

Reasonable Avoidance Measures in relation to Great Crested Newts (GCN)

For the application site of

DMH TYRES LTD

Unit 1, Miners Road, Llay Industrial Estate, LL12 0PJ

Planning Permission Reference no: P/2023/0292

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Development Description:

DMH Tyres Ltd are seeking permission to create 14 parking spaces and erect a building/unit comprising 4 tyre-fitting bays, a mezzanine for training purposes and an office space, all on a new hardstanding base. They also wish to install some lengths of new palisade fencing in addition to existing palisade fencing.

1. Planning Permission Reference: P/2023/0292

One of the conditions of this development being given approval is the preparation and approval of a GCN Reasonable Avoidance Measures Method Statement. Prior to commencement of work on site, the RAMS, which provide for the safeguarding of Great Crested Newts, shall be submitted and agreed to in writing by the Local Planning Authority, Wrexham County Borough Council. The agreed details shall be implemented thereafter. If Great Crested Newts are found during the works, then work must stop immediately and advice sought from NRW, as a licence may be required.

REASON: In order to ensure the protection of the Great Crested Newts under the provisions of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended), in accordance with policies PS11, GDP1 (Criterion H) and EC6 of the Wrexham Unitary Development Plan.

2. Background

Please refer to Planning Application drawings numbered 20258/SK00 and SK01 which show the existing and proposed site layouts, and photographs as follows (taken in October 2023):



1. Looking due South from existing entrance



2. Looking west from existing entrance



3. Looking at N'thern boundary & existing access
Onto Miners Rd



4. Looking South from within site



5. Looking North from Southern boundary



6. Southern yard looking North showing barren ground between good habitat & development plot.



7. Scrub encroaching on to grassland in Proposed mitigation area.



8. Vegetated bank on Southern boundary of leased Yard, to be used as mitigation area.

The Proposed Development Site

As very recent photographs show above, the site is all existing hard-standing but in various formats and conditions. Vegetation is established along the edges and un-used areas but other than parked vehicles, pallets with tyres on and one pile of vegetated spoil which can just be seen in the 4th photograph, there are no other features or structures within the proposed development area.

To the south of the development area is an area of land owned by DMH Tyres but leased to another business. This land is not going to be developed and is currently bare hardcore as shown in picture 6.

3. Protection of Great Crested Newts – Reasonable Avoidance Measures

As the plans and above photographs illustrate, the development involves clearing the site of any remaining vegetation, tyres on pallets and the single spoil heap. The site will then be stripped and prepared for a new concrete pad upon which the proposed building/unit will be erected, and the parking bays and access routes will also be created on the new hardstanding.

The development will affect a total area of approximately 28m x 40m of existing hardstanding which is considered to be poor amphibian terrestrial habitat. The plots either side of the proposed development site are both also hardstanding, with buildings and parking/access areas incorporated. It is likely that GCN and other animals would use the vegetated bank on the far southern side of the adjoining yard to the proposed development area, to travel around the estate and use as a corridor, rather than crossing the hardstanding areas.

A COFNOD data search based on a radius of 1km from the centre of the DMH site undertaken in October 2023, revealed the presence of a number of ponds and numerous GCN records within 1km, however only 6 records were within 500m and of those, three were from 2007, two from 2015 and one from 2022. It is however still considered reasonable to assume that there are GCN in the vicinity of the DMH yard, and the RAMS have been written with this assumption.

4. Ground preparation

The vegetation around the boundary will be manually searched by a licenced ecologist prior to any work taking place, this also applies to the removal of the pallets and tyres. The vegetated spoil heap is very compacted and compressed and does not represent refuge or hibernation potential. Any animals found during searches can be dealt with by the ecologist who will take them to safety.

With the neighbouring area of barren yard to the south of the development providing a barrier between the good habitat and the development plot, it is unlikely that GCN will traverse this to reach the development area. This land will not be used to store construction materials on, unless they are on pallets. Loose spoil and stone will not be stored in this area.

Adjacent land holdings also provide no habitat with them either being buildings or active industrial yards. It is therefore felt that once the site has been searched by an ecologist, no additional protection measures are required.

5. Timing

If permission is granted by Wrexham County Borough Council for this development, it is anticipated that the ground preparation and laying the concrete pad will take approximately two weeks. It is then hoped that the build and associated works to the parking areas etc will take a further ten weeks. If possible, the construction phase will be undertaken in the winter months when the GCN will be in hibernation.

6. Recommendations

To adhere to the Planning Policies listed above in section 1, the developer must show that there is an element of biodiversity net-gain or biodiversity benefit as a result of undertaking the development. The already vegetated bank at the south end of the site, in ownership of DMH Tyres Ltd, which is likely to already be used by GCN and other wildlife as a corridor for dispersal, will be developed further to provide this net-gain.

- The grassy bank which is north-facing, would benefit from some bare earth patches to encourage insect use and prevent uniform succession.
- Along the southern edge of the leased site it is recommended that a purpose-built hibernacula be constructed at a mutually agreeable location so it will not be disturbed by industrial operations, but still allow DMH to utilise some of this area for its existing use. (leased to third party)
- It is recommended that 50% of the grassland be cut and raked annually from the bank to maintain the species rich grassland, thus providing a wider range of habitat options for a range of wildlife, not just GCN.

- No evidence of Skipper butterflies was identified during the survey but one of their food sources – Bird's foot trefoil, was found to be growing. It is recommended that some of this plant be translocated to the proposed mitigation area to create Skipper habitat along the base of the bank.

A hand drawn plan for this mitigation area improvement can be seen on page 6.

DMH GCN RAMS mitigation

Southern boundary fence

Area of scrub
shown in photo 7

Existing grassy bank shown
in photo 8

Toe of existing bank
Birds foot tree fall trans located here
In line with gate end
of existing building
Approx 14m
Approx 2m

Existing
building seen
in photo's 7+ 8

Not to scale