and to transport any live or dead plant or part of a plant of such a species which has been taken in the wild.

2.18 The 2017 Regulations (Regulation 55) enables a relevant licensing body to grant a licence for certain activities that may affect animal or plant species protected by the above provisions. The purpose must conform to one of those listed under Regulation 55(2). For most development related activities, the purpose normally relates to Regulation 55(2)(e) 'preserving public health or public safety or other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequence of primary importance for the environment' – commonly known as the IROPI test. Regulation 55(9) introduces two further tests that the licensing body must consider:

- There is no satisfactory alternative; and
- The favourable conservation status of the species concerned will be maintained and/or enhanced.

2.19 Under Regulation 9(1) of the 2017 Regulations (as amended), competent authorities "must exercise their functions which are relevant to nature conservation… so as to secure compliance with the requirements of the Directives". Regulation 9(3) requires a competent authority, in exercising any of its function, to "have regard to the requirements of the Directives so far as they be affected by the exercise of those functions." Local planning authorities must therefore consider the above three 'tests' when determining if planning permission should be granted for developments likely to cause an offence under the Regulations.

Wildlife and Countryside Act 1981

2.20 The Wildlife and Countryside Act 1981 (as amended)[9] (WCA) is a major legal instrument for wildlife protection in the UK. In respect of habitats and flora, the WCA protects important habitats and/or species as Sites of Special Scientific Interest (SSSI). The designation of UK Ramsar sites[1] has usually been underpinned through prior notification of these areas as SSSI and accordingly they receive statutory protection under the WCA.

2.21 The obligations of the Bern Convention[2] (the protection of wild plant and animal species and their natural habitats) are transposed into law for England and Wales[10] by the WCA. The legal requirement for the protection of migratory species listed by the Bonn Convention[3] is also provided by the WCA.

[9] Wildlife and Countryside Act 1981 c. 69 *https://www.legislation.gov.uk/ukpga/1981/69/*

[10] In Scotland by the Nature Conservation (Scotland) Act 2004 (as amended) and in Northern Ireland by Wildlife (Northern Ireland) Order 1985 and the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985.

2.22 All wild birds (as defined by the WCA and with exception to species listed in Schedule 2) are protected under the WCA, which makes it illegal to:

- Intentionally kill, injure or take any wild bird;
- Take, damage or destroy the nest (whilst being built or in use) of any wild bird; or
- Take or destroy the eggs of any wild bird.

2.23 Special penalties are available for offences related to birds listed in Schedule 1, for which there are additional offences of disturbing these birds at their nests, or their dependent young. The Secretary of State may also designate Areas of Special Protection (subject to exceptions) to provide further protection to birds. The WCA also prohibits certain methods of killing, injuring, or taking birds, restricts the sale and possession of captive bred birds, and sets standards for keeping birds in captivity.

2.24 Certain animal species (listed under Schedule 5) of the WCA receive protection which makes it illegal (with certain exceptions) to:

- Intentionally kill, injure or take any such animal;
- Intentionally or recklessly damage, destroy or obstruct any place used for shelter or protection by any such animal;
- Intentionally or recklessly disturb such animals while they occupy a place used for shelter or protection.

2.25 Plant species listed under Schedule 8 of the WCA are protected from unauthorised intentional picking, uprooting and destruction. It is an offence to plant or otherwise cause to grow in the wild any plant that is included in Schedule 9.

Countryside and Rights of Way Act 2000

2.26 Part III of the Countryside and Rights of Way Act 2000[11] (CROW) deals specifically with wildlife protection and nature conservation. It requires that Government Departments have regard for the conservation of biodiversity, in accordance with the CBD. In addition, it requires that The Secretary of State publishes a list of living organisms and habitat types that are considered to be of principal importance in conserving biodiversity.

2.27 CROW also amends the WCA, expanding the terms of offences to include reckless activity. It increases the legal protection of threatened species, by also making it an offence to "recklessly" obstruct access to a sheltering place used by an animal listed in Schedule 5 of the WCA or "recklessly" disturb an animal occupying such a structure or place.

Hedgerow Regulations 1997

2.28 Important hedgerows are protected from removal by the Hedgerows Regulations[12] (as amended). Regulation 3 defines the hedgerows to which the Regulations apply.

[11] Countryside and Rights of Way Act 2000 c. 37 *https://www.legislation.gov.uk/ukpga/2000/37/*

[12] The Hedgerow Regulations 1997 (SI 1997/1167) *https://www.legislation.gov.uk/uksi/1997/1160/*

Regulation 4 sets out the criteria for identifying "important hedgerows" including ecological, landscape or historical/cultural reasons. Under the Hedgerow Regulations it is against the law to remove or destroy certain hedgerows without permission from the local planning authority. Works to "important hedgerows" are exempt under the Hedgerow Regulations if planning consent is granted which allows their removal.

2.29 The identification of important hedgerows also provides an additional means to value hedgerows aside from their botanical value (e.g. species richness) as the assessment of importance also includes characteristics relating to maturity and structure (e.g. associated features, connectivity, integrity) which will affect the functional value of the hedgerow.

Protection of Badgers Act 1992

2.30 Badgers and their setts receive statutory protection under the Protection of Badgers Act 1992 (PBA)[13]. This makes it an offence to wilfully kill, injure, take, possess or cruelly ill-treat a badger, or to attempt to do so; or to intentionally or recklessly interfere with a sett.

2.31 Sett interference includes disturbing badgers whilst they are occupying a sett, as well as damaging or destroying a sett or obstructing access to it. A badger sett is defined in the legislation as "any structure or place, which displays signs indicating current use by a badger."

Relevant Policy

Environment (Wales) Act 2016

2.32 Section 6 of the Environment Act places a duty on public authorities to 'seek to maintain and enhance biodiversity' so far as it is consistent with the proper exercise of those functions. In so doing, public authorities must also seek to 'promote the resilience of ecosystems'.

2.33 Section 7 of the Environment Act requires the Welsh Ministers to publish, review and revise lists of living organisms and types of habitat in Wales, which they consider are of key significance to sustain and improve biodiversity in relation to Wales. This is known as the S7 list.

Local Planning Policy

Wrexham Unitary Development Plan 1996 - 2011 (adopted February 2005)

2.34 The Wrexham Unitary Development Plan outlines the Council's broad intention for development in the area and provides a framework for the more specific policies and proposals. It is chiefly concerned with a vision of how the area should develop for the benefit of local people, developers and visitors alike. The specific policies provide detailed guidance for the development and other use of land.

[13] Protection of Badgers Act 1992 c. 51 *https://www.legislation.gov.uk/ukpga/1992/51/*

2.35 The interactive policies map for the Local Plan Core Strategy can be viewed by following the link below: *Wrexham Unitary Development Plan | Wrexham County Borough Council*

2.36 The site and adjacent land is allocated under Policy EC5 – Special Landscape Areas. Land directly to the southern boundary is allocated as a Conservation Area under Policies EC7 and EC8. Policy EC7 will also apply to the site due to the proximity.

2.37 The Core Strategy document can be viewed by following the link: *Wrexham Unitary Development Plan | Wrexham County Borough Council*

2.38 The following policies of relevance to biodiversity and nature conservation include:

- Policy PS11 - Biodiversity
- Policy GDP1 - Development Objectives
- Policy EC2 - Agricultural Land
- Policy EC4 - Hedgerows, Trees and Woodland
- Policy EC5 – Special Landscape Areas
- Policy EC6 - Biodiversity Conservation

Wrexham Local Development Plan 2 (LDP2) 2013 to 2028

2.39 The Wrexham Local Development Plan 2 (LDP2) will be a long-term land use and development strategy that will focus on achieving sustainable development.

2.40 This plan is currently being prepared and will eventually replace the Unitary Development Plan. WCBC has decided not to adopt the plan at this stage, however it remains a material consideration with significant weight, as it has been found sound by a Planning Inspector.

2.41 The following policies relate to biodiversity and nature conservation:

- Draft Policy SP15 - Natural Environment;
- Draft Policy NE1 - International and Nationally Designated Nature Conservation Sites
- Draft Policy NE2 - Locally Designated Sites of Nature Conservation and Geological Importance
- Draft Policy NE3 - Trees, Woodlands and Hedgerows;
- Draft Policy NE6 - Waste Water Treatment and River Water Quality

2.42 The progress of the LDP2 can be viewed at the following link: *Wrexham Local Development Plan 2 (LDP2) 2013 to 2028 | Wrexham County Borough Council*

Local Planning Guidance Notes

2.43 The Wrexham Borough Council Local Planning Guidance Notes can be viewed at the following link: *https://www.wrexham.gov.uk/service/development-plans-and-other-planning-policy/local-planning-guidance-notes*

2.44 The following guidance notes relate to biodiversity and nature conservation:

- 17 - Trees and Development
- 32 - Biodiversity and Development

Natural Resources Wales Area Statements

2.45 Natural Resources Wales have developed seven Area Statements covering different areas of Wales. These statements are seen as a collaborative response to the Natural Resources Policy, published by the Welsh Government in 2017.

2.46 The Area Statement for Northeast Wales can be viewed by following the link: *https://naturalresources.wales/about-us/area-statements/?lang=en*

2.47 The following sections of the Area Statement relate to biodiversity and nature conservation:

- Develop and improve urban/rural green infrastructure;
- Increasing woodland cover for social, environmental and economic benefits; and
- Promoting the resilience of ecosystems in maintaining and enhancing biodiversity.

Local Biodiversity Action Plans (LBAP)

2.48 The LBAP document for Wrexham can be viewed by following the link: *Wrexham Biodiversity Action Plan (nationalarchives.gov.uk)*

2.49 The following habitats are identified within LBAPs by Wrexham Borough Council:

- Derelict and Industrial Land
- Linear Aquatic Habitats (Rivers, Streams, Canals)
- Upland Moorland
- Lowland Raised Bog
- Garden
- Ponds
- Woodland
- Lowland Wood-pasture and Parkland
- Wet Woodland

2.50 The following species are identified within LBAPs by Wrexham Borough Council:

- Badger
- Great Crested Newt
- Song Thrush
- Barn Owl
- Lesser Horseshoe Bat
- Black Poplar
- Otter

3.0 Wildlife Sites

Statutory Sites

3.1 There are three internationally significant statutory wildlife designation within 10km of the site (Figure 2) and four nationally significant statutory wildlife sites within 5km of the site (Figure 3). These are detailed in Table 2 below. Links to citations are also provided.

Table 2: Statutory wildlife sites

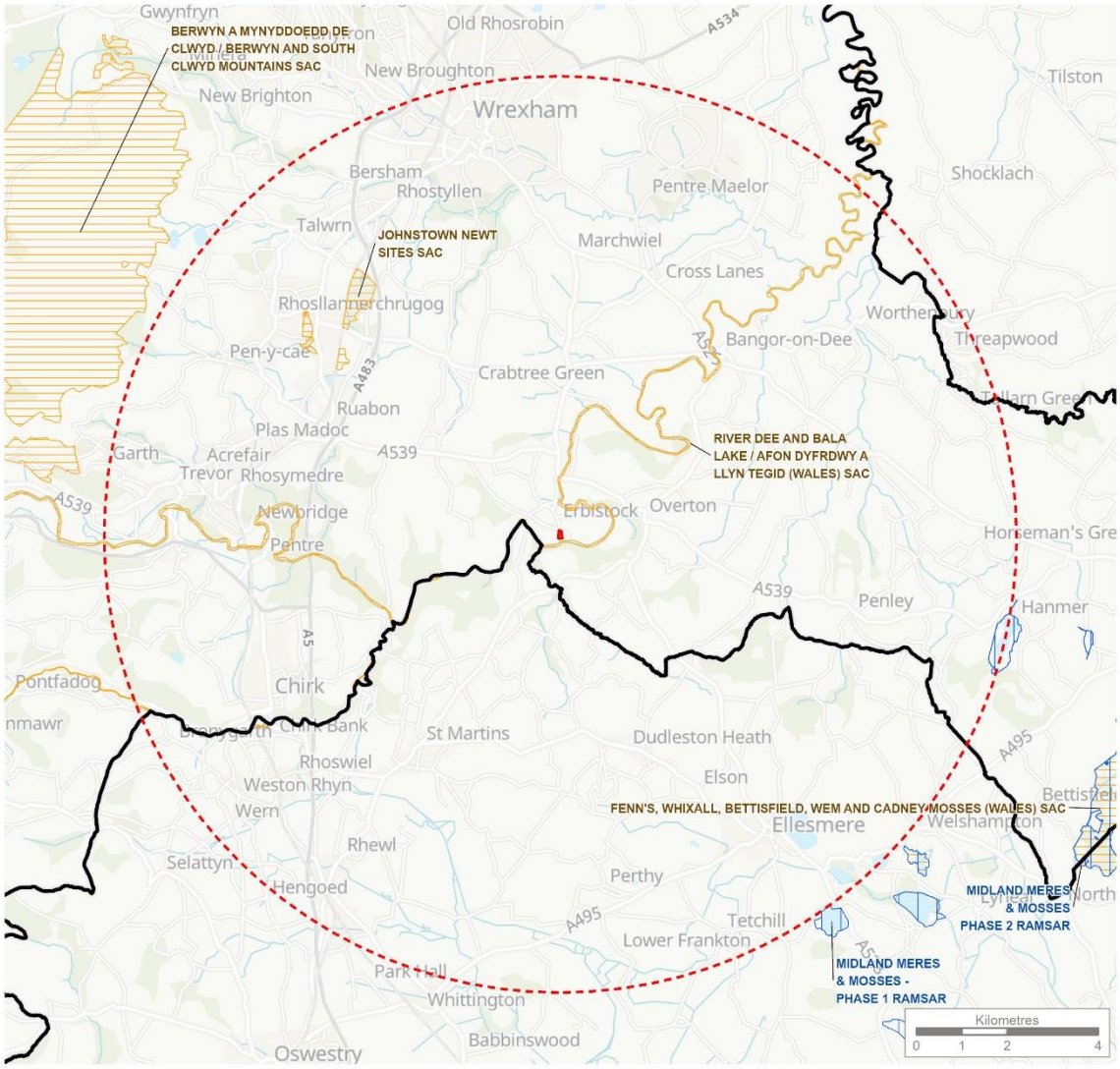
Site Name	Designation & Citation Link	Location Relevant to Site	Reason for Site Designation
Statutory wildlife sites of international significance within 10km of the site (Figure 2)			
Afon Dyfrdwy a Llyn Tegid (River Dee and Bala Lake)	SAC *(jncc.gov.uk)*	Approx 60m south of site	Considered to be one of the best areas in the United Kingdom for Water courses of plain to montane levels with river water-crowfoot (Ranunculion fluitantis) and Callitricho-Batrachion vegetation, floating Water-plantain (*Luronium natans*) and Atlantic salmon (*Salmo salar*). The area is considered to support a significant presence of the following: sea lamprey (*Petromyzon marinus)* European river lamprey (Lampetra fluviatilis), brook lamprey (*Lampetra planeri*), bullhead (*Cottus Gobio*) and otter (*Lutra lutra*).
Johnstown Newt Sites	SAC *(naturalresources.wales)*	Approx 5.9km northwest of site	The site is located in the environs of the village of Johnstown, southwest of Wrexham. It is of special interest for its population of the great crested newt (*Triturus cristatus*). This species has suffered a marked decline throughout Great Britain and Continental Europe as a result of habitat loss. Great Britain is considered to support one of the strongholds for this species in Western Europe. Surrounding areas of land support, a mosaic of scrub and planted trees, grassland, and tall ruderal vegetation. These form important foraging and over wintering areas for adult and juvenile amphibians.
Midland Meres and Mosses Phase 2	Ramsar *(jncc.gov.uk)*	Approx 9.8km east of site	The Meres and Mosses form a geographically diverse series of lowland open water and peatland sites in the north-west Midlands of England and north-east Wales. These have developed in natural depressions in the glacial drift left by receding ice sheets which formerly covered the Cheshire/Shropshire Plain. The 18 component sites include open water bodies (meres), the majority of which are nutrient-rich with associated fringing habitats, reed swamp, fen, carr and damp pasture. Peat accumulation has resulted in the nutrient-poor peat bogs (mosses) forming in some sites on the fringes of the meres or completely infilling basins. In a few cases the result is a floating quaking bog or

Site Name	Designation & Citation Link	Location Relevant to Site	Reason for Site Designation
			schwingmoor. The wide range of resulting habitats support nationally important flora and fauna.
Statutory wildlife sites of national significance within 5km of the site (Figure 3)			
Afon Dyfrdwy (River Dee)	SSSI *(naturalresources.wales)*	Approx 60m south of site	The main channel of the River Dee lies within both Wales and England, and is notified as two separate SSSIs – the Afon Dyfrdwy (River Dee) SSSI in Wales and the River Dee (England) SSSI in England. The features for which the SSSIs are notified, in particular migratory fish, depend upon the whole river ecosystem. Salmon, otter, club-tailed dragonfly, and fluvial geomorphology are of special interest in both Wales and England.
Cloy Brook Pastures	SSSI *(naturalresources.wales)*	Approx 3.8km east of site	Botanical interest. Unimproved calcareous clay pastures on the steep valley sides of the Cloy Brook and its tributaries and representing one of the best examples of this type of habitat that survives only as isolated fragments in the Maelor. The pastures support a range of uncommon species including a large population of dyer's (*greenweed Genista tinctoria)*, pepper saxifrage (*Silaum silaus)* and spiny restharrow (*Ononis spinosa)*.
Nant-Y-Belan and Prynela Woods	SSSI *(naturalresources.wales)*	Approx 4.1km west of site	The largest and one of the best examples of a woodland type largely restricted to Wales and south-west England but also found in the Midlands and north-east England. In North Wales the majority of examples are in the former county of Clwyd, the remainder being in West Gwynedd.
Shell Brook Pastures	SSSI *(naturalresources.wales)*	Approx 1.8km south of site	Botanical interest. A series of unimproved calcareous clay pastures, largely developed on the steep valley side of the Shell Brook and representing a type of habitat that survives only as isolated fragments in the Maelor. The pastures are botanically rich, the variety of plants present being enhanced by the presence of springs in the valley side and areas of marsh adjacent to the Shell Brook, together with scrub and woodland edge communities.

3.2 The site lies within the SSSI Impact Risk Zone (IRZ) for the River Dee (Figure 4), as determined by Natural England to identify likely impacts upon SSSIs, SACs, SPAs or Ramsar sites that may result from planned development. Impact Risk Zones are applicable to England but may extend into Wales for sites close to the border.

3.3 The impact risk criteria for the IRZ are summarised in Table 3. The nature of project does not match any of the potential risk criteria.

Figure 2: Statutory wildlife sites of international significance within 10km of the site



Key

- Site boundary
- Site boundary - 10km buffer
- Wales/England Border
- Ramsar
- Special Areas of Conservation (SAC)

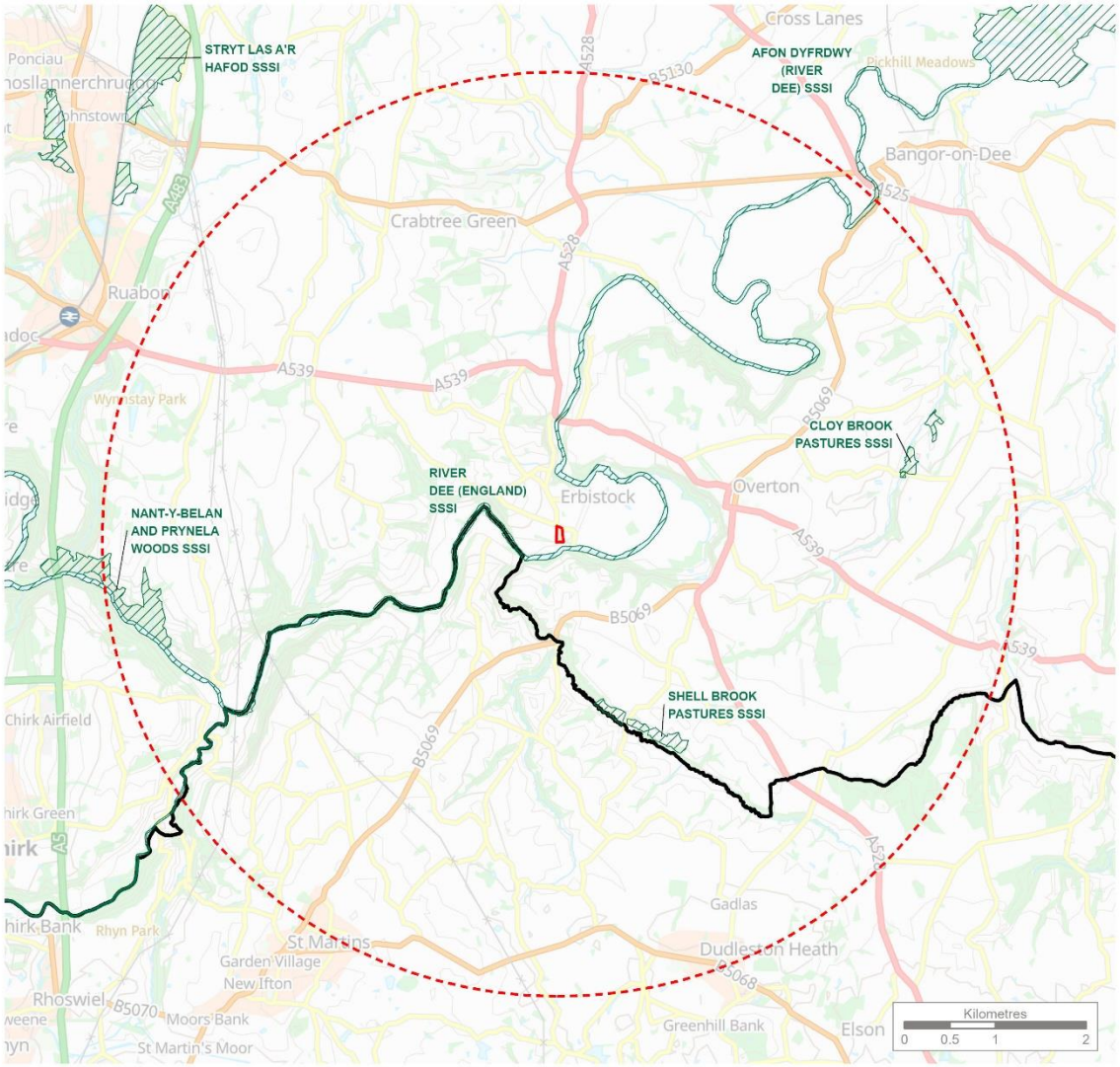
Sites searched for were as follows:
- Ramsar
- Special Protection Areas (SPA)
- Special Areas of Conservation (SAC)

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Project	The Market House
Title	Internationally Designated Sites Within a 10km Buffer
Drawing Number	G10163.002
Scale	1:120,000 @ A4
Date	12/10/2023
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Checked	CW
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Figure 2: Statutory wildlife sites of national significance within 5km of the site



Key

- Site boundary
- Site boundary - 5km buffer
- Wales and England Border
- Sites of Special Scientific Interest (SSSI)

Sites searched for were as follows:
- Sites of Special Scientific Interest (SSSI)
- National Nature Reserve (NNR)
- Area of Outstanding Natural Beauty (AONB)

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Project: The Market House

Title: Nationally Designated Sites Within a 5km Buffer

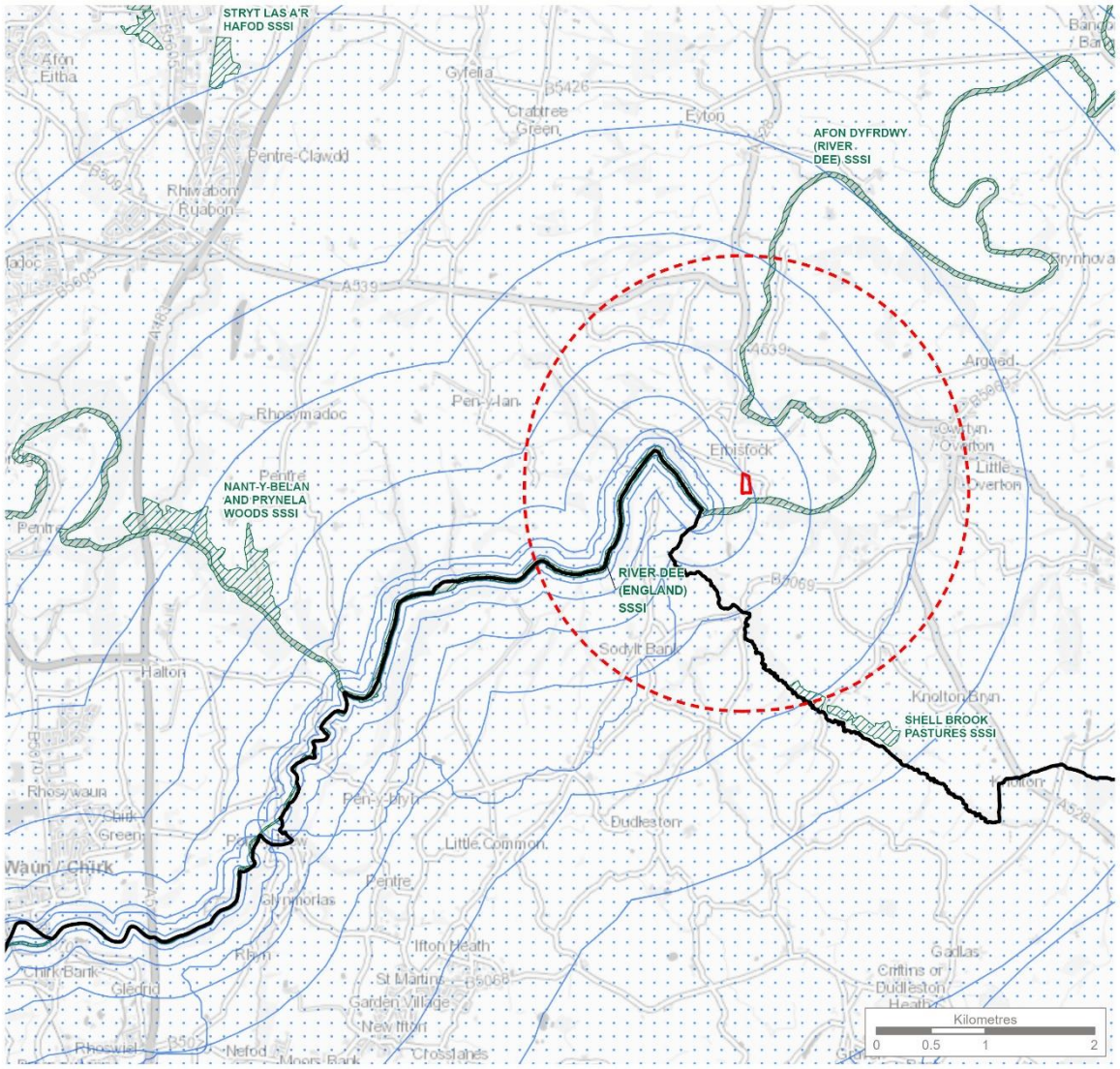
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Figure 3: SSSI Impact Risk Zones crossed by the site



Key

- Site boundary
- Site boundary - 2km buffer
- Wales and England Border
- Sites of Special Scientific Interest
- Sites of Special Scientific Interest - Impact Risk Zone

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Project: The Market House

Title: Sites of Special Scientific Interest - Impact Risk Zone

Drawing Number: G10163.006

Scale	Date
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Drawn	Checked	Approved
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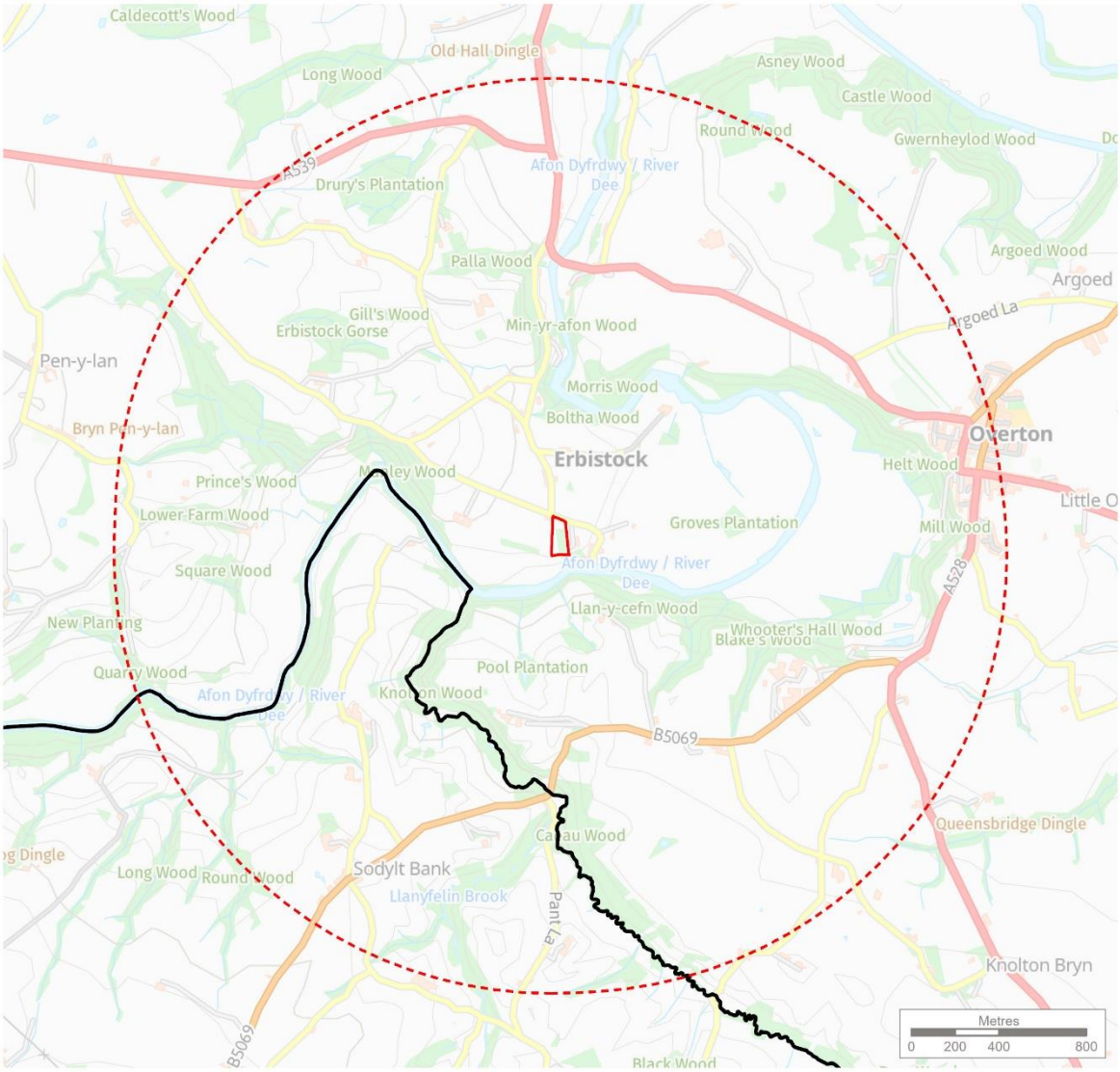
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Table 3: SSSI Impact Risk Zones crossed by the site

Proposal	Plan / project which may impact SSSI
All Planning Applications	Assessed as not likely to impact on the SSSI
Infrastructure	Pipelines and underground cables, pylons and overhead cables. Any transport proposal including road, rail and by water (excluding routine maintenance). Airports, helipads and other aviation proposals..
Wind & Solar Energy	Assessed as not likely to impact on the SSSI
Minerals, Oil & Gas	Planning applications for quarries, including: new proposals, Review of Minerals Permissions (ROMP), extensions, variations to conditions etc. Oil & gas exploration/extraction.
Rural Non-Residential	Assessed as not likely to impact on the SSSI
Residential	Residential development of 100 units or more.
Rural Residential	Any residential development of 50 or more houses outside existing settlements/urban areas.
Air Pollution	Any development that could cause AIR POLLUTION (incl: industrial/commercial processes, livestock & poultry units, slurry lagoons & digestate stores, manure stores).
Combustion	All general combustion processes. Incl: energy from waste incineration, other incineration, landfill gas generation plant, pyrolysis/gasification, anaerobic digestion, sewage treatment works, other incineration/ combustion..
Waste	Mechanical and biological waste treatment, inert landfill, non-hazardous landfill, hazardous landfill, household civic amenity recycling facilities construction, demolition and excavation waste, other waste management.
Composting	Any composting proposal. Incl: open windrow composting, in-vessel composting, anaerobic digestion, other waste management.
Discharges	Assessed as not likely to impact on the SSSI
Water Supply	Large infrastructure such as warehousing / industry where net additional gross internal floorspace is > 1,000m² or any development needing its own water supply.
Notes	N/A

3.4 There are no statutory wildlife sites of regional / local significance within 2km of the site (Figure 5).

Figure 5: Statutory wildlife sites of regional/local significance within 2km of the site



Key

- Site boundary
- Site boundary - 2km buffer
- Wales and England Border

Sites searched for were as follows:
- Local Nature Reserves

No records found

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Title: Statutory Locally Designated Sites Within a 2km Buffer

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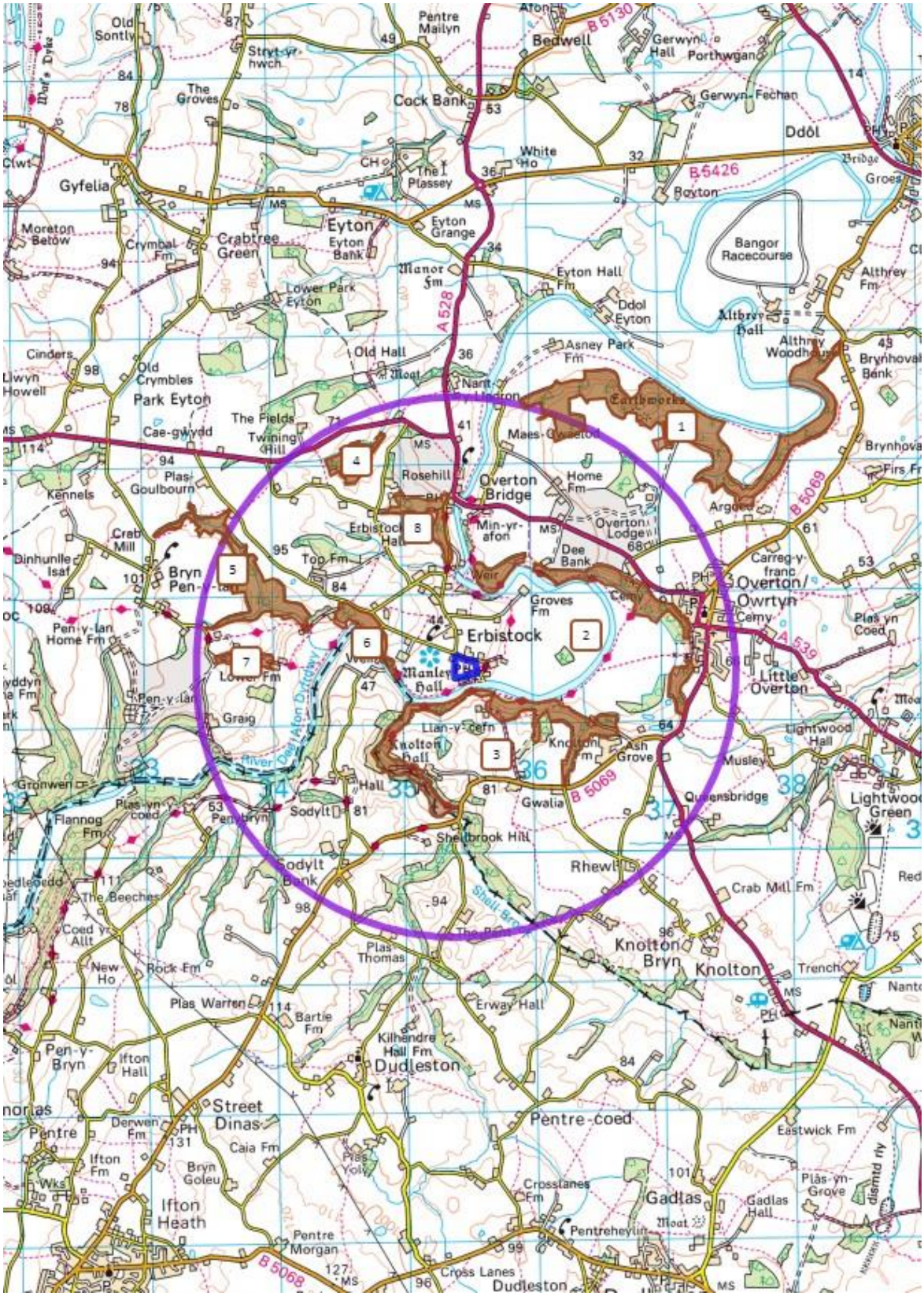
Non-Statutory Wildlife Sites

3.5 There are eight non-statutory locally designated wildlife sites within 2km of the site (within Wales). These are summarised in Table 4 below.

Table 4: Non-statutory local wildlife sites within 2km of the site

Site Name	Designation	Location Relevant to Site	Reason for Designation
Dee Banks Wood - 1	LWS	Approx 1.8km north	A long stretch of woodland on the banks of the River Dee floodplain. Large amounts of it is conifer plantation but there are patches of semi-natural woodland interspersed throughout, the best being at the eastern end. There is also a poplar plantation on the floodplain and a native deciduous plantation. Possibly a dormouse site.
Morris, Helt Wood and Neile's Wood - 2	LWS	Approx 550m north	Broad-leaved Woodland
Llan Y Cefn - 3	LWS	Approx 100m south	N/A
Drury's Plantation - 4	LWS	Approx 1.55km northwest	One of only two ash/wych elm woodlands in North Wales.
Nanterral Wood - 5	LWS	Approx 1.2km west	A large ancient semi-natural woodland on the valley sides of the Nanterral brook.
Manely Wood - 6	LWS	Approx 450m west	Ash woodland alongside the Dee.
Lower Farm Wood - 7	LWS	Approx 1.4km west	Woodland on either side of a brook and track with a mainly ash and sycamore canopy.
Palla Wood - 8	LWS	Approx 730m north	A diverse woodland situated along the bank of the River Dee and a small tributary of the Dee.

Figure 4: Non-statutory wildlife sites within 2km of the site (map provided by Cofnod)



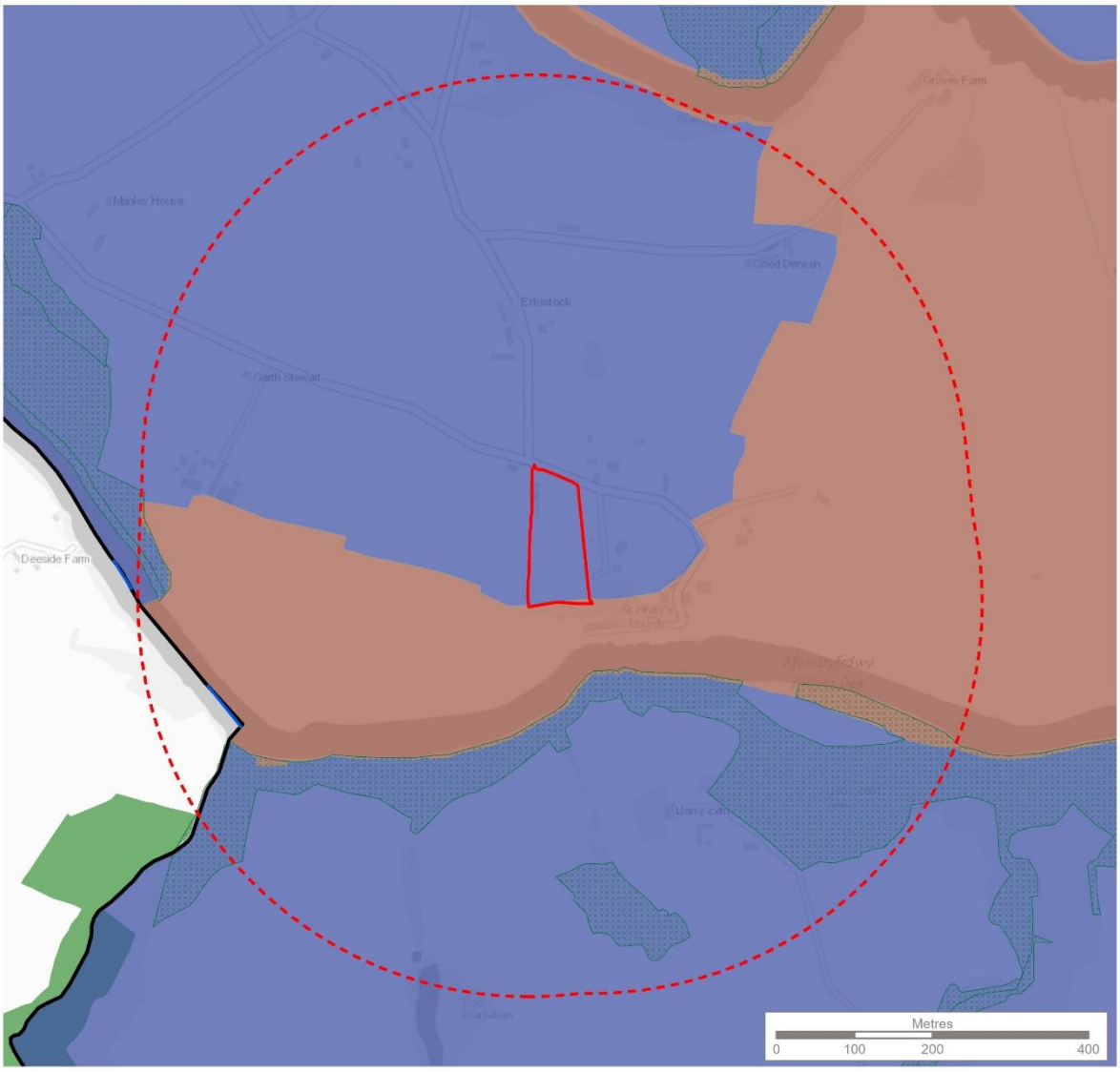
4.0 Notable Habitats

Habitats of Principal Importance (HPI)

4.1 Improved Grassland, Mosaic and Ancient Woodland habitats as identified on Natural Resources Wales priority habitat inventory are present within 500m of the site (Figure 7).

4.2 The wider landscape is rural and comprises mostly arable and grazing pastures with associated hedgerow. The River Dee (main river) is situated approx. 60m to the south, this is bordered on the south by Ancient Woodland. The city of Wrexham is situated approximately 9km north.

Figure 7: Notable habitats within and adjacent to site



Key

- Site boundary
- Site boundary - 500m buffer
- Wales and England Border
- Statutory main rivers (England)
- Ancient Woodland
- Improved Grassland
- Mosaic
- Deciduous woodland

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Title: Notable Habitats Within and Adjacent to the Site

Drawing Number: G10163.005

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5.0 Protected and Notable Species

Pre-existing Species Records

5.1 A total of 200 species records from the past 10 years (2012 – present) were returned for within 2km of the site. These are summarised in Table 6 below.

Table 6: Summary of pre-existing species records returned by

Name of Species	Relevant Legislation / Status	Number of records (if provided)	Distance (Closest to site)
Amphibians			
Common Toad (*Bufo bufo*)	S7, WCA5, UKBAP	2	800m from site
Birds			
Barn Owl (*Tyto alba)*	WCA1, LBAP	1	Within 2km of site
Black-headed Gull (*Chroicocephalus ridibundus*)	S7, BRd	1	Within 2km of site
Coal Tit (*Periparus ater*)	BAm	2	Within 2km of site
Common Sandpiper (*Actitis hypoleucos*)	BAm	2	Within 2km of site
Coot (*Fulica atra*)	BAm	1	Within 2km of site
Dunnock (*Prunella modularis*)	S7, BAm	3	Within 2km of site
Goldcrest (*Regulus regulus*)	BRd	2	Within 2km of site
Goshawk (*Accipiter gentilis*)	WCA1, BAm	1	Within 2km of site
Green Woodpecker (*Picus viridis*)	BAm	2	Within 2km of site
Grey Heron (*Ardea cinerea*)	BAm	3	Within 2km of site
Grey Wagtail (*Motacilla cinerea*)	BAm	4	Within 2km of site
House Martin (*Delichon urbicum*)	BAm	1	Within 2km of site
House Sparrow (*Passer domesticus*)	S7, BAm, UKBAP	2	Within 2km of site
Kestrel (*Falco tinnunculus*)	S7, BRd	3	Within 2km of site
Kingfisher (*Alcedo atthis)*	WCA1	8	Within 2km of site
Marsh Tit (*Poecile palustris*)	S7, BRd, UKBAP	3	Within 2km of site
Meadow Pipit (*Anthus pratensis*)	BRd	1	Within 2km of site
Mistle Thrush (*Turdus viscivorus*)	BAm	1	Within 2km of site
Osprey (*Pandion haliaetus*)	WCA1, BAm	1	Within 2km of site
Red Kite (*Milvus milvus*)	WCA1	3	Within 2km of site
Redwing (*Turdus iliacus*)	WCA1	1	Within 2km of site
Rook (*Corvus frugilegus*)	BRd	1	Within 2km of site
Starling (*Sturnus vulgaris*)	S7, BAm, UKBAP, LBAP	1	Within 2km of site
Swift (*Apus apus*)	BRd	1	Within 2km of site

Name of Species	Relevant Legislation / Status	Number of records (if provided)	Distance (Closest to site)
Terrestrial Mammals			
American Mink (*Neovison vison*)	WCA9	1	1.34km from site
Bats (*Chiroptera*)	EPS, S7, WCA5, LBAP, UKBAP	1	Within 2km of site
Brown Hare (*Lepus europaeus*)	S7, UKBAP	1	1.4km from site
[redacted]	[redacted]	[redacted]	[redacted]
European Hedgehog (*Erinaceus europaeus*)	S7, UKBAP	4	979m from site
Otter (*Lutra lutra*)	EPS, S7, WCA5, LBAP, UKBAP	6	65m from site
Soprano Pipistrelle (*Pipistrellus pygmaeus*)	EPS, S7, WCA5, UKBAP	1	Within 2km of site
Flowering Plants			
Bluebell (*Hyacinthoides non-scripta*)	WCA8	8	9m from site
Himalayan Balsam (*Impatiens glandulifera*)	WCA9	48	9m from site
Japanese Knotweed (*Fallopia japonica*)	WCA9	55	9m from site
Montbretia (*Crocosmia pottsii x aurea = C. x crocosmiiflora*)	WCA9	1	909m from site
Rhododendron (*Rhododendron ponticum*)	WCA9	4	837m from site
Variegated Yellow Archangel (Lamiastrum galeobdolon subsp. argentatum)	WCA9	3	9m from site
Wall Cotoneaster (*Cotoneaster horizontalis)*	WCA9	2	1.7km from site
Invertebrates			
Pale Eggar (*Trichiura crataegi*)	S7, UKBAP	1	Within 2km of site
Fish			
Brown/Sea Trout (*Salmo trutta*)	S7, UKBAP	1	1.1km from site
European Eel (*Anguilla Anguilla*)	S7, UKBAP	1	1.1km from site
Sea Lamprey (*Petromyzon marinus*)	S7, UKBAP	1	813m from site

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