

Title	Proposed Building Demolition, Acton Park Primary School, Box Lane, Wrexham – Walkover Survey
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1 Introduction

- 1.1 This brief report presents the findings of an ecology walkover survey of an area of land at Acton Park Primary School, Box Lane, Wrexham (Approximate OS Grid Ref. SJ 3406 5202). The walkover survey was required to consider whether there may be any ecological constraints due to the proposed demolition of a (classroom) building. The building is located towards the south-east edge of the school grounds.
- 1.2 It is understood that this report will be submitted to Wrexham County Borough Council (WCBC) as supplementary information to support a 'Prior Notice of Demolition'. The original scope of the walkover survey and this report has been discussed and agreed with the WCBC Ecologist (Emma Broad) in July 2023.
- 1.3 The building itself has been subject to a separate bat Potential Roost Assessment (PRA) (Wildbanks Conservation, 2023¹); this (potential) ecological resource will not be considered further in this report.

2 Methodology

Walkover Survey

- 2.1 The walkover survey focused on land within approximately 30 m of the building which is to be demolished (hereon referred to as the 'survey site'). It was assumed that such an area would be sufficient to include any potential temporary work compound(s), machine access routes, etc, though these were not known at the time of the survey. The survey site is indicated on *Figure 1* appended to this report.
- 2.2 The walkover survey involved walking the survey site making notes on the habitat/ vegetation and assessing the potential for protected or other priority/ notable species to be present. It was undertaken on 12th October 2023 by Max Ellson of Marches Ecology. The weather was dry and cool with 90% light grey cloud.
- 2.3 The MAGIC² website has been consulted to determine whether there are any statutory protected sites close to the survey site and that may have implications for the proposed works. No information on non-statutory protected sites has been obtained as part of this study.

¹ Wildbanks Conservation (2023). *Acton Park Primary School, Acton, Wrexham – Bat Potential Roost Assessment*. Produced on behalf of WCBC.

² <https://magic.defra.gov.uk/>

Survey Limitations

2.4 The following may be considered survey limitations:

- The walkover survey was undertaken outside the recognised survey period. Some flowering plants will not have been visible or were otherwise difficult to identify.
- Other buildings comprise a significant proportion of the survey site; these were not subject to a detailed assessment for their potential value to roosting bats. Likewise, trees were in full leaf which frequently obscured parts of the trunk and upper branches. This precluded detailed assessment of potential value to roosting bats.
- Limited parts of the survey site are characterised by dense vegetation which may have obscured evidence of use by protected/ notable species.
- The site is subject to high levels of human use/ management (for example mowing of amenity grassland). These actions may have obscured/ destroyed evidence of use by protected/ notable species.
- No access to areas outside the survey site boundary was provided.

None of the survey limitations listed above significantly affected the findings of the survey and therefore the conclusions and prescribed avoidance/ mitigation measures.

3 Proposed Works

- 3.1 The building at the centre of the survey area (*Target Note 1, Figure 1*) is to be demolished. It is understood that the demolition works will utilise a 21 Tonne Selecta Grab machine, and 3-4 personnel. It will be completed over a period of approximately 10-14 days. The footprint will be cleared and left as seeded topsoil. Access will be gained from the north, using existing provision from Box Lane.
- 3.2 It is understood that the demolition works will be completed in Autumn/ Winter 2023/ 24.
- 3.3 No further information is currently available, including on potential post-demolition uses of the site.

4 Results

Statutory Protected Sites

- 4.1 There are no statutory protected sites within 1 km of the survey site. The closest such site is Gatewen Marsh Site of Special Scientific Interest (SSSI) which is located approximately 2.1 km to the southwest of the survey site at its closest point.
- 4.2 Taking into account the distance between the SSSI and the survey site, and the small-scale scheme/ nature of the proposal, no (in)direct impacts on this, or any other, protected site, are anticipated. Protected sites will not be considered further in this report.

Habitat and Flora

- 4.3 Target Note locations (numbered 1 to 13) described in the text below are indicated on *Figure 1*; no separate target note descriptions are provided.

Woodland

- 4.4 A small corner of a larger area of broad-leaved woodland is located in the south-east corner of the survey site at *Target Note 2*. This occupies a partly steeply sloping, narrow corridor of land between a school building and a boundary fence. It was not assessed in detail. Briefly canopy trees comprises *Quercus* sp. (Oak), *Taxus baccata* (Yew), and *Acer campestre* (Field Maple). There are occasional/ locally dense shrubs throughout, over a dense carpet of *Hedera helix* agg. (Ivy).

Individual Trees, Shrubs and Ornamental Plantings

- 4.5 There are a small number of individual trees in the survey site, including at *Target Notes 3* and *4*, and also at the northern end (young conifers). *Target Note 3* comprises a semi-mature *cf. Chamaecyparis lawsoniana* (Lawson Cypress), and *Target Note 4* a young/ semi-mature *Acer pseudoplatanus* (Sycamore).
- 4.6 To the immediate south-east of the building at *Target Note 1* there are two narrow, planted zones of perennial shrubs, young trees and flowers at the base (*Target Note 5*). Here, young trees include *Pyrus communis* (Pear), *Fraxinus ornus* (Man Ash), and Sycamore, with shrubs such as *Lavandula angustifolia* (Lavender), *Rosmarinus officinalis* (Rosemary), and *Cydonia oblonga* (Quince). This planting is very locally dense.



The narrow, planted zones of perennial shrubs, young trees and flowers at Target Note 5.

- 4.7 There are occasional/ scattered ornamental shrubs throughout the survey site, including for example at *Target Note 6*. This resource is locally dominated by *Escallonia* sp. (an *Escallonia*) with a range of other ornamental shrubs; these appear to be maintained at approximately 1 m height by frequent cutting. Elsewhere there is a mature *Prunus* sp. (Plum) shrub to the south of *Target Note 12*, and a part of a longer line of mature *Prunus laurocerasus* (Cherry Laurel) shrubs between buildings at *Target Notes 8/9*.

Grassland

- 4.8 Frequently managed amenity grassland is located at *Target Note 7*, including to the immediate north of the building which is to be demolished (*Target Note 1*). This resource appears to be species-poor and subject to frequent management/ footfall – it is locally bare. The sward is largely to 0.05 m high at most.



Example of amenity grassland at *Target Note 7* (here to north of building at *Target Note 1*).

Other Habitats

- 4.9 Other habitats within the survey site are restricted to buildings (*Target Notes 1, 8, 9 and 10*) and hard-standing.



Building to be demolished at *Target Note 1*.

Flora

- 4.10 One species of (non-native invasive) plant listed on *Schedule 9* of the *Wildlife and Countryside Act 1981* (as amended) was recorded from the survey site: a single *Cotoneaster horizontalis* (Wall Cotoneaster) shrub at *Target Note 11*, located immediately adjacent to/ at the base of the building at *Target Note 1*.



Wall Cotoneaster at *Target Note 11*.

Fauna

- 4.11 Only those species/ species groups that might reasonably be expected to be present at this location or potentially be affected by the proposed works are considered here.

Bats

- 4.14 As detailed above Wildbanks Conservation (2023, op. cit.) should be referred to for the results of a PRA of the building at *Target Note 1*.
- 4.15 There are three other buildings/ groups of buildings within the survey site at *Target Notes 8, 9 and 10*. Although these buildings were not assessed in detail, they could provide potential roosting features for bats. However, where visible, they appeared to be in good condition, with no particular/ significant potential (external) features for roosting bats observed. Areas in close proximity to the building at *Target Note 1* are considered unlikely to provide more than low bat roost potential overall.



Single-storey school building at *Target Note 9*.

- 4.16 No trees within any more than negligible bat roost potential were located in the survey site. Trees within the woodland at *Target Note 2* (a small corner of which is within the survey site) were not assessed for their potential to support roosting bats due to the distance from the building at *Target Note 1*; refer below.
- 4.17 The habitats which comprise the survey site are likely to be of low potential value for foraging/ commuting bats, although habitats of greater potential value are located immediately adjacent (including for example part of Acton Park to the immediate south).

Great Crested Newts

- 4.18 The habitat resources within the survey site provide potential terrestrial habitat for Great Crested Newts of largely low/ negligible value (for example amenity grassland/ hard-standing). Terrestrial habitat of moderate potential value is largely limited to, for example, shrub bases. However, the potential presence of Great Crested Newts in terrestrial habitat is governed more by the proximity of a suitable breeding pond than by the quality of the terrestrial habitat.
- 4.19 There is no aquatic habitat within the survey site/ immediately adjacent land.

4.20 An initial review of the OS map 1:25, 000 scale and relevant internet-based mapping including aerial photography³ indicates that there may not be any waterbodies within 250 m of the survey site. This area however includes a large number of private gardens which could contain one or more waterbodies.

4.21 Taking the above into account, including author knowledge of the area, the likelihood of Great Crested Newts being present in the survey site has been discounted. This species will not be mentioned further in this report.

Reptiles

4.22 The frequently managed habitats within the survey site present negligible opportunities for reptiles. This species group will not be considered further in this report.

Birds

4.23 There are occasional bird nesting opportunities within the survey site, for example provided by trees/ shrubs/ and ornamental plantings (e.g. *Target Notes 2, 3, 4, 5 and 6*, although much of this resource appears to be subject to frequent management or disturbance) and buildings.

4.24 The building at *Target Note 1* provides some, albeit low, potential for nesting birds. The external walls and roof largely appear well sealed, however there are frequent gaps located between open rafters (where soffits have been removed) allowing access into the loft space across the front and rear back elevations. No evidence of (historic) nesting was located in the loft during the bat PRA (Mick Smith, Wildbanks Conservation, pers. comm.), with potential for nesting deemed to be limited to birds such as pigeon or Collared Dove (*Streptopelia decaocto*).

4.25 The shrubs/ ornamental planting resource at *Target Note 5* is in close proximity to the building which is to be demolished.

Other Species

4.26 The survey site could be of value for other priority species such as the Hedgehog (*Erinaceus europaeus*) which could shelter in (dense) shrub bases, including for example the resource at *Target Note 5*.

5 Potential Ecological Constraints and Recommendations

Introduction

5.1 The information provided in Sections 1-4 of this report has been utilised to undertake a brief assessment of the potential ecological issues associated with the proposed demolition works. Refer to *Appendix 1* for a summary of relevant species-specific legislation.

General

5.2 General best practice measures should be implemented during the demolition (including any preparatory) works to avoid any indirect impacts (e.g., dust, diffuse pollution, etc) on adjacent/ retained habitats. The general advice contained in the Guidance for Pollution Prevention (GPP) leaflets produced by SEPA, EA and the Environment and Heritage Service (Northern Ireland) should be adhered to, particularly the following:

³ <https://www.google.co.uk/maps/@53.0608234,-2.9876812,17.25z?entry=ttu>

- GPP1: Understanding Your Environmental Responsibilities – Good Environmental Practices.
- PPG6: Working at Construction and Demolition Sites.

Badger

- 5.3** Given the scale/ duration of the demolition works, no further survey with regards Badger is required.

. This assumes that the demolition works are completed from the northern/ western side of the building at *Target Note 1*, with machinery not accessing further south/ southeast than the existing footprint, and that any temporary compounds/ work areas are restricted to the northern/ western side of the building only.

5.4

Bats

- 5.5** No further consideration of bats is deemed necessary to inform the demolition works. This assumes that no trees will be directly impacted (felled or pruned) as part of the works. There is no formal guidance on disturbance in relation to bat roosts, however, given the scale of the proposed demolition works, no consideration is deemed necessary with regards potential bat roosts which may occupy adjacent/ retained buildings. As a precautionary approach it is recommended that a minimum 10 m buffer from any works/ machinery should be retained from the woodland at *Target Note 2*. This would be facilitated by the heras proposed with regards Badger (refer above).

Birds

- 5.6** There are occasional bird nesting opportunities within the survey site, including the building at *Target Note 1* (which is to be demolished), and the shrub/ ornamental planting resource at *Target Note 5* (which is in close proximity).
- 5.7** The destruction of any bird nests that are in use is illegal. The simplest option to avoid issues arising from the presence of nesting birds is to schedule work that affects nesting habitat (e.g., clearance of trees/ shrubs/ vegetation, building demolition) outside the nesting period (March to August inclusive). Should any occupied nests be found during the works, a buffer zone (determined on the basis of the species concerned and the location of the nest in the context of the surrounding vegetation, but no less than 5 m) would be retained until it can be ascertained that the chicks have left the nest. The buffer zone will be appropriately fenced and signed.
- 5.8** If it is not possible to clear vegetation/ fell/ prune trees/ undertake the building demolition outside the nesting season all such areas should be checked by a suitably qualified

ecologist prior to commencement of works. If any active nests are found at this time a buffer zone as detailed above would be provided.

- 5.9 It is not possible to directly offset the loss of the potential nesting resource provided by the building at *Target Note 1*/ immediately adjacent areas of vegetation which are likely to be impacted. However, provision of two general purpose nest boxes⁴ is deemed proportionate in this instance, to be installed by/ under the supervision of an ecologist on suitable mature trees within the school grounds. Bird-boxes require annual maintenance (cleaning out).

General Avoidance and Mitigation Measures

- 5.10 The potential risks to the various ecological resources detailed in *Section 4* above are generally considered to be low/ negligible. Given the nature of the survey site, likely scale and duration of the works, it is considered sufficient for a watching brief to be maintained by personnel throughout the works for most species. As a precautionary approach the following general avoidance and mitigation measures should be adopted throughout the works:

- 1 Provision of Heras Fencing (Badger/ Bats). As detailed above.
- 2 Badger Pre-work Sett Check, Watching Brief & Best Practice Measures. A sett could be excavated subsequent to the completion of the walkover survey. If site clearance/ other works are not implemented within 6 months of the walkover survey the site should be re-surveyed by a suitably qualified ecologist to check for any setts.

Should the work commence within 6 months of the walkover survey then a watching brief specifically for Badger setts will be maintained at all times by all site personnel. If a large animal hole (that could be a Badger sett) is found at any time during the works, and within 30 m of the works, all works within this area should immediately cease and an ecologist contacted for advice. Works should only re-commence when an ecologist confirms permission to do so.

Best practice measures, such as providing ramps in any excavated holes, and not undertaking machine works outside daylight hours, should be implemented.

- 3 Minimise Tree/ Shrub Removal. It may be necessary to remove a small amount of hedge/ scrub and/ or young trees to facilitate the demolition; this should be minimised wherever possible.
- 4 Nesting Bird Season. The avoidance measures as detailed above should be followed.
- 5 Hedgehogs. Hedgehogs can hibernate/ seek refuge in the base of dense shrub/ ornamental planting vegetation *etc*. Should it become necessary to remove and or disturb the resource at *Target Note 5* then a suitably qualified ecologist should be contacted for advice. In this scenario, it is likely to be necessary for the ecologist to undertake hand-searches/ (assist with) controlled vegetation removal.

Any Hedgehog that may be found (when not hibernating) would be moved to a similar, safe location within the school grounds. Ideally, this work should not be undertaken within the hibernation period (October/ November to March/ April). However, if it is necessary to undertake the work at this time periods of cold weather should be avoided.

⁴ For example: <https://www.nhbs.com/1b-schwegler-nest-box>

Should a hibernating Hedgehog be found, it should be covered back up and left where it is until the end of the hibernation period.

Non-native Invasive Plants

- 5.11 It is illegal to plant or otherwise cause to grow in the wild any plant listed in *Schedule 9* to the *Wildlife and Countryside Act 1981* (as amended)⁵. The *Schedule 9* list of animal and plant species has been amended by the *Wildlife and Countryside Act 1981 (Variation of Schedule 9)(England and Wales) Order 2010*⁶. *Section 14 (1)* covers spreading the species or transferring polluted ground material from one area to another.
- 5.12 The *Invasive Alien Species (Enforcement and Permitting) Order 2019*⁷ relates to the prevention and management of the introduction and spread of (certain) non-native species and the associated licensing/ permitting system.
- 5.13 One *Schedule 9* plant species was recorded from the survey site: a single Wall Cotoneaster shrub at *Target Note 11*. This would likely be directly impacted by the demolition works.
- 5.14 Given the scale of the demolition works and the known *Schedule 9* plant resource, preparation of a specific Biosecurity Method Statement is not deemed to be required in this instance. However, it will be necessary for the Cotoneaster shrub to be treated/ cleared/ removed by a specialist contractor (with experience in management/ control of *Schedule 9* plants) in advance of the demolition or any preparatory works. Information on *Schedule 9* plants and control of Cotoneaster is available at:
- <https://www.gov.uk/guidance/prevent-the-spread-of-harmful-invasive-and-non-native-plants>
 - <https://www.nonnativespecies.org/home/index.cfm>
 - <https://insideecology.com/2017/10/04/invasive-non-native-species-uk-cotoneaster/#:~:text=Control%20Measures&text=Any%20material%20from%20the%20cotoneaster,larger%20plants%20to%20prevent%20regrowth>
 - <https://naturalresources.wales/about-us/news-and-blogs/blogs/controlling-cotoneaster-across-north-wales/?lang=en>
- 5.15 If it is deemed necessary to dispose of any of the *Schedule 9* plant material off site then the specialist contractor will need to be a registered waste carrier, require the relevant environmental permit, and need to take the material to an authorised landfill site.

⁵ HMSO (1981). *The Wildlife and Countryside Act 1981*. HMSO, London.

⁶ <https://www.nonnativespecies.org/legislation/england-and-wales/>

⁷ <https://www.legislation.gov.uk/uksi/2019/527/contents/made>

6 Appendix 1

Introduction

- 6.1 The species-specific legislation below is presented here due either to the actual or suspected/ possible presence of each species on the site or within the zone of influence and is therefore considered to be relevant for this study.
- 6.2 This sub-section provides a brief summary of key relevant species legislation. It should not be considered a comprehensive review and is not meant to be so. It is provided here for information only and is not intended to replace specialised legal advice. It does not replace the text of the legislation, but summarises the salient points.

Badger

- 6.3 The Badger is protected in Britain under the *Protection of Badgers Act 1992*⁸ and *Schedule 6 of the Wildlife and Countryside Act 1981* (as amended). The legislation affords protection to Badger and Badger setts, and makes it a criminal offence to:
- wilfully kill, injure, take, possess or cruelly ill-treat a Badger, or attempt to do so;
 - interfere with a sett by damaging or destroying it;
 - to obstruct access to, or any entrance of, a Badger sett; or
 - to disturb a Badger when it is occupying a sett.

Bats

- 6.4 All species of British bat are listed on *Schedule 5 of the Wildlife and Countryside Act 1981* (as amended), and receive full protection under *Section 9*. They are also listed as European Protected Species on *Schedule 2 of The Conservation of Habitats and Species Regulations 2017*⁹ which gives them full protection under *Regulation 42(1)*. Protection was extended by the *Countryside and Rights of Way Act 2000* (the CRoW Act 2000)¹⁰.
- 6.5 Under the above legislation it is an offence to intentionally or recklessly:
- kill, injure or take an individual of such a species;
 - possess any part of such species either alive or dead;
 - damage, destroy or obstruct access to any place or structure used by such species for shelter, rest, protection or breeding;
 - disturb such a species whilst using any place of shelter or protection; or
 - sell or attempt to sell any such species.
- 6.6 Several species of bat are included on *Section 7 of the Environment Act 2016*¹¹.
- 6.7 All species of British bat are also protected under *Schedule 6 of the Wildlife and Countryside Act 1981* (as amended). This protection relates specifically to trapping and direct pursuit of the species.

⁸ HMSO (1992). *The Protection of Badgers Act 1992*. HMSO, London.

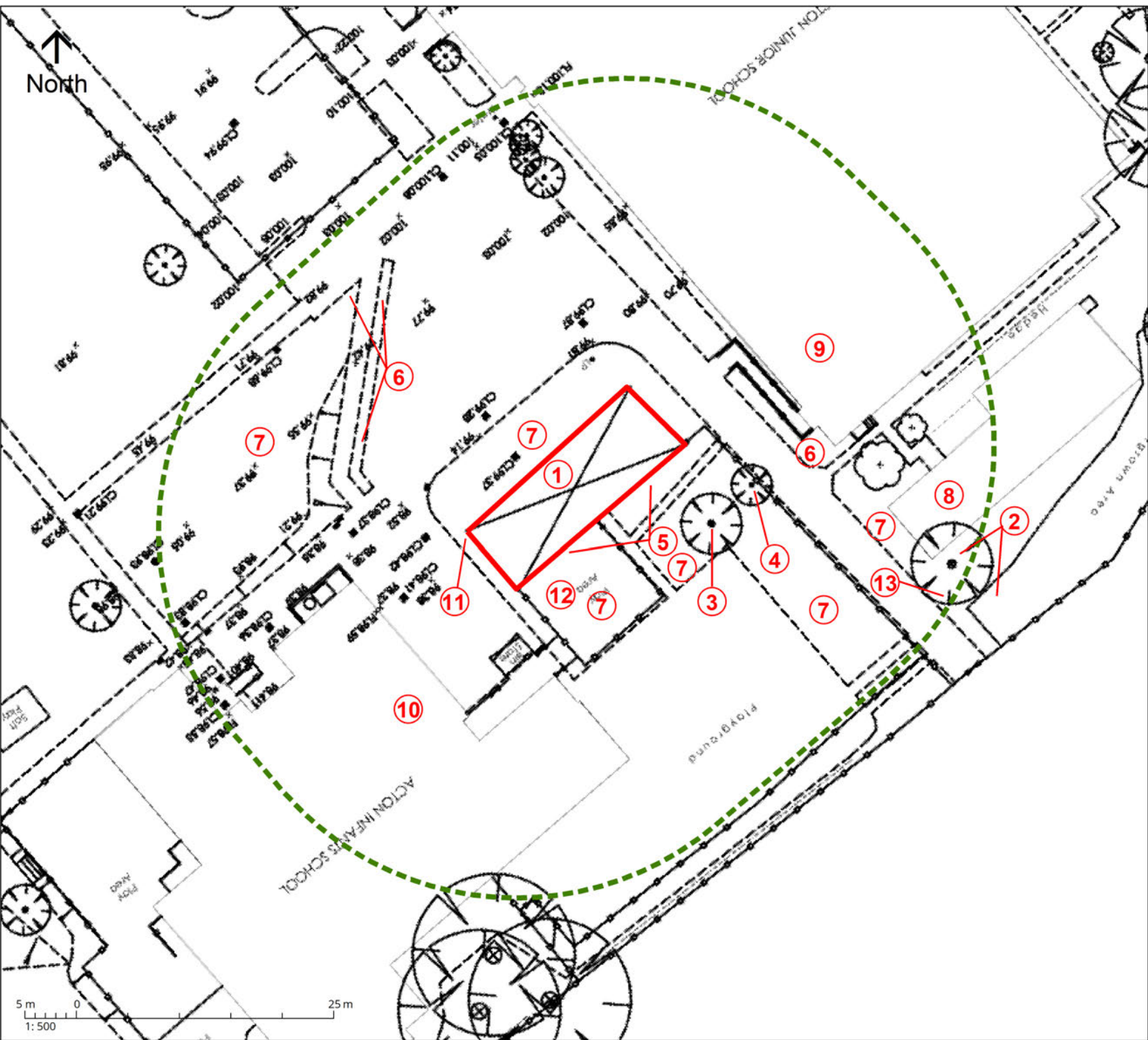
⁹ HMSO (2017). *The Conservation of Habitats and Species Regulations 2017*. HMSO, London.

¹⁰ HMSO (2000). *The Countryside and Rights of Way Act 2000*. HMSO, London.

¹¹ HMSO (2016). *The Environment Act (Wales) 2016*. HMSO, London.

Birds

- 6.8 All species of bird are protected under *Section 1* of the *Wildlife and Countryside Act 1981* (as amended). The protection was extended by the *CRoW Act 2000*.
- 6.9 The legislation makes it an offence to intentionally or recklessly:
- kill, injure or take any wild bird;
 - take, damage or destroy the nest of any wild bird while that nest is in use or being built; or
 - take or destroy an egg of any wild bird.
- 6.10 Certain species of bird are listed on *Schedule 1* of the *Wildlife and Countryside Act 1981* (as amended) and receive protection under *Sections 1(4)* and *1(5)* of the Act. The legislation confers special penalties where the above mentioned offences are committed for any such bird and also make it an offence to intentionally or recklessly:
- disturb any such bird, whilst building its nest or it is in or near a nest containing dependant young; or
 - disturb the dependant young of such a bird.
- 6.11 *Section 7* of the *Environment Act 2016* includes several birds.



-  Building to be demolished
-  Survey site/ approx. 30 m buffer
-  Target Note

C529 Proposed Building Demolition, Acton Park Primary School, Box Lane, Wrexham - Walkover Survey

Figure 1 - Target Notes

Date: 17/10/2023



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Base mapping provided by the client.