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OUTLINE APPLICATION FOR ERECTION OF 1,520 DWELLINGS (APPEARANCE, LANDSCAPING, PLOT AND SCALE WITHHELD) PROVISION OF LAND FOR A PRIMARY SCHOOL AND WASTE WATER TREATMENT SITE (APPLICATION REF. P/2023/0593)

Consideration of the Updated National Planning Policy for Chapter 6 of Planning Policy Wales – Distinctive and Natural Places – the Stepwise approach

Introduction

On 11th October 2023 the Welsh Government (WG) Minister for Climate Change Julie James wrote to the heads of the planning authorities in Wales informing them of a finalised policy for Chapter 6 'Distinctive and Natural Places' for inclusion in the next iteration of Planning Policy Wales (PPW) (version 12) programmed for later this year. This updated policy for chapter 6 has been published with immediate effect.

PPW sets out the land use planning policies of the WG and the primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty.

Wrexham County Borough Council (WCBC) as the determining planning authority for the application have requested that the recent changes to PPW 11 are considered by the applicant and a response to the 'Stepwise' approach provided. This is set out below.

Net Benefit for Biodiversity and the Step-wise Approach

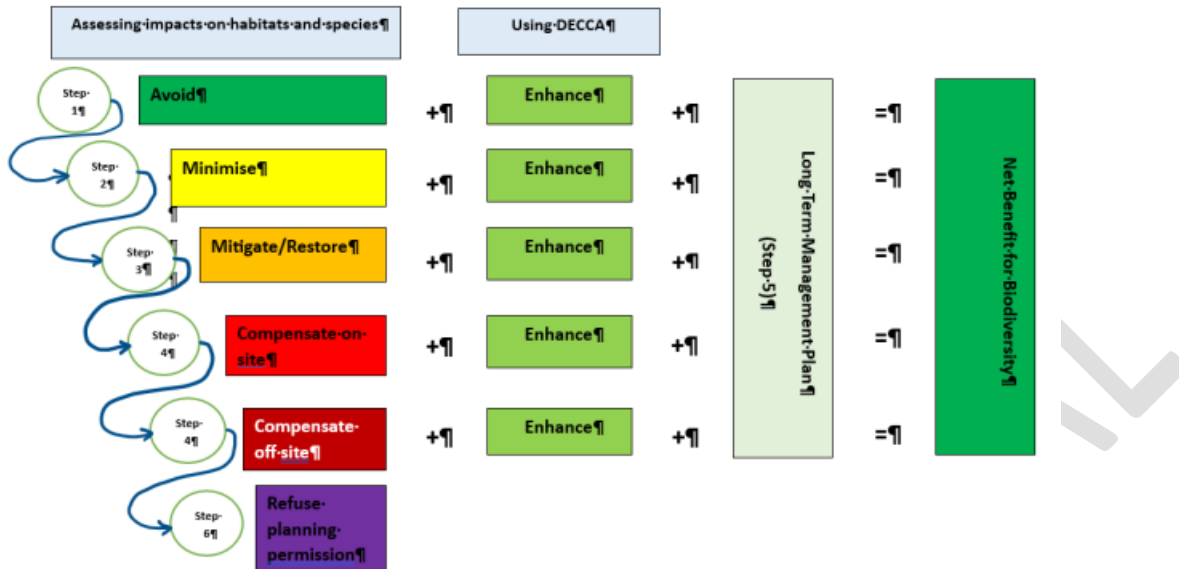
The updated PPW (para 6.4.21) advises that planning authorities must follow a step- wise approach to maintain and enhance biodiversity, build resilient ecological networks and deliver net benefits for biodiversity by ensuring that any adverse environmental effects are firstly avoided, then minimized, mitigated, and as a last resort compensated for. Enhancement must be secured by delivering a biodiversity benefit primarily on site or immediately adjacent to the site, over and above that required to mitigate or compensate for any negative impact.

The updated PPW expands on the approach to decision-making with regards to development and nature conservation previously set out in Technical Advice Note 5: Nature Conservation and Planning (2009). This set out a five-point approach - information, avoidance, mitigation, compensation and new benefits.

The updated PPW 11 also advises that where sites are already allocated in an adopted development plan it may not be possible to follow the step-wise approach in a sequential way and where sites have progressed to a degree that it may not be possible to de-allocate them, then effects should be minimised and potential mitigation, and as a last resort, compensation identified and be capable of being secured.

The step-wise approach is summarised in the graphic below, extracted from PPW 11

Figure 1X: Summary of the Step-Wise Approach



The Step-Wise Approach

The Wrexham Local Development Plan (LDP) was adopted on the 20th December 2023. In this the majority of the site is allocated for housing under policies SP1 (Housing Provision), SP2 (Location of New Development), SP4 (KSS1 Lower Berse Farm) and H1 (Housing Allocations). A section to the south of the site is allocated under policy SP6 Green Wedge (viii; Wrexham, Bersham and Rhostyllen). These are therefore a consideration in the step-wise approach on this site.

Understanding the wider ecological context – the information stage of the step-wise approach

The State of Natural Resources Report (SoNaRR) and the Natural Resources Wales (NRW) Area Statement provide contextual information about the pressures on nature in the area of the application and the priorities for improving the resilience of local ecosystems.

The NRW Area Statement for North East Wales has five themes:

- Climate emergency: resilience and adaptation
- Develop and improve urban/rural green infrastructure
- Increasing woodland cover for social, environmental and economic benefits
- Promoting the resilience of ecosystems in maintaining and enhancing biodiversity
- Protecting water and soil through farming and sustainable land management

The proposed development has the potential to deliver on these themes and thereby assist in the delivery of Sustainable Management of Natural Resources (SMNR) in Wales.

Pre-application surveys – the “information” stage of the step-wise approach.

Ecological surveys of the site were undertaken in 2013, 2014, 2021 and 2022, to understand the baseline biodiversity conditions of the site. The results of these surveys informed the:

- design and layout of built aspects of the development, with parameters plans defining the areas that will be unbuilt;

- approach to habitat creation in the proposed open spaces; and,
- mitigation and compensation plans for protected and priority species and habitats found on or adjoining the site.

In brief, the application site is in agricultural use with a mix of arable and grazing fields with an extensive network of hedges. Habitats largely consist of arable farmland, improved and species-poor semi-improved grassland with smaller additional areas of amenity grassland, semi-improved neutral grassland, standing water and ditches/brooks. A green lane/bridlepath intersects the site from east to west with raised hedgerows and several mature trees present throughout. A strip of semi-natural broadleaved woodland is present which is identified as ancient woodland to the southwest of the site. Additional areas of semi-natural broad-leaved woodland are present to the north-west and south-west of the site.

Habitats within the site that are considered to be habitats of principal importance under Section 7 of the Environment (Wales) Act 2016 (S7) include native hedgerows and semi-natural broad-leaved woodland including the parcel of ancient woodland to the south-west of the site.

In terms of the key factors underpinning ecological resilience, the site has relatively limited diversity of habitat and is not currently managed pro-actively for nature. The site is currently relatively nature-depleted due to its history of agricultural use and is isolated as a result of the landscape fragmentation which has occurred with the construction of the A525 Ruthin Road to the north, B5099 Bersham Road to the south, A483 to the west and residential development to the east.

Connectivity in the immediate area is restricted by main roads and residential development, with adjoining habitats limited to small stretches of hedgerows to the east and a cluster of trees/tree line to the south. These would not be affected by the scheme and the proposed development would provide buffering and landscape connectivity to them.

The below sections on nature conservation designated sites, habitats and species consider the stepwise approach adopted with regards to the development.

Designated Sites and Habitats - baseline, avoidance, mitigation and compensation steps

There are no statutory or non-statutory nature conservation sites within or adjacent to the site and therefore direct impacts on designated sites have been avoided.

Internationally and Nationally Designated Sites

Indirect impacts on international and nationally designated sites from public recreational pressure is considered unlikely given the distance from the site and existing management/facilities in place.

The proposed development is unlikely to have a significant effect on the River Dee and Bala Lake SAC. The drainage strategy during construction and operation of the proposed development will also include a foul drainage and nutrient reduction strategy to mitigate for the potential phosphate contamination within the site.

Locally Designated Sites

No statutory locally designated sites are situated within 2km of the site, however, there are ten non-statutory designated sites within 2km. Of these three Local Wildlife Sites (LWS) are situated within 0.5km though separated by main roads and residential developments. The LWSs include formal footpaths and tracks to direct public access and prevent deterioration of habitats due to footfall pressure.

Green space will also be incorporated within the proposed development for recreation within the site and public recreational pressure associated with the proposed development is therefore unlikely to affect the integrity of the LWSs. Given the distance from the site no indirect effects on the LWSs such as noise or dust pollution are also anticipated as a result of the proposed development.

Habitats and flora – baseline, avoidance, mitigation and compensation steps

The site largely comprises arable land as well as improved and semi-improved grassland with trees. Woodland (S7), native hedgerows (S7), trees, a pond and ditches/brooks are the main ecological features. As the application seeks outline planning permission for a residential development with a primary school and potentially a waste water treatment works, matters of appearance, landscaping, layout and scale are reserved for subsequent consideration. Therefore, impacts at this stage of the planning process are made on the basis of Masterplan Framework – Option 1 (Drawing D9730.001F) and Masterplan Framework- Option 2 (Drawing D9730.017).

The grassland is agriculturally improved and therefore of limited ecological value. This is also the case for arable land which is intensively managed for agriculture. Most of the development will be on these habitat types, thereby largely avoiding significant impacts on biodiversity.

S7 habitats of principle importance are present within the site including semi-natural broad-leaved woodland, including the parcel of ancient woodland, and hedgerows. A search of the ancient tree inventory indicates that there are no veteran trees recorded on the site, although trees T24, T28 & T172 have veteran characteristics.

Woodland habitats will largely be retained. No direct loss to the ancient woodland will occur and the ancient woodland will be protected by a 15m buffer on the majority of its boundaries. Most of the hedgerows will also be retained and protected. However, small scale works will be required within woodland and hedgerows to facilitate access roads within the site. The habitats may also be degraded through a lack of management and/or public recreational pressures such as dog fouling, trampling and physical disturbance.

A landscape strategy has been developed to maximise the ecological value of the site, with habitat creation and enhancement measures. In addition, a Landscape and Ecological Management Plan will be developed to ensure that all habitats within the site are maintained in good condition in the long-term. Habitat creation and enhancement includes woodland buffer planting in the south-west of the site, reinforcing the old green lane corridor traversing the centre of the site as well as species diverse grassland, native shrub and tree planting. 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. In addition, areas of diverse grassland seeding are proposed, as well as the creation of a number of swales and the enhancement of the existing onsite pond.

Tree loss will be minimised as far as possible, with the design retaining the majority of existing mature trees along field boundaries and in particular along the old green lane. Where trees are retained, they will be protected by a buffer at least adhering to the required root protection area. Where trees require removal, replacement planting will be incorporated within the site to offset any tree loss.

Bluebells were identified within the ancient woodland and along several of the hedgerows in the site. Where hedgerows are impacted by new access routes the impacts will be mitigated through the implementation of measures set out in a Bluebell Mitigation Method Statement. This will include a pre-commencement survey to identify the extent of bluebells to be lost, the identification of suitable receptor sites in areas of retained woodland with limited ground flora cover and a native bluebell translocation exercise.

Invasive non-native species rhododendron and variegated yellow archangel (both listed on Schedule 9 of the WCA) were recorded in several locations within the site. Appropriate biosecurity measures will be employed to prevent their spread during construction in accordance with current guidelines.

will also be strengthened through the enhancement of the pond within the site as well as the creation of a number of swales/attenuation basins.

A sensitive lighting scheme will be implemented to avoid any indirect impacts from external lighting on foraging and commuting bats.

Birds

A moderate species diversity (37 bird species) was recorded during the breeding bird surveys within the site and 100m site buffer, with the majority of species recorded being commonplace and widespread. Two bird species were confirmed to be breeding on the site and a further 20 species were noted as probable breeding.

Where vegetation would need to be removed to provide for site accesses and internal roads there is potential to reduce the availability of nesting and foraging habitat. This can be compensated for through the creation and enhancement of woodland, shrub, hedgerow and diverse grassland planting which could be utilised by breeding birds. In addition, a number of bird boxes will be installed on retained trees prior to the vegetation removal.

To avoid impacts on nesting birds vegetation clearance should be undertaken outside the bird nesting season (March to August inclusive). If this period cannot be avoided, a nesting bird check will be required immediately prior to vegetation clearance works.

The creation of new habitats including landscaping and residential gardens and the installation of nest boxes will replace suitable nesting habitat, and providing sheltering and foraging habitat. In addition, a sensitive lighting scheme will be adopted to mitigate lighting disturbance.

Invertebrates

The majority of the site is intensively farmed, including crops likely subject to pesticide use, and has only limited field margin habitat diversity. Therefore, the site is only considered to support widespread and common invertebrate species.

As such no specific mitigation measures are included for this species group but the retention and enhancement of terrestrial habitats including woodland, grassland, shrubs and hedgerows will enhance the refuge and foraging resources for invertebrates.

Reptiles

Habitats within the site are considered to be sub-optimal for reptiles due to the agricultural nature, poor floristic diversity and homogenous vegetative structure. In addition, connectivity around the site is limited due to the presence of kerbed main roads and residential development.

To avoid impacts on reptile species, should they be present, during site clearance, works will be undertaken in accordance with a PWMMS. Habitat enhancement within the site will also benefit reptile species through tree, shrub and diverse grassland planting as well as swale creation and pond enhancement.

Other notable mammals

The habitats on site are considered to be suitable for hedgehogs and polecat (both S7 species). There is the potential for killing or injury of these mammal species during construction, however, works will be carried out under a PWMMS to minimise and control this risk. Whilst some vegetation removal will be required within suitable habitats such as hedgerows and woodland, this will be mitigated for within the Masterplan. This will be through the creation of woodland buffer, hedgerow, tree, shrub and diverse grassland planting as well as strengthening up connectivity through the site including the old green lane

which could benefit these small mammal species. Creating safer corridors and refuge habitat will also minimise road use and as a result reduce injury or death events.

Enhancement – the “Net Benefit” stage of the step-wise approach

Measures to provide net biodiversity benefit such as the use of native species and inclusion of new woodland buffer planting and species diverse grassland are included as part of the Masterplan Framework. Details about these can be finalised as part of a landscaping scheme within the detailed layout and landscape plan at the reserved matters stage.

Enhancement for roosting bats and nesting birds can be delivered within the new development through the provision of bat and bird boxes. The existing pond and watercourses within the site will also be enhanced, which will benefit a range of species including amphibians.

The Masterplan Framework also shows new swales/attenuation ponds within the site as part of the SuDS. Approval of these will be secured from WCBC as the Sustainable Drainage Systems Approval Body before development commences on site. As noted above, although landscaping and SUDS are matters for detailed design and approval, it is certain that the matrix of habitats will increase the foraging and shelter value for a range of species including amphibians and bats compared to the baseline.

An Invasive Non-native Species Management Plan will be implemented to ensure appropriate removal and management of rhododendron and variegated yellow archangel.

Measures to deliver the net benefit to biodiversity will be secured through a long term management and maintenance plan for the site (included within the s106 designation), and the contents and scope of which will be secured through planning condition.

Ecosystem Resilience and the DECCA framework

The updated PPW recognises that where sites are already allocated in an adopted development plan it may not be possible to follow the step-wise approach in a sequential way, because certain progress towards fulfilling the allocations may have been made.

The scheme design has sought to work creatively with nature and decisions on design, siting, scale density and other key considerations have been informed by biodiversity and ecosystem resilience considerations.

In delivering net biodiversity benefits for the site, the resilience of ecosystems through the DECCA framework, using the following attributes, has been considered and adopted where possible:

- Diversity attribute - negative impacts on biodiversity will be avoided and biodiversity assets can be maintained and enhanced;
- Extent attribute - the extent of S7 habitats and other features will be maintained and expanded;
- Condition attribute - the condition of habitats will be enhanced through long term management, including the control of invasive species;
- Connectivity attribute - connectivity through the site will be maintained and enhanced through habitat retention and enhancement; and
- Adaptation - a network of semi-natural features, green spaces and green corridors are incorporated to ensure that biodiversity's ability to adapt to, resist and recover from pressures is enhanced.

Soils and Water

No peat is recorded on the site. A significant proportion of the site has been assessed as Best and Most Versatile (BMV) agricultural land and used for intensive agricultural production. There are opportunities to retain and manage the soil resource in the areas of public open space. Best practice measures for soil handling during the construction process can be incorporated in a Construction Method Statement. Any ground contamination will be addressed through phased site investigation and a scheme of remediation, where required.

The existing watercourses, comprising ditches/brooks, within the site are of poor quality with limited associated bankside habitat and form more of a drainage feature within the site rather than valuable habitat. Of these watercourses the central ditch will require culverting in three locations to facilitate creation of access roads within the proposed development. The effects of construction will be minimised by preventing runoff and works pollution from entering watercourses. Retained sections of the watercourses will be enhanced for the benefit for wildlife.

The development can be appropriately drained through SuDS, ensuring the development will not increase the risk of flooding elsewhere. The indicative drainage strategy for the site demonstrates that a combination of swales, permeable surfacing, property soakaways and attenuation ponds could be utilised to provide sufficient surface water attenuation and drainage across the site. Foul water discharge will be managed either through a newly created wastewater treatment works within the site or through a public sewer to the DCWW Five Fords waste water treatment works. These measures will have a positive benefit in both reducing diffuse pollution and as part of securing a net benefit for biodiversity and improving the attributes of ecosystem resilience.

Green Infrastructure

PPW 6.0.3 notes that Distinctive and Natural Places should maintain or incorporate GI as key components of the natural environment and built fabric.

PPW 6.2.1 notes the components of GI that may be present at local or smaller scales (the scales of GI applicable to development proposals, rather than landscape-scale GI). The site currently has fields, hedges and mature trees. The linear components are not particularly well connected, albeit not fragmented. They are not currently in multi-functional management.

LDP Policy SP19; Green infrastructure notes that development will be required to maintain or enhance the extent, quality and connectivity of the County Borough's multi-functional green infrastructure network on or near a site. In addition, where appropriate it should be enhanced creating new interconnected areas of green infrastructure between the proposed site and existing network, improving existing network connectivity, protecting the most valuable assets for nature and people as well as providing mitigation and compensation for lost assets.

Green infrastructure (GI) principals have been integrated into the design strategy, with consideration to the retention, protection and enhancement of existing landscape features, in particular hedgerows, trees and the old green lane. The old green lane will form a strategic green corridor from the east to the west of the site.

The proposed scheme would create several GI components not currently in place, notably species diverse grasslands, a SuDS and would increase the cover of trees, hedges and shrubs. In addition, the old green lane would be strengthened through reinforced planting creating a strategic corridor through the centre of the site. Public open space will be maintained to the south of the site in line with LDP Policy 6; Green Wedge, as well as smaller areas in the north and west to provide a break in the built infrastructure. Strategic greenways including footpaths and cycleways will also be incorporated around proposed development parcels in the north and south of the site.

The GI components would be linked better within a GI framework for the site. The site's open spaces would serve a wider range of GI functions than currently, with access to nature, play, active travel, carbon sequestration, water treatment, conservation and interpretation of heritage all being enhanced functions.

The developer does not propose external accreditation of the scheme's GI using the Building with Nature standard. However, the approval of the detailed landscape and SuDS schemes at later stages of the planning process will provide the Local Authority with control over the extent, diversity and condition of the proposed GI.

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Figure 2: Phase 1 Habitat Survey Plan

