

ECOLOGY TECHNICAL NOTE



**THE
ENVIRONMENT
PARTNERSHIP**

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LAND EITHER SIDE OF STANSTY CHAIN ROAD, STANSTY WREXHAM, LL11 4YF

OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT AND DETAILED MEANS OF ACCESS WITH ALL OTHER MATTERS RESERVED (APPLICATION REF. P/2019 /0923)

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

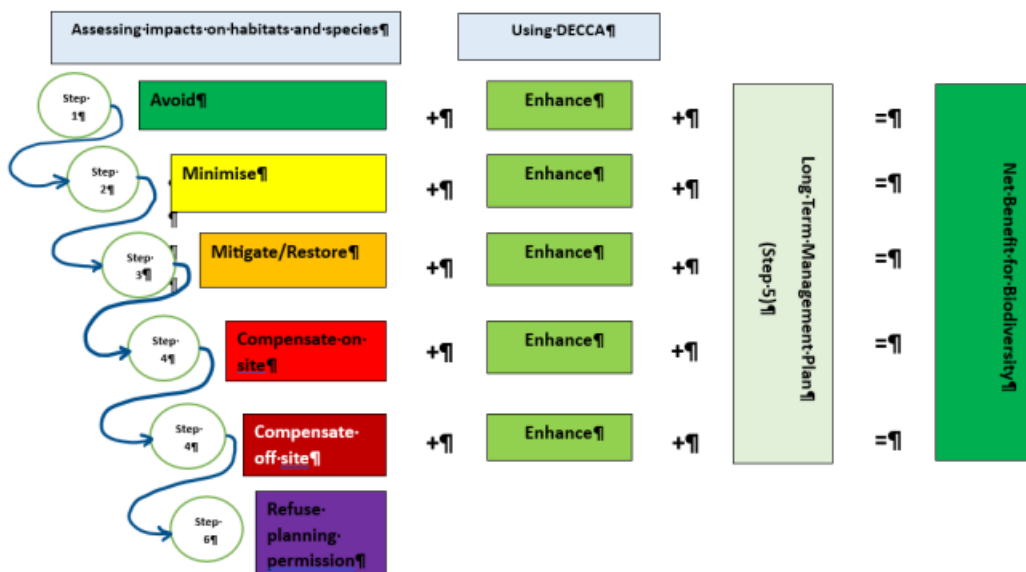
The updated PPW (para 6.4.21) advises that planning authorities must follow a step- wise approach to maintain and enhance biodiversity, build resilient ecological networks and deliver net benefits for biodiversity by ensuring that any adverse environmental effects are firstly avoided, then minimized, 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

Although the draft Local Development Plan has not been formally adopted by WCBC, Draft LDP policy H1 allocates the site for housing and the draft LDP has been subject to Examination in Public and found to be sound by the Inspectors. This is 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 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 2017 and 2021 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
- mitigation and compensation plans for protected and priority species and habitats found on or adjoining the site.

Updated ecological surveys have been undertaken in 2023 and results shared with the Council. These surveys confirm no significant changes to the baseline and therefore the ecological approach to scheme design has not required a review.

In brief, the application site comprises improved grassland, with hedges and some mature trees. In terms of the key factors underpinning ecological resilience, the site is continuously vegetated and not internally fragmented, but has relatively little 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 the landscape fragmentation that has occurred with the construction of the A483. The only S7 habitats currently present are the hedges, of which those which are species rich or contain mature trees are the most valuable.

Adjoining habitats and wildlife corridors are the linear woodland and scrub belts alongside the A483 and the railway line. 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 - avoidance

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. The proposed development is unlikely to have a significant effect on the River Dee and Bala Lake SAC as foul water from the site would drain to Five Fords Waste Water Treatment Works (WWTW). The Environmental Permit for the WWTW has recently been reviewed and Welsh Water has confirmed that the WWTWs has the capacity to accommodate the additional wastewater in compliance with the revised Permit limits.

The scheme has no effect on ancient woodland or veteran trees.

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

The site comprises improved grassland with mature trees, native hedgerows (Section 7 habitats) and ditches being the main ecological features. As the application seeks outline planning permission for a residential development (with approval of access also sought) 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 an Indicative Masterplan (Tetrattech Drawing A106224-001-2 Rev V).

The grassland is agriculturally improved and therefore of limited ecological value. Most of the development will be on this habitat type, thereby avoiding significant impacts on biodiversity. The Indicative Masterplan shows the mature trees and the majority of hedgerows are being retained within the site, which will maintain connectivity. Whilst some hedgerow would need to be removed to provide for site accesses and internal roads, replacement planting could take place within open space areas to ensure no net loss and potentially net gain of hedgerow. Protection measures for trees and hedgerows would be implemented through an Arboriculture Method Statement/Tree Protection Plan when development works take place.

Bluebells were identified along the northern boundary of the site. This area could be incorporated into areas of open space, or relocated within the site, to ensure their protection. Invasive Japanese knotweed and variegated yellow archangel are present within the site. The control of these species can be secured as a part of a Conservation Management Plan and this will improve the condition of ecosystems in the site.

Fauna species – baseline, avoidance, mitigation and compensation steps

Amphibians

Terrestrial habitat associated with the site falls within the distant ranging distance for great crested newt (GCN) which are known to be present in the wider locality. However, there is no suitable breeding habitat on site and the terrestrial habitat currently on site is poor quality for great crested newts and other common amphibians. There are limited opportunities for foraging, refuge and hibernation. Reasonable Avoidance Measures (RAMs) can be implemented to ensure that, in the unlikely event of amphibians being present, they are not harmed by the works. There is scope within the Indicative Masterplan to enhance the terrestrial habitat for amphibians through hedgerow and scrub planting.

The requirement to provide a SuDS scheme with open swales and attenuation ponds will substantially increase the extent of open water habitats and many of these will be located near areas of hedgerow or structural woodland. Whilst detailed design of the SuDS and landscape scheme will be considered at reserved matters stages, it is clear even at this stage that the amount of habitat suitable for amphibian shelter and foraging will compensate for losses of grassland and increase habitat value substantially.

Bats

There are several trees on site which have features that could support roosting bats. Almost all will be retained and protected. The boundary hedgerows were identified as important commuting and foraging habitats for bats. The majority of the hedgerows will be retained within the development proposals, and any loss compensated for within the site. The requirement to provide a SuDS scheme with open swales and attenuation ponds will substantially increase the extent of open water habitats and many of these will be located near areas of hedgerow or structural woodland. Whilst detailed design of the SuDS and landscape scheme will be considered at reserved matters stages, it is clear even at this stage that the matrix of habitats will increase the number of flying insects compared to the baseline; thus compensating for loss of improved grassland. A sensitive lighting scheme can be implemented under a planning condition to avoid any indirect impacts from external lighting on foraging and commuting bats.

At reserved matters stages, the Council would seek updated bat surveys of trees within the development phase and if bat roosts or trees of significant bat roost potential are found, the layout and open space of the scheme can be adjusted to ensure retention of the tree, or as a last resort, a compensatory scheme for loss of roost or roost potential.

Birds

A low species diversity (27 bird species) was recorded during the 2023 breeding bird surveys within the site and site buffer, with the majority of species recorded being commonplace and widespread. The majority of bird species recorded were associated with nesting in trees, hedgerow and scrub, with the majority of birds noted recorded within the hedges along the site boundaries and the scattered broad-leaved trees. No ground nesting birds of open farmland were recorded on site.

As previously stated, the mature trees and the majority of hedgerows are being retained within the site. Where hedgerow 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 though this can be compensated by replacement planting.

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 a maximum of 24 hours in advance of vegetation clearance works.

Reptiles

A total of two reptiles, common lizards, were found during the surveys in the north of the site during the 2023 surveys. This, coupled with the presence of suitable habitats on site, the presence of pre-existing records of reptiles within 2 km of site, and good terrestrial connectivity between the site and other suitable reptile habitat in the wider area suggests there is potential for direct impacts to occur to reptiles on site during future development works.

To avoid impacts on reptile species during site clearance works will be undertaken in accordance with a scheme of RAMs. Habitat enhancement can be undertaken within the site for the benefit of reptiles. This could include the creation of refugia and the retention of creation of a mosaic of habitats that reptiles may use for basking, sheltering, foraging and commuting such as rough grassland, scrub, waterbodies and bare ground. Connectivity with suitable habitats within the wider area such as the hedgerows and the scrubby margins of the railway line on the eastern boundary can also be maintained.

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 wildflower meadows, particularly in the southern area of the site as part of a landscaping scheme can be included in the detailed layout and landscaping 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 Indicative Masterplan also shows new water bodies/features within the site as part of the Sustainable Urban Drainage System (SUDS). Approval of these will be secured from WCBC as Sustainable Drainage Systems Approval Body (SAB) 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 amphibians and bats compared to the baseline.

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 obligation), and the contents and scope of which will be secured through planning condition.

Ecosystem Resilience and the DECCA framework

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:

- 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. 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.

The development can be appropriately drained through Sustainable Urban Drainage Systems (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 paving, house soakaways, tree pits and infiltration basins could be utilised to provide sufficient surface water attenuation and drainage across the site. This 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.

The proposed scheme would create several GI components not currently in place, notably species-rich grasslands, a SUDS and would increase the cover of trees and hedges. 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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