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PPW Edition 12 – Maintaining and Enhancing Biodiversity

Matters relating to maintaining and enhancing biodiversity are contained within Section 6 of PPW 12. Primarily within Paragraphs 6.4.9 – 6.4.17.

Paragraph 6.4.11 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. This Paragraph goes on to state that 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.”

Paragraph 6.4.12 elaborates upon the stepwise approach and advises that evidence should be provided (within a Green Infrastructure Statement) to demonstrate that the step-wise approach has been followed and that a scheme of enhancements should be provided to ensure a net benefit for biodiversity. The paragraph goes on to state that biodiversity enhancement should be provided proportionate to the scale and nature of the development and that enhancement measures could include on-site, locally relevant, habitat creation and/or could be part of the development itself favouring the use of native species using biodiverse nature-based solutions such as SuDS, green roofs, grassland management for wildflowers or reptile refugia, woodland expansion, and wetland creation.

Paragraph 6.4.13 advises that improving ecosystem resilience, particularly improving connectivity to the immediate surroundings (in line with the DECCA Framework) would be a key contribution to on-site avoidance, minimisation, and mitigation strategies and enhancement and that applicants should demonstrate how a development would improve the attributes of resilience as far as this is reasonably practical.

Paragraph 6.4.14 states that planning authorities can ensure biodiversity enhancement is undertaken at each stage of the step-wise approach below through attaching planning conditions and/or other obligations to a planning permission and that planning authorities should take care to ensure that any conditions are relevant to planning and the development to be permitted, and are enforceable, precise, and reasonable in all other respects.

Notwithstanding the above, Paragraph 6.4.17 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, because certain progress towards fulfilling the allocations may have been made.

Assessment of scheme against PPW 12, The Stepwise Approach and DECCA Framework

Paragraph 6.4.17 and the Wrexham LDP



**INVESTORS
IN PEOPLE** | Gold

As outlined within paragraph 6.4.17 certain elements of the stepwise approach may not be applicable in instances whereby sites are allocated within a local plan. As such, in order to assess accordance with PPW 12, a thorough consideration of Local Plan Policy relating to the application site is necessary.

The Wrexham LDP was adopted by the Council on 20/12/23 and covers the period 2013 to 2028. It forms part of the statutory development plan alongside Future Wales: The National Plan 2040.

The Wrexham LDP allocates the application site within Policy SP10: KSS3: Land to the north of Bryn Lane, Wrexham Industrial Estate. Policy SP10 states:

“Land is allocated to the north of Bryn Lane, Wrexham Industrial Estate as shown on the proposals map to deliver 28ha of employment land for B use class purposes including an ecological network and residential buffer zone along with enabling and necessary infrastructure which will be delivered in a phased manner with specific details tied into planning consents. Necessary Infrastructure:

- *Active Travel;*
- *Public transport;*
- *Provision of vehicular access to and from the site; and*
- *Green Infrastructure.”*

The explanatory text supporting this policy provides justification for the site's allocation. LDP paragraph 3.70 advises that the qualitative evidence provided within the 2015 ELR [paras 10.99-10.100] indicates a growing LDP paragraph 3.71 states that evidence indicates that there is a need to allocate further land at Wrexham Industrial Estate to provide sites which can meet both the needs of existing firms and be marketed to future inward investors.

Furthermore, LDP paragraph 3.71 advises that the allocations need to be sufficiently large to meet the diverse range requirements identified, i.e. provide plots of 2-5 ha for inward investment/large business growth, smaller plots for design and build options and development land for new schemes of office and industrial units. Given such requirements the new allocation equates to 28ha in size, exclusive of ecological mitigation need, in line with the amount of land recommended by the ELR findings.

Step 1

The justification for Policy SP10 recognises that this is a “strategic, greenfield site allocation” and that land north of Bryn Lane is of ecological value (a fact which the applicant also recognises).

Notwithstanding this, the policy justification also recognises that this site “forms a logical extension to the employment area contained between Bryn Lane, Hugmore Lane, and Francis Lane”. Wrexham Industrial Estate is also identified as one of the largest in the UK and is recognised as a nationally important focus for strategic economic growth.

It is on this basis (and based upon evidenced need within the ELR) that the site has been considered appropriate for allocation as an employment site.

This justification for the policy clearly addresses Step 1 of the stepwise approach and demonstrates that it is not possible comply with Step 1 and to avoid any development across the site, whilst implementing Policy SP10.

Step 2

Step 2 requires that applicants, must seek to minimise the initial impact on biodiversity and ecosystems and impacts upon biodiversity resulting from the development of the site, by re-providing ecological land lost through development. LDP Policy SP10 seeks to deliver 28ha of commercial development land across the site.

It is not possible to re-provide this 28ha within another part of the site and even if the land were available to undertake this, it would not be feasible to deliver a scheme and completely re-provide this amount of land for ecological purposes. Furthermore, the way in which the land has been allocated (as

shown within the draft masterplan informing Policy SP10) accepts that a like-for-like re-provision is not appropriate.

As such, it is considered that it is not possible to comply with Step 2 of the stepwise approach, whilst complying with Policy SP10.

Step 3

Step 3 seeks to ensure that any damage to biodiversity and ecosystems is fully mitigated. Step 3 advises that effective mitigation should be incorporated within the proposal wherever possible.

The applicant has sought to realise a 28ha. area of commercial development in line with the ambitions of Policy SP10, despite the fact that it has not been possible to acquire all of the land identified within the policy allocation (a central parcel of land is currently unavailable and as such, does not form part of the application site).

The scheme has been designed in line with Policy SP10 to cater for identified need within Wrexham Industrial Estate. The applicant's own market research has indicated that there is significant market appetite to deliver a number of large units across the site.

As identified within the Council's own Employment Land Review, these larger units provide the unique opportunity to drive significant inward investment into Wrexham through providing units to cater for national and international business occupiers that would not ordinarily be able to consider Wrexham as a viable business location.

The design response for this site has therefore sought to provide maximum flexibility for the delivery of small and medium enterprise buildings or much larger regional distribution centres commensurate with a strategically important employment location such as Wrexham Industrial Estate. This has led to the design of a scheme capable of accommodating a unit of 339,617sq.ft. as well as a unit of 469,323sq.ft. When completed, it is expected that this scheme will deliver between 1,166 and 3,352 gross operational FTE jobs.

The scheme's ability to sit comfortably within the surrounding contextual landscape is delivered by good design and understanding the importance of a sense of place - key to this is the importance of masterplan arrangement, scaling and grain sensitivity and well-considered geometry. The buildings and public spaces are arranged with active frontages along its public roads that address focal points and vistas within the site contributing to the sense of place. The parameters plan set the framework for this to be achieved.

Whilst flexibility is key, the parameters plan sets out the maximum development parameters in terms of use, floor area, height and maximum extent of development / finished floor levels. This establishes a framework within which a range of masterplan options can be accommodated, however the ability to deliver units of genuine scale is limited by the site shape and proximity to other receptors. This, in turn limits the areas that can be utilised for meaningful ecological enhancement.

Notwithstanding this, the scheme has been designed to deliver a range of mitigation and ecological enhancement measures within the site (as shown in the illustrative masterplan and accompanying ecological submission information). This includes a central corridor of ecological enhancement within the application boundary, which adjoins other open land (outside of the applicant's ownership) identified within SP10. This remaining open land is currently used as agricultural fields and whilst it is not within the applicant's gift to enhance the ecological value of this land, the applicant has sought to design a scheme which links in with these open fields to the south to create a strategic "north-south" corridor connecting Bryn Lane with open fields to the north of the application site (in line with the strategic ambition of Policy SP10).

As such, it is considered that based upon the existing scheme design and layout, an appropriate level of on-site mitigation has been provided, which balances the on-site ecology needs of the site against other design considerations (including the creation of a well-designed commercial scheme on a

nationally important employment area, that creates between 1,166 and 3,352 gross operational FTE jobs) and ensures that areas of ecological enhancement are not isolated and are strategically linked into land to the south to create a corridor that supports the ambitions of the DECCA Framework. On this basis, it is considered that the applicant has sought to comply with Step 3 of the stepwise approach as far as is possible, given other site requirements, opportunities and constraints.

Step 4

Step 4 advises that in scenarios where all other steps above have been exhausted, and where modifications, alternative sites, conditions or obligations are not sufficient to secure biodiversity outcomes further on-site/immediately proximate, as a last resort off-site compensation for unavoidable damage must be provided.

Step 4 outlines that measures must take the form of habitat restoration or creation under long-term management and should be identified as part of Green Infrastructure Assessment, in line with the DECCA Framework and that focus should be on maintaining or enhancing the population of specific species within its natural range.

Whilst a good level of on-site mitigation will be achieved within the application boundary, in line with Step 4 of the stepwise approach further off-site compensation is proposed. This compensation comprises...

DIVERSITY

The site will be designed with diversity at its forefront, the inclusion of seven new ponds, five hibernacula's, scrub, and wildflower planting. The onsite compensation will provide a wildlife corridor around the development footprint and through the site. The addition of new ponds retention, enhancement and maintenance of existing ones, which are disappearing. The creation of wildflower glades, with scrub and tree planting. The inclusion of hibernacula and refuge areas. SUDS will be designed with the inclusion of wetland species mixes. This all contributes to stepping stones through the site and offsite.

EXTENT

2.8 ha of offsite land will be provided, which connects to the onsite wildlife corridor.

CONDITION

The onsite and offsite mitigation will be enhanced to a condition favourable for the conservation of great crested newts and maintained in line with the Habitat and Landscape Plan, prioritising great crested newt. Monitoring of habitats throughout the seasons and species yearly will be carried out by qualified ecologist/ land managers.

CONNECTIVITY

Connectivity is provided via stepping stone of suitable habitats throughout the wildlife/green corridor, around the perimeter of the development. The additional wetland corridor through the central areas connects the site north/ south to the wider landscape and to the offsite mitigation area, incorporating SUDS, new wildlife ponds, and existing ponds. The use of amphibian tunnels dropped kerbs and install by-pass kerbs, incorporating amphibians' ladders where required.

ADAPTABILITY]

The HMP will be reviewed yearly against KPIs set to maintain the favourable conservation status of great crested newts. Where issues arise works will be carried out to rectify the issues and changes made where required

The long-term management of all ecological onsite and off-site habitats will be secured through the adoption of a long-term habitat management plan. A draft of this management plan has been submitted and will form the basis of a series of ecological mitigation and enhancement measures which can be

secured through planning conditions and/or other obligations as per guidance provided within PPW 12 at Paragraph 6.4.14.

Our accordance with the stepwise approach can be summarised using the below annotated extract of Figure 12 taken from PPW12:

