



Great Crested Newt Mitigation Plan

Village Bakery Ltd, Coed Aben Road, Wrexham Industrial Estate, Wrexham LL13 9UH

Chris Jones

Status	Issue	Name	Date
Draft	1	Nicole Gullan BSc (Hons) AMRSB, Consultant	04/02/2023
Draft – client review	2	Nicole Gullan BSc (Hons) AMRSB, Consultant	06/02/2023
Draft	3	Nicole Gullan BSc (Hons) AMRSB, Consultant	10/02/2023
Updated	4	Nicole Gullan BSc (Hons) AMRSB, Consultant	12/02/2023

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Industry Guidelines and Standards

This report has been written with due consideration to:

- Chartered Institute of Ecology and Environmental Management (2017). Guidelines for Preliminary Ecological Appraisal. 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2018). Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Version 1.1. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2017). Guidelines on Ecological Report Writing. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2020). Guidelines for Accessing, Using and Sharing Biodiversity Data in the UK. 2nd Edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- British Standard 42020 (2013). Biodiversity – Code of Practice for Planning and Development.
- British Standard 8683:2021 (2021). Process for Designing and Implementing Biodiversity Net Gain.

Proportionality

The work involved in preparing and implementing all ecological surveys, impact assessments and measures for avoidance, mitigation, compensation and enhancement should be proportionate to the predicted degree of risk to biodiversity and to the nature and scale of the proposed development. Consequently, the decision-maker should only request supporting information and conservation measures that are relevant, necessary and material to the application in question. Similarly, the decision-maker and their consultees should ensure that any comments and advice made over an application are also proportionate.

This approach is enshrined in Government planning guidance, for example, paragraph 174 of the National Planning Policy Framework for England.

The desk studies and field surveys undertaken to provide a Preliminary Ecological Appraisal (PEA) might in some cases be all that is necessary.

(BS 42020, 2013)

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1.0 Introduction and Context

1.1 Background

Arbtech Consulting Limited was instructed by Chris Jones to produce a Great Crested Newt (GCN) Mitigation Plan for Village Bakery Ltd, Coed Aben Road, Wrexham Industrial Estate, Wrexham LL13 9UH (hereafter referred to as “the site”).

The plan was required to discharge a planning condition relating to application number P/2021/1189 with Wrexham Council, specifically condition 3, which reads as follows: *“Development shall not commence until a scheme of Reasonable Avoidance Measures (RAMs) for Great Crested Newts has been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter take place in strict accordance with the approved RAMs scheme.”*

Plans of the proposed development are provided in Appendix 1.

The aim of this plan is to outline mitigation measures required to minimise impacts on great crested newts (GCN) as a result of the development.

This plan has been informed by a Preliminary Ecological Appraisal (“PEA”; Indigo Surveys Ltd, November 2021).

1.2 Site Context

The site is located at National Grid Reference SJ 37600 49815 and has an area of approximately 0.1ha. The site consists of an industrial unit (The Village Bakery), with associated car parks and goods yard. The development area consists of the southern half of the site.

Currently, the site consists almost entirely of buildings and hard standing, with the only natural habitat being a narrow strip of closely-mown amenity grassland along the southern boundary, where the site borders Coed-Aben Road. The amenity grassland is illustrated in Figure 1 overleaf.

To the north, the site borders Erlas Black Wood, an area of ancient broadleaved woodland which has at least three ponds created in 2017 by The Village Bakery to provide breeding value for GCN, as part of the Wrexham Industrial Estate Living Landscape Project.

A site location plan is provided in Appendix 2.

1.3 Survey Information

There are no aquatic habitats and no terrestrial habitats on site that would be suitable for GCN.

The PEA (Indigo Surveys Ltd, November 2021) does not report any desk study results. An independent search of the MAGIC database confirmed that two ponds exist in an area of woodland to the north-east of the site, with the closest being ~140m east of the site boundary. There are also at least three ponds within Erlas Black Wood, which borders the site to the west (based on author’s own knowledge of the area); these ponds were specifically designed in 2017 to provide breeding and habitat value for GCN.

A map showing the development area, the existing habitats on site, and the approximate locations of the ponds and woodland within the area of influence of the development is provided in Appendix 3.



Figure 1: Close-sward amenity grassland at the southern boundary of the site. This is the only natural habitat that exists within the development area; it will provide negligible habitat value for GCN, being closely-mown and surrounded by hard standing on all sides. Image source: PEA report (Indigo Surveys Ltd, November 2021)

2.0 Ecological Mitigation, Management and Enhancement Measures

2.1 Informative

The proposed development does not involve any works to the northern half of the site, where it borders Erilas Black Wood. This northern end of the site currently consists entirely of buildings and hard standing, which are to be retained. This area of the site will provide a terrestrial barrier that will deter GCN from accessing the development area from the woodland. This will greatly decrease the risk that any GCN will be disturbed, injured, or killed by the proposed development.

The precautionary measures listed in this plan will further decrease the already very low risk of any harm occurring to GCN as a result of the proposed development.

The responsibility for implementation of these measures during construction falls to the lead contractor.

2.2 Mitigation Measures

Table 1 details the ecological mitigation measures to be implemented at the site.

Table 1 – Mitigation Measures

Works	Specification
Amphibian mitigation	Site clearance will be undertaken outside of the amphibian hibernation season (November to February) insofar as is possible. Night time working will be avoided. Before works commence, a toolbox talk will be given to contractors regarding the possible presence of amphibians, including GCN, at the site. Heras fencing will be erected around the working area to prevent encroachment into retained habitats. The construction zone will be kept clear of rubble piles and stored items to discourage amphibians from moving into the area. Debris and brash will be stored on pallets, in skips, or removed from the site, to prevent amphibians from utilising these areas. During construction, any ditches, holes or trenches must be covered at night, or ramps must be added so that animals do not get trapped. Best practice pollution prevention measures will be implemented to minimise impacts to retained habitats. Any chemicals or pollutants used or created by the development should be stored and disposed of correctly according to COSHH regulations. If any common amphibians are found in the working area these should be moved by hand into the woodland that adjoins the site to the north. In the unlikely event that a GCN is identified, all works must cease and advice must be sought from a suitably qualified ecologist.

2.2 Enhancement and Management Measures

Table 2 details the ecological enhancement and management measures for the site.

Table 2 – Enhancement and Management Measures

Works	Specification
Amphibian habitat enhancements	The possibility of enhancing the developed site for GCN is considered nugatory. There are currently no aquatic habitats and no suitable terrestrial habitats on site for GCN. The northern end of the site, where it borders suitable habitat for GCN (Erlas Black Wood), will be retained, with no development works planned in this area, further reducing any harm to GCN occurring as a result of the proposed works (but also eliminating any opportunity to enhance this part of the site for GCN). This northern area currently consists entirely of buildings and hard standing. There is no scope to provide ponds or other amphibian habitat within the developed southern half of the site. There is also no habitat connectivity between the development area and suitable GCN habitat in the wider area. The applicant owns the land adjacent to the east of the site and has leased this back to North Wales Wildlife Trust to use for ecological mitigation (please refer to the map in Appendix 3). This will enhance the wider landscape for numerous taxa, including amphibians.

3.0 Biodiversity Risk Assessment

The following table detail the species identified as being potential risks to be imported on site during development works, describes potential pathways on to site and details the mitigation measures that will be required to prevent disease transmission.

Table 3: Biodiversity Risk Assessment

Risk identification	Potential pathway onto site	Likelihood of risk	Mitigation
Diseases/pathogens			
<i>Phytophthora ramorum</i>	1) Spread of pathogen via construction machinery and workers.	Moderate – there will be a high number of site visits during construction	1) Disinfect all machinery/equipment/clothing/footwear between visits to any other sites other than the development site itself. 2) All debris/mud/plant fragments to be removed from footwear via scrubbing and rinsing with water, followed by disinfection using bleach or virkon (for machinery and footwear) or fabrics to be washed with a detergent.
<i>Phytophthora alni</i>	1) Spread of pathogen via construction machinery and workers.	Moderate – there will be a high number of site visits during construction	1) Disinfect all machinery/equipment/clothing/footwear between visits to any other sites other than the development site itself. 2) All debris/mud/plant fragments to be removed from footwear via scrubbing and rinsing with water, followed by disinfection using bleach or virkon (for machinery and footwear) or fabrics to be washed with a detergent.
<i>Chytrid</i>	1) Spread of pathogen via construction machinery and workers.	Moderate – there will be a high number of site visits during construction	1) Disinfect all machinery/equipment/clothing/footwear between visits to any other sites other than the development site itself. 2) All debris/mud/plant fragments to be removed from footwear via scrubbing and rinsing with water, followed by disinfection using bleach or virkon (for machinery and footwear) or fabrics to be washed with a detergent.
Species			
<i>Crassula helmsii</i>	1) Spread of species via construction machinery. 2) Importation of contaminated soil.	Low - Species not currently present on or adjacent to site.	1) Disinfect all machinery/equipment/clothing/footwear between visits to any other sites other than the development site itself. 2) All debris/mud/plant fragments to be removed from footwear via scrubbing and rinsing with water, followed by disinfection using bleach or virkon (for machinery and footwear) or fabrics to be washed with a detergent. Ensure contractor know what the species looks like and if any plants are identified on site during development works advice should be sought by a suitability qualified ecologist immediately.
<i>Azolla filiculoides</i>	1) Spread of species via construction machinery.	Low - Species not currently present on or adjacent to site.	1) Disinfect all machinery/equipment/clothing/footwear between visits to any other sites other than the development site itself.

	2) Importation of contaminated soil.		2) All debris/mud/plant fragments to be removed from footwear via scrubbing and rinsing with water, followed by disinfection using bleach or virkon (for machinery and footwear) or fabrics to be washed with a detergent. Ensure contractor know what the species looks like and if any plants are identified on site during development works advice should be sought by a suitability qualified ecologist immediately.
<i>Myriophyllum aquaticum</i>	1) Spread of species via construction machinery. 2) Importation of contaminated soil.	Low - Species not currently present on or adjacent to site.	1) Disinfect all machinery/equipment/clothing/footwear between visits to any other sites other than the development site itself. 2) All debris/mud/plant fragments to be removed from footwear via scrubbing and rinsing with water, followed by disinfection using bleach or virkon (for machinery and footwear) or fabrics to be washed with a detergent. Ensure contractor know what the species looks like and if any plants are identified on site during development works advice should be sought by a suitability qualified ecologist immediately.
<i>Hydrocotyle ranunculoides</i>	1) Spread of species via construction machinery. 2) Importation of contaminated soil.	Low - Species not currently present on or adjacent to site.	1) Disinfect all machinery/equipment/clothing/footwear between visits to any other sites other than the development site itself. 2) All debris/mud/plant fragments to be removed from footwear via scrubbing and rinsing with water, followed by disinfection using bleach or virkon (for machinery and footwear) or fabrics to be washed with a detergent. Ensure contractor know what the species looks like and if any plants are identified on site during development works advice should be sought by a suitability qualified ecologist immediately.
<i>Elodea Canadensis</i>	1) Spread of species via construction machinery. 2) Importation of contaminated soil.	Low - Species not currently present on or adjacent to site.	1) Disinfect all machinery/equipment/clothing/footwear between visits to any other sites other than the development site itself. 2) All debris/mud/plant fragments to be removed from footwear via scrubbing and rinsing with water, followed by disinfection using bleach or virkon (for machinery and footwear) or fabrics to be washed with a detergent. Ensure contractor know what the species looks like and if any plants are identified on site during development works advice should be sought by a suitability qualified ecologist immediately.
<i>Lagarosiphon major</i>	1) Spread of species via construction machinery.	Low - Species not currently present on or adjacent to site.	1) Disinfect all machinery/equipment/clothing/footwear between visits to any other sites other than the development site itself.

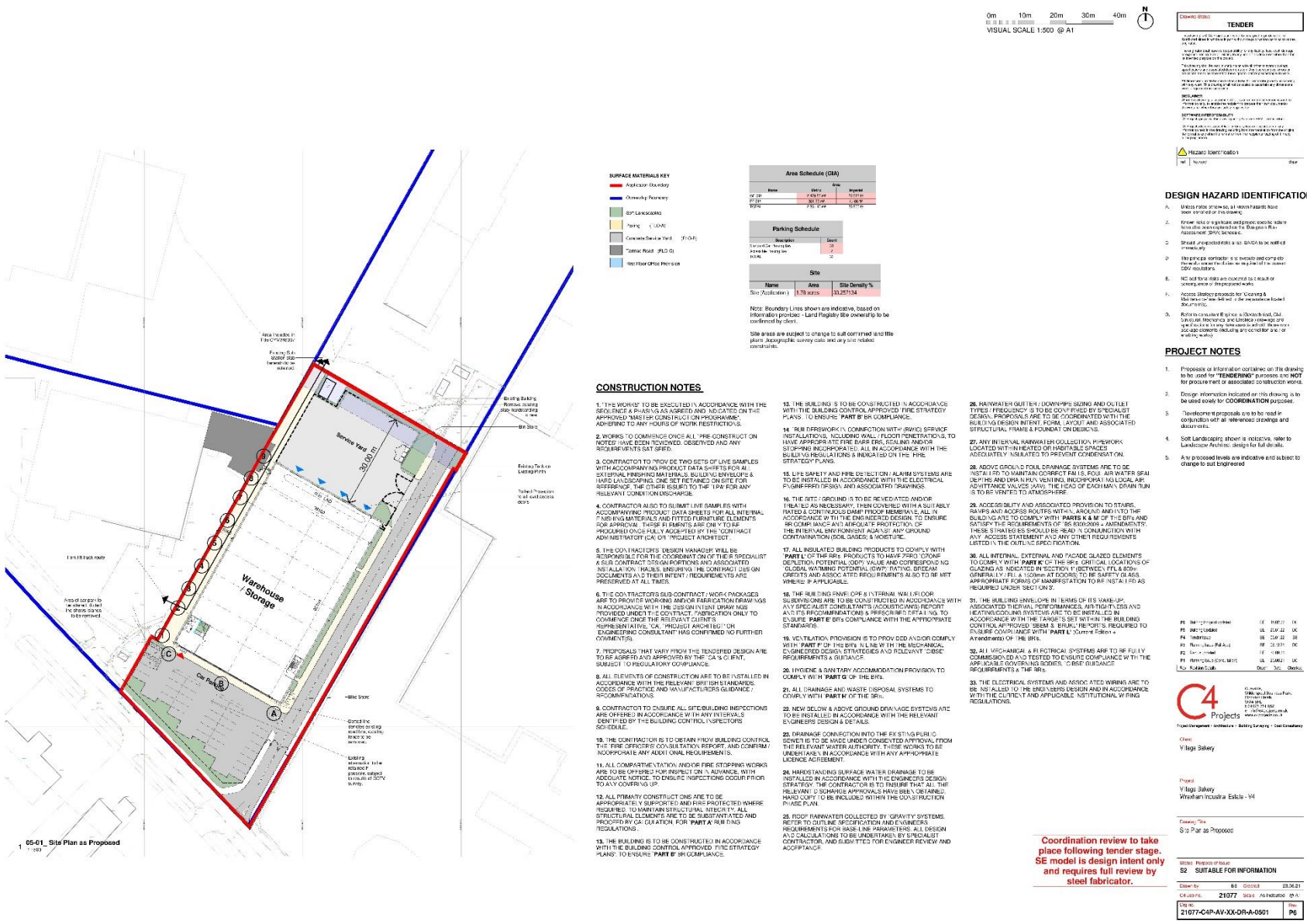
	2) Importation of contaminated soil.		2) All debris/mud/plant fragments to be removed from footwear via scrubbing and rinsing with water, followed by disinfection using bleach or virkon (for machinery and footwear) or fabrics to be washed with a detergent. Ensure contractor know what the species looks like and if any plants are identified on site during development works advice should be sought by a suitability qualified ecologist immediately.
<i>Elodea nuttallii</i>	1) Spread of species via construction machinery. 2) Importation of contaminated soil.	Low - Species not currently present on or adjacent to site.	1) Disinfect all machinery/equipment/clothing/footwear between visits to any other sites other than the development site itself. 2) All debris/mud/plant fragments to be removed from footwear via scrubbing and rinsing with water, followed by disinfection using bleach or virkon (for machinery and footwear) or fabrics to be washed with a detergent. Ensure contractor know what the species looks like and if any plants are identified on site during development works advice should be sought by a suitability qualified ecologist immediately.
<i>Elodea spp</i>	1) Spread of species via construction machinery. 2) Importation of contaminated soil.	Low - Species not currently present on or adjacent to site.	1) Disinfect all machinery/equipment/clothing/footwear between visits to any other sites other than the development site itself. 2) All debris/mud/plant fragments to be removed from footwear via scrubbing and rinsing with water, followed by disinfection using bleach or virkon (for machinery and footwear) or fabrics to be washed with a detergent. Ensure contractor know what the species looks like and if any plants are identified on site during development works advice should be sought by a suitability qualified ecologist immediately.
<i>Lemna minuscula</i>	1) Spread of species via construction machinery. 2) Importation of contaminated soil.	Low - Species not currently present on or adjacent to site.	1) Disinfect all machinery/equipment/clothing/footwear between visits to any other sites other than the development site itself. 2) All debris/mud/plant fragments to be removed from footwear via scrubbing and rinsing with water, followed by disinfection using bleach or virkon (for machinery and footwear) or fabrics to be washed with a detergent. Ensure contractor know what the species looks like and if any plants are identified on site during development works advice should be sought by a suitability qualified ecologist immediately.

<i>Impatiens glandulifera</i>	1) Spread of species via construction machinery. 2) Importation of contaminated soil.	Low - Species not currently present on or adjacent to site.	1) Disinfect all machinery/equipment/clothing/footwear between visits to any other sites other than the development site itself. 2) All debris/mud/plant fragments to be removed from footwear via scrubbing and rinsing with water, followed by disinfection using bleach or virkon (for machinery and footwear) or fabrics to be washed with a detergent. Ensure contractor know what the species looks like and if any plants are identified on site during development works advice should be sought by a suitably qualified ecologist immediately.
<i>Reynoutria japonica</i>	1) Spread of species via construction machinery. 2) Importation of contaminated soil.	Low - Species not currently present on or adjacent to site.	1) Disinfect all machinery/equipment/clothing/footwear between visits to any other sites other than the development site itself. 2) All debris/mud/plant fragments to be removed from footwear via scrubbing and rinsing with water, followed by disinfection using bleach or virkon (for machinery and footwear) or fabrics to be washed with a detergent. Ensure contractor know what the species looks like and if any plants are identified on site during development works advice should be sought by a suitably qualified ecologist immediately.

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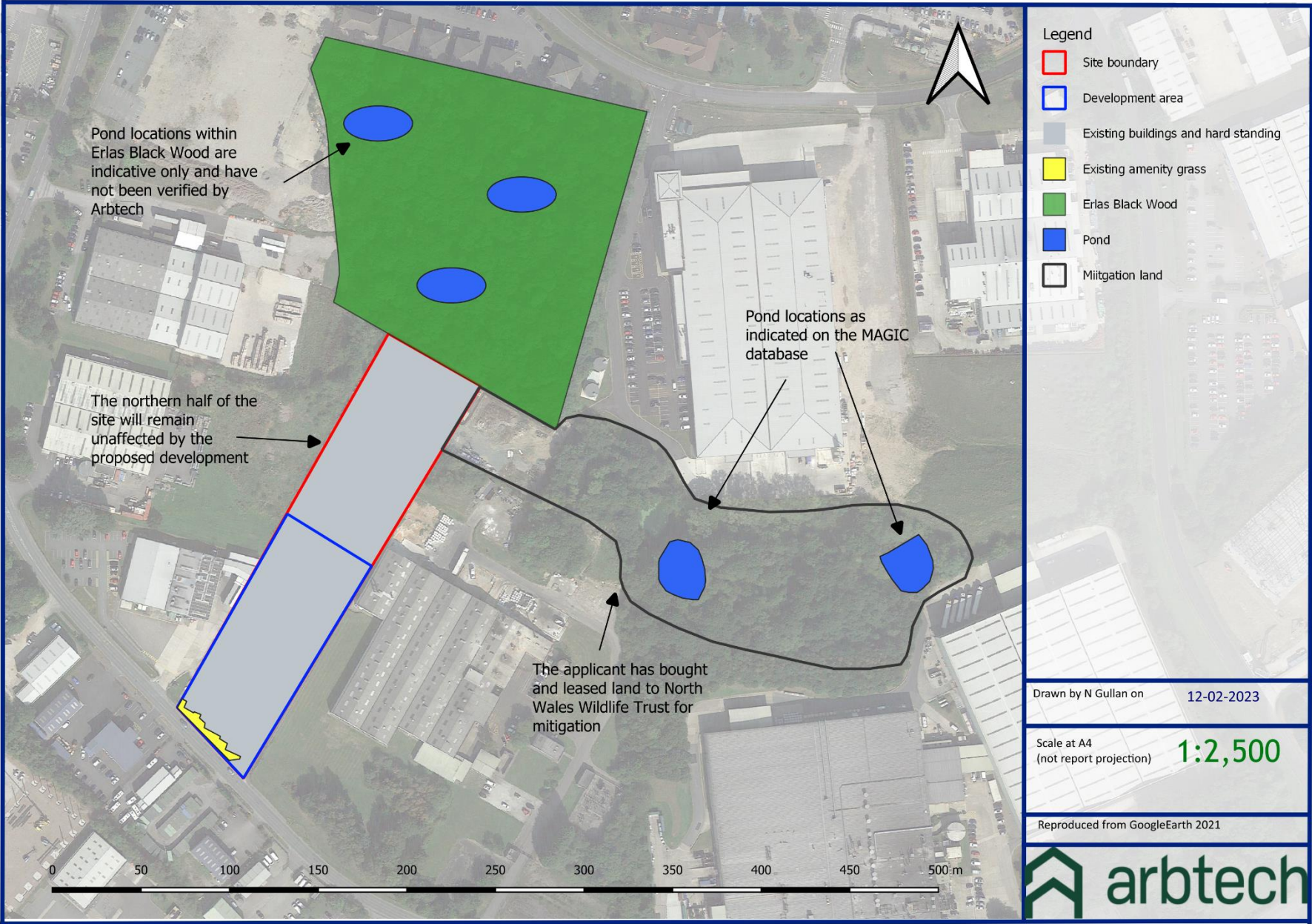




Appendix 2: Site Location Plan



Appendix 3: Site Habitat Map



Appendix 4: Legislation and Planning Policy

LEGAL PROTECTION

National and European Legislation Afforded to Habitats

International Statutory Designations

Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) are sites of European importance and are designated under the EC Habitats Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora (the Habitats Directive) and the EC Birds Directive 2009/147/EC on the conservation of wild birds (the Wild Birds Directive) respectively. Both form part of the wider Natura 2000 network across Europe.

Under the Habitats Directive Article 3 requires the establishment of a network of important conservation sites (SACs) across Europe. Over 1000 animal and plant species, as well as 200 habitat types, listed in the directive's annexes are protected in various ways:

Annex II species (about 900): core areas of their habitat are designated as Sites of Community importance (SCIs) and included in the Natura 2000 network. These sites must be managed in accordance with the ecological needs of the species.

Annex IV species (over 400, including many Annex II species): a strict protection regime must be applied across their entire natural range, both within and outside Natura 2000 sites.

Annex V species (over 90): their exploitation and taking in the wild is compatible with maintaining them in a favourable conservation status.

SPAs are classified under Article 2 of the Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds both for rare bird species (as listed on Annex I) and for important migratory species.

The Conservation of Habitats and Species Regulations 2017 form the legal basis for the implementation of the Habitats and Birds Directives in terrestrial areas and territorial waters out to 12 nautical miles in England and Wales (including the inshore marine area) and to a limited extent in Scotland and Northern Ireland.

Ramsar sites are designated under the Convention on Wetlands of International Importance, agreed in Ramsar, Iran, in 1971. The Convention covers all aspects of wetland conservation and recognises the importance of wetland ecosystems in relation to global biodiversity conservation. The Convention refers to wetlands as “*areas of marsh, fen, peatland or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed six metres*”. However, they may also include riparian and coastal zones. Ramsar sites are statutorily protected under the Wildlife & Countryside Act 1981 (as amended 01.04.1996) with further protection provided by the Countryside and Rights of Way (CROW) Act 2000. Policy statements have been issued by the Government in England and Wales highlighting the special status of Ramsar sites. The Government in England and Wales has issued policy statements which ensure that Ramsar sites are afforded the same protection as areas designated under the EC Birds and Habitats Directives as part of the Natura 2000 network (e.g. SACs & SPAs). Further provisions for the protection and management of SSSIs have been introduced by the Nature Conservation (Scotland) Act 2004.

National Statutory Designations

Sites of Special Scientific Interest (SSSI) are designated by nature conservation agencies in order to conserve key flora, fauna, geological or physio-geographical features within the UK. The original designations were under the National Parks and Access to the Countryside Act 1949 but SSSIs were then re-designated under the Wildlife & Countryside Act 1981 (as amended). As well as reinforcing other national designations (including National Nature Reserves), the system also provides statutory protection for terrestrial and coastal sites which are important within the European Natura 2000 network and globally.

Local Statutory Designations

Local authorities in consultation with the relevant nature conservation agency can declare Local Nature Reserves (LNRs) under the National Parks and Access to the Countryside Act 1949. LNRs are designated for flora, fauna or geological interest and are managed locally to retain these features and provide research, education and recreational opportunities.

Non- Statutory Designations

All non-statutorily designated sites are referred to as Local Wildlife Sites (LWS) and can be designated by the local authority for supporting local conservation interest. Combined with statutory designation, these sites are considered within Local Development Frameworks under the Town and Country Planning system and are a material consideration during the determination of planning applications. The protection afforded to these sites varies depending on the local authority involved.

Regionally Important Geological Sites (RIGs) are the most important geological and geomorphological areas outside of statutory designations. These sites are also a material consideration during the determination of planning applications.

National and European Legislation Afforded to Species***The Conservation of Habitats and Species Regulations 2017 (as amended)***

The Conservation of Habitats and Species Regulations 2017 (as amended) aims to promote the maintenance of biodiversity by requiring the Secretary of State to take measures to maintain or restore wild species listed within the Regulations at a favourable conservation status.

The Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2, or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 4. However, these actions can be made lawful through the granting of licenses by the appropriate authorities. Licenses may be granted for a number of purposes (such as science and education, conservation, preserving public health and safety), but only after the appropriate authority is satisfied that there are no satisfactory alternatives and that such actions will have no detrimental effect on wild population of the species concerned.

The Wildlife and Countryside Act (WCA) 1981 (as amended)

The Wildlife and Countryside Act (WCA) 1981 (as amended) implements the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention 1979, implemented 1982) and implements the species protection requirements of EC Birds Directive 2009/147/EC on the conservation of wild birds in Great Britain (the birds Directive). The WCA 1981 has been subject to a number of amendments, the most important of which are through the Countryside and Rights of Way (CROW) Act (2000).

Other legislative Acts affording protection to wildlife and their habitats include:

- Deer Act 1991
- Natural Environment & Rural Communities (NERC) Act 2006
- Protection of Badgers Act 1992
- Wild Mammals (Protection) Act 1996

Amphibians and Reptiles

The sand lizard *Lacerta agilis*, smooth snake *Coronella austriaca*, natterjack toad *Epidalea calamita*, pool frog *Pelophylax lessonae* and great crested newt *Triturus cristatus* receive full protection under Habitats Regulations through their inclusion on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species
- Deliberate disturbance of species in such a way as:
 - To impair their ability to survive, breed, or reproduce, or to rear or nurture young;
 - To impair their ability to hibernate or migrate
 - To affect significantly the local distribution or abundance of the species
- Damage or destruction of a breeding site or resting place

With the exception of the pool frog, these species are also listed on Schedule 5 of the WCA and they are additionally protected from:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection
- Selling, offering or exposing for sale, possession or transporting for purpose of sale.

Other native species of reptiles are protected solely under Schedule 5, Section 9(1) & (5) of the WCA, i.e. the adder *Vipera berus*, grass snake *Natrix natrix*, common lizard *Zootoca vivipara* and slow-worm *Anguis fragilis*. It is prohibited to:

- Intentionally or recklessly kill or injure these species.

Effects on development works:

A European Protected Species Licence (EPSL) issued by the relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) will be required for works likely to affect the breeding sites or resting places amphibian and reptile species protected under Habitats Regulations. A licence will also be required for operations liable to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, rear young and hibernate). The licences are to allow derogation from the relevant legislation, but also to enable appropriate mitigation measures to be put in place and their efficacy to be monitored.

Although not licensable, appropriate mitigation measures may also be required to prevent the intentional killing or injury of adder, grass snake, common lizard and slow worm, thus avoiding contravention of the WCA.

NATIONAL PLANNING POLICY (WALES)

Environment (Wales) Act 2016 and the Biodiversity Duty

The Environment (Wales) Act 2016 introduces a new biodiversity duty, which highlights biodiversity as an essential component of ecosystem resilience. This new duty replaces the biodiversity duty in the Natural Environment and Rural Communities Act 2006 (referred to as the NERC Act). Part 1 of the Act deals with Sustainable management of natural resources including Biodiversity and Resilience of Ecosystems Duty. The Environment Act enhances the current NERC Act duty to require all public authorities, when carrying out their functions in Wales, to seek to “maintain and enhance biodiversity” where it is within the proper exercise of their functions. In doing so, public authorities must also seek to “promote the resilience of ecosystems”. As under the NERC Act the new duty will apply to a range of public authorities such as the Welsh Ministers, local authorities, public bodies and statutory undertakers. This ensures that biodiversity is an integral part of the decisions that public authorities take in relation to Wales. It also links biodiversity with the long-term health and functioning of our ecosystems, therefore helping to align the biodiversity duty with the framework for sustainable natural resource management provided in the Act.

Planning Policy Wales (2021)

Paragraph 6.4.3 of the document refers to Biodiversity and Ecological Networks and states:

The planning system has a key role to play in helping to reverse the decline in biodiversity and increasing the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement. Addressing the consequences of climate change should be a central part of any measures to conserve biodiversity and the resilience of ecosystems. Information contained in SoNaRR, Area Statements and species records from Local Environmental Record Centres should be taken into account. Development plan strategies, policies and development proposals must consider the need to:

- support the conservation of biodiversity, in particular the conservation of wildlife and habitats;
- ensure action in Wales contributes to meeting international responsibilities and obligations for biodiversity and habitats;
- ensure statutorily and non-statutorily designated sites are properly protected and managed;
- safeguard protected and priority species and existing biodiversity assets from impacts which directly affect their nature conservation interests and compromise the resilience of ecological networks and the components which underpin them, such as water and soil, including peat; and
- secure enhancement of and improvements to ecosystem resilience by improving diversity, condition, extent and connectivity of ecological networks.

Biodiversity and Resilience of Ecosystems Duty (Section 6 Duty)

Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. Planning authorities must also take account of and promote the resilience of ecosystems, in particular the following aspects:

- a) Diversity between and within ecosystems;
- b) The connections between and within ecosystems;
- c) The scale of ecosystems;
- d) The condition of ecosystems (including their structure and functioning); and
- e) The adaptability of ecosystems.

In fulfilling this duty, planning authorities must have regard to:

- a) The list of habitats of principal importance for Wales, published under Section 7 of the Environment (Wales) Act 2016;
- b) The State of Natural Resources Report (SoNaRR), published by NRW; and
- c) Any Area Statement that covers all or part of the area in which the authority exercises its functions.

Planning Authorities should also refer to up to date ecological survey information (where appropriate).

A proactive approach towards facilitating the delivery of biodiversity and resilience outcomes should be taken by all those participating in the planning process. In particular, planning authorities should demonstrate that they have sought to fulfil the duties and requirements of Section 6 of the Environment Act by taking all reasonable steps to maintain and enhance biodiversity in the exercise of their functions.

The broad framework for implementing the duty and building resilience through the planning system includes addressing:

- Diversity: to ensure mechanisms are in place to minimise further loss and that circumstances allow for species' populations to expand and recolonise their natural range (former range) or adapt to future change. This means development should provide a net benefit for biodiversity, and at the very least, with no significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity;

- Extent: to ensure mechanisms allow for the maintenance of existing assets and networks and promote the restoration of damaged, modified or potential habitat and the creation of new habitat. This means that planning choices should incorporate measures which seek the creation and restoration of green networks and linkages between habitats and maintaining and enhancing other green infrastructure features and networks;
- Condition: Ecosystems need to be in a healthy condition to function effectively, to deliver a range of important ecosystem services. Planning decisions should not compromise the condition of ecosystems. By taking an integrated approach to development, for example, which considers both direct and wider impacts and benefits it should be possible to make a positive contribution. Planning for the long term management of retained habitats is key to maintaining condition through for example, the use of planning obligations;
- Connectivity: to take opportunities to develop functional habitat and ecological networks within and between ecosystems and across landscapes, building on existing connectivity and quality and encouraging habitat creation, restoration and appropriate management. The opportunities could include enlarging habitat areas, developing buffers around designated sites or other biodiversity assets or corridors, including transport and river corridors, and the creation of 'stepping stones' which will strengthen the ability of habitats and ecological networks to adapt to change, including climate change; and
- Adaptability to change: primarily in the form of climate change, for both species (diversity) and ecosystems requires action to protect the extent, condition and connectivity of habitats, features and ecological networks. Development plans, planning proposals and applications which build on protecting designated sites and securing and enhancing green infrastructure will be key ways of addressing the attributes of ecosystems resilience identified in the Environment Act as well as facilitating social and economic resilience aspirations of the Well-being of Future Generations Act.

LOCAL PLANNING POLICY

Wrexham Unitary Development Plan (2005)

Accessed via: <https://www.wrexham.gov.uk/sites/default/files/2020-05/udp-statement.pdf>

Policy PS2

Development must not materially detrimentally affect countryside, landscape/townscape character, open space, or the quality of the natural environment. Policy PS11 Encouragement will be given to proposals which improve the biodiversity value of sites and to the establishment of local nature reserves where the nature conservation and landscape interest of the land will be protected and enhanced.

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Encouragement will be given to proposals which improve the biodiversity value of sites and to the establishment of local nature reserves where the nature conservation and landscape interest of the land will be protected and enhanced.

Policy EC4

Development proposals should provide for the conservation and management of hedgerows, trees, orchards, woodland, wildlife and other natural landscape and water features, and include new planting in order to enhance the character of the landscape and townscape. Development which results in the loss or significant damage to valuable trees, important hedgerows or ancient woodland sites will not be permitted.

Policy EC6

Development either within or close to sites of biodiversity interest will only be permitted where it can be clearly demonstrated that the need for the development outweighs the need to safeguard the intrinsic nature conservation value of the site. Where such development is permitted, damage should be kept to a minimum, and compensatory measures should be provided. Measures to improve the biodiversity value of sites and enhance their natural conservation interest and landscape quality including the establishment of local nature reserves, will be supported.