



Leigh Ecology Ltd

Protected Species and Habitat Surveys

Proposed Youngstock Building,
Lower Parks Farm,
Parkside,
Rossett,
Wrexham,
LL12 0BN.

Extended Phase One Report

Report number: PARK/002

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Appendix 1 – Phase 1 Habitat plan and Key

1 Executive summary

- 1.1 Leigh Ecology Ltd was commissioned to undertake an Extended Phase 1 survey of a parcel of improved pasture located at Lower Parks Farm, Rossett, Wrexham.
- 1.2 The site predominantly comprises grassland habitats, chiefly improved grassland. The access route to the building is farmyard hard standing.
- 1.3 The proposed development will see a young stock building development built on site, accompanied by associated infrastructure.
- 1.4 No areas of key ecological interest were recorded within the development site.
- 1.5 One notable pond occurs within 250m from the proposed site, at 215m southeast across open fields, including improved pasture and arable fields, and a single slurry bed occurs 112m northeast of the proposal site.
- 1.6 No commuting linkage occurs between the pond and the proposal site, and given the site offers negligible newt terrestrial potential, it is unlikely that any impacts on amphibians will occur.
- 1.7 It is unlikely that the proposed cattle building, and access route will have any potential impacts on the nature conservation receptors on site or the wider environment.

2 Introduction

Background

- 2.1 Leigh Ecology Ltd was commissioned by Mr. and Mrs. Tomlinson to undertake an extended Phase one survey on a parcel of land off Parkside Road, Rossett, Wrexham; refer to redline boundary shown on **Figure 1** and **Figure 2** below.
- 2.2 Sites of biodiversity conservation value, habitats and species in UK and Local Biodiversity Action Plans (BAPS) and protected species are material considerations in the planning process (Department for Communities and Local Government. 2012).
- 2.3 The study is documented in this report and includes the following:
1. Preliminary ecological baseline for the site;
 2. Protected mammals' assessment of the site;
 3. Potential ecological constraints to the development of the site; and
 4. Further ecological work necessary for a planning submission.
- 2.4 All Work was undertaken in accordance with the Chartered Institute of Ecology and Environmental Management's (CIEEM) Code of Practice.

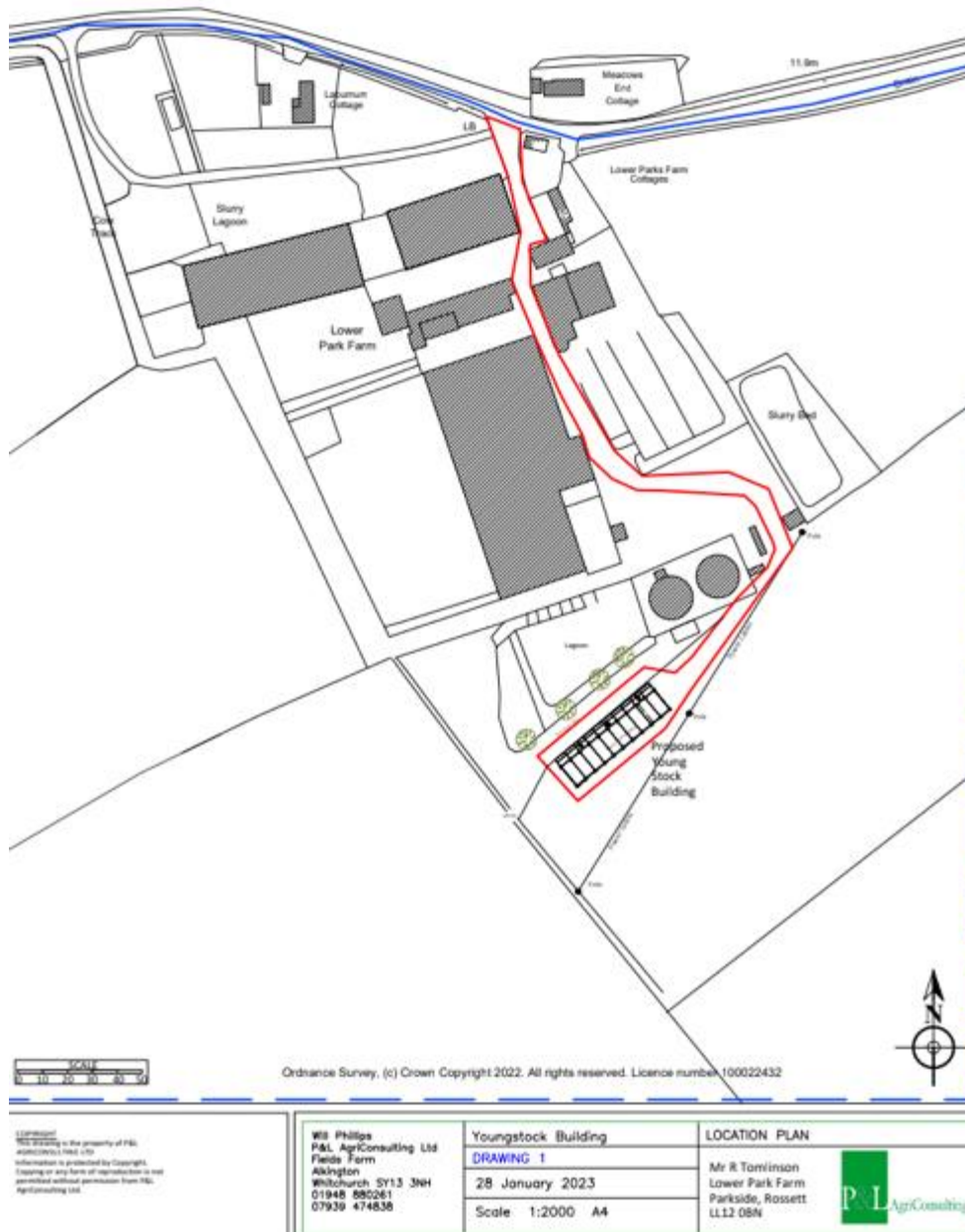


Figure 1 The site location.

- The Protection of Badgers Act 1992.
- The Countryside and Rights of Way Act 2000.
- The Hedgerow Regulations 1997.
- The Natural Environment and Rural Communities Act 2006; and
- Local Biodiversity Action Plan for Wrexham.

Sites of biodiversity conservation value, habitats and species in UK and Local Biodiversity Action Plans (BAPS) and protected species are material considerations in the planning process Habitat Regulations 2017 and the Environment (Wales) Act 2016.

Under the National Planning Policy Framework 2018, the presence of any protected species is a material planning consideration. The Framework states that impacts arising from development proposals must be avoided where possible or adequately mitigated/compensated for and that opportunities for ecological enhancement should be sought.

2.6 **Great Crested Newt (GCN)**

GCN are fully protected under Schedule 2 of the Conservation of Species and Habitats Regulations (2010) and Schedule 5 of the Wildlife and Countryside Act 1981 (as amended).

Combined, these acts make it an offence to:

- Kill, injure or take a great crested newt (or attempt to);
- Destroy any place where they live or breed;
- Damage any one of the above places (or any part of it);
- Obstruct access to these places;
- Disturb a great crested newt in any place it uses for shelter;
- Disturb the species such that it affects its ability to hibernate or migrate;
- Sell/exchange (or offer for sale/exchange) any part of a great crested newt, live or dead.

Offences can be deliberate, intentional or reckless and penalties for any of the above include fines of up to £5k and imprisonment of up to 6 months, per animal affected.

At the local level, the site falls within the area covered by the Wrexham Biodiversity Action Plan (WBAP), in which GCN are identified as a Priority Species. GCN are also listed in Section 41 of the

NERC Act 2006 as Species of Principal Importance; national objectives and targets include the maintenance of the geographical range and viability of existing great crested newt populations to ensure that it remains in favourable conservation status.

Under the NPPF, the presence of a protected species such as GCN is a material planning consideration.

The Framework states that impacts on protected species arising from development proposals must be avoided where possible or adequately mitigated for and that opportunities for ecological enhancement should be sought.

2.7 Bats

All UK species of British bats are fully protected under The Conservation of Habitats and Species Regulations 2017 (as amended). The Regulations prohibit:

- Intentionally, recklessly or deliberately kill, injure or take a bat;
- The deliberate disturbance of any bat species in such a way as to be significantly likely to affect:
 - Their ability of to survive, hibernate, migrate, breed, or rear or nurture their young; or;
 - The local distribution or abundance of that species.
 - Damage or destruction of a breeding site or resting place (roost);
 - The possession or transport of bats or any other part of.

Bats are also protected under the Wildlife and Countryside Act 1981 (as amended) through their inclusion in Schedule 5. Under the Act, they are protected from:

- Intentional or reckless disturbance (at any level);
- Obstruction of access to any place of shelter, breeding or rest;
- Selling, bartering or exchange of these species, or parts of.

Seven British bat species are listed as Species of Principal Importance (SPI) under the Natural Environment and Rural Communities (NERC) Act 2006. These are barbastelle *Barbastelle barbastellus*, Bechstein's Myotis *bechsteinii*, noctule *Nyctalus noctula*, soprano pipistrelle *Pipistrellus pygmaeus*, brown long-eared *Plecotus auritus*, greater horseshoe *Rhinolophus ferrumequinum* and lesser horseshoe *Rhinolophus hipposideros*.

2.8 **Badger**

Badgers are protected under the Protection of Badgers Act 1992. This act is based on the need to protect badgers from baiting and deliberate harm or injury.

The act makes it an offence to:

- Willfully kill, injure, take, possess or cruelly ill-treat a badger, or attempt to do so;
- Intentionally or recklessly interfere with a sett. Sett interference includes disturbing badgers whilst they are occupying a sett, as well as damaging or destroying a sett or obstructing access routes.

A sett is defined as “any structure or place that displays signs indicating current use by a badger”.

2.9 **Birds**

The Wildlife & Countryside Act 1981 (as amended) protects wild birds, their nests and young. The Act makes it an offence to intentionally or recklessly kill, injure or take any wild bird, or damage or destroy the nest whilst being built or in use, or the eggs of breeding birds. Species listed on Schedule 1 of the Act, including barn owl, are further protected to include the intentional or reckless disturbance of birds.

3 Methodology

- 3.1 A preliminary understanding of the ecological baseline of the development site (hereafter referred to as 'the site') was derived through desk study and site survey.

Site survey

- 3.2 An Ecological Assessment was undertaken on 29th April 2023 following Joint Nature Conservation Committee (JNCC) methodology (2010). This identified the habitat types on the site and the presence/absence of protected/notable species¹. The results of the survey are detailed on a Phase 1 Habitat plan; refer to **Appendix 1**.
- 3.3 Water bodies within 250m of the site were also identified from Ordnance Survey (OS) maps and through aerial photography and examined.

Bat Surveys

Trees Inspection

- 3.4 As tree roosts are extremely difficult to locate, it is prudent to note all potential roost entrances, cracks, cavities, woodpecker holes, fissures, in order to undertake emergence surveys should there be an impact on the trees.

Bird Surveys

- 3.5 Habitats that may contain bird nests were checked for current and historic nests and breeding activity. Bird activity occurring on site was also noted.

Protected Mammal Surveys

- 3.6 The site hedgerows and linear features were checked for feeding signs, prints, trails, droppings, holes etc. for species including badger *Meles meles*.

¹ Notable species are those which hold a specific conservation status e.g., Biodiversity Action Plan Priority Species, IUCN Red Data Species etc. Some notable species may also be legally protected.

4 Results

Site survey

Habitats within the survey area

- 4.1 The location of the habitats within the survey area are shown in **Appendix 1**, which should be read together with photographs within the text. Habitat descriptions are provided below; plant species are referred to using their English names.
- 4.2 The following paragraphs describe the habitats within the proposed site, providing a basic description of the most dominant habitats occurring.
- 4.3 The target site is a parcel of predominantly improved grassland, which is used for grazing. Species include Perennial Ryegrass, Red Fescue, Smooth Stalked Meadow grass all at a short sward, and some areas of bare ground. A post and wire fence surrounds the larger field parcel.
- 4.4 The approximate site grid reference is **SJ 384550**
- 4.5 The proposed site will see a fabricated cattle shed, designed for young stock.
- 4.6 The access route follows existing hard standing tracks through the farm complex.



Photograph 1: A view of the land proposed for the development.



Photograph 2: A closer view of the short sward habitat.



Photograph 3: A view of the pond located 215m from the proposal site, its surrounds contain good terrestrial habitat.



Photograph 4: A view from the pond across to the proposal site, note the lack of habitat corridors.

Site Boundaries

- 4.7 A post and wire fence runs along the northern border of the site. The southern and eastern and western boundary are open to the wider pasture field.

Surrounding habitats

- 4.8 The site is set within an agricultural environment; most field parcels are utilised as dairy farming or growing hay for winter feed.

Protected and notable species

Invertebrates

- 4.9 No notable invertebrate species were recorded.
- 4.10 It is possible that some of the commoner moth and butterfly species may frequent the site within small parcels of ruderal vegetation and scrub.

Amphibians

- 4.11 Great crested newts are protected by Schedule 2 of the Convention of Habitats and Species Regulations (2010) and Schedule 5 of the Wildlife and Countryside Act (1981, as amended), which provide protection to both the individuals and the areas they use for rest, shelter or breeding. Great crested newts are also a UK BAP priority species.
- 4.12 The desktop study and site survey identified a single waterbody within 250m of the proposal site, the pond (see photograph 3) is located at 215m southeast, given the distance and the lack of habitat corridors between the proposal and the pond, it is unlikely that any impacts will occur to the pond and its inhabitants. and A slurry pit is located at 112m northeast of the proposal site.

Reptiles

- 4.13 A small debris pile is found within the southern border of the site. The pile offers potential habitat for reptile species, but the site is thought to be cut off from any possible reptile migration to site.

Birds

- 4.14 The site provides suitable nesting and foraging habitat (e.g., dense hedgerows for a range of bird species, including UK BAP species such as dunnoek, song thrush, starling and house sparrow.

Bats

- 4.15 The site contains no trees or other bat roost habitat. It is possible that bats may use the hedgerow for commuting or foraging.

Badgers

- 4.16 No signs or recordings of badger were noted within the site or 30m buffer zone.

Other mammals

- 4.17 The proposed site provides suitable habitat for hedgehog *Erinaceus europaeus* and for other mammal species such as grey squirrel *Sciurus carolinensis*, fox *Vulpes vulpes*, rabbit *Lepus curpaeums* and small mammals such as voles and mice.

5 Constraints and Recommendations

- 5.1 The proposed development (within the red line site boundary as shown in *Figure 1*) will consist of a cattle shed for young stock.
- 5.2 Construction and post construction impacts are therefore possible upon both the habitats and species within and immediately adjacent to the site. Ecological constraints and recommendations with regard to any development of the site are discussed below.

Habitats

- 5.3 The improved grassland will be lost prior to construction of the cattle shed.
- 5.4 Plans for access involve utilising the existing gated openings and therefore, there will be no impact on the hedgerow.
- 5.5 There is the potential for some of the habitats on site to support protected species; this is discussed below.

Protected species

Reptiles

- 5.6 The proposal site offers very few features suitable for reptiles.

Amphibians

- 5.7 No water bodies are present on, or immediately adjacent to the site.
- 5.8 A slurry bed occurs approximately 112m north east of the proposal site and a field ponds 215m southeast of the site. Given the distance and separation barrier it unlikely that there will be any negative impacts on these habitats or inhabitants.
- 5.9 Furthermore, on site habitats are considered to be of low quality for protected amphibian species such as GCN, comprising predominantly short, improved grassland, due to the site being cut off from water bodies or potential features to entice amphibians.

Birds

- 5.10 Nesting birds are protected under The Wildlife and Countryside Act 1981 (and amendments) and it would be an offence to damage or destroy a nest or otherwise disturb a nesting bird.
- 5.11 Specific proposal plans for the cattle shed will take some improved grassland, which offers negligible habitat for bird nesting or foraging. Therefore, it is unlikely that there will be any impact on bird populations in the area.

Bats

- 5.12 All bat roosts are fully protected under the Wildlife and Countryside Act 1981 (and amendments) and The Conservation of Habitats and Species Regulations 2010, which defines these animals as European Protected Species.
- 5.13 An offence would be committed if roosts, whether occupied or not, were destroyed, damaged or obstructed, or if bats themselves were harmed or disturbed.
- 5.14 The site provides little opportunity for roosting or foraging bats.

Badger

- 5.15 No signs of previous or active badger activity were noted on site.

Other mammals

- 5.16 Hedgehog and fox will likely frequent the site, but due to the suitable environment within the immediate surrounding area for these species, it is thought to be of little concern.

Summary

- 5.17 Based on the above information, **it is recommended that the proposal plans can go ahead, without any constraints.**

6 References

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Appendix 1: Phase 1 Habitat Map

