

TECHNICAL REPORT

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Author:	BW
Reviewer:	AE
Approved:	PJB



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PLANNING | DESIGN | ENVIRONMENT

H Pack, New Highbay Warehouse, Llay, Wrexham.

Full Application for Erection of Storage and Distribution Warehouses (Class B8) (Application Ref. P/2023/0500).

Consideration of the Updated National Planning Policy for Chapter 6 of Planning Policy Wales Distinctive and Natural Places – the Stepwise approach.

1. 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.

2. Net Benefit for Biodiversity and the Step-wise Approach

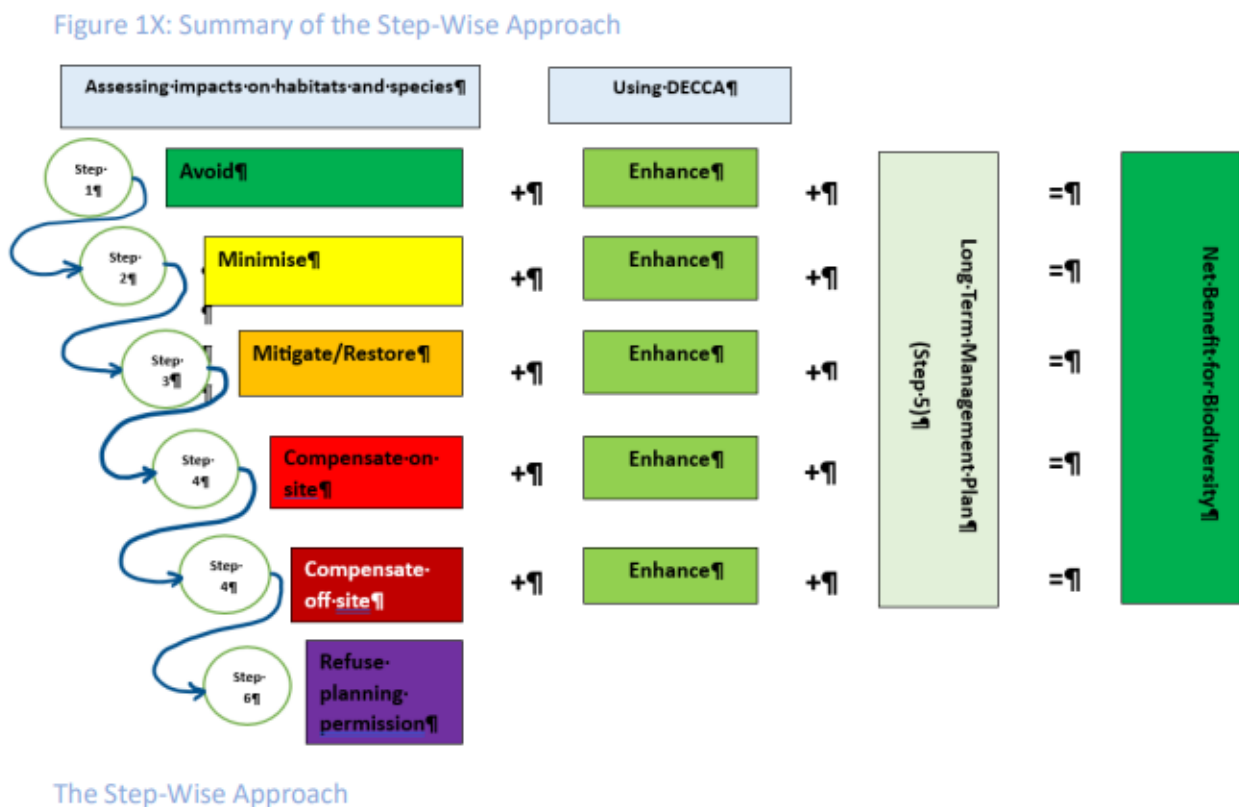
The updated PPW (para 6.4.21) advises that planning authorities must follow a step-wise approach to maintain and enhance biodiversity, build resilient ecological networks and deliver net benefits for

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;



Although the draft Local Development Plan (LDP) has not been formally adopted by WCBC, Draft LDP policy EM1 allocates the site for 'protection of existing employment areas' 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.

3. Understanding the wider ecological context – the information stage of the step-wise approach

The State of Natural Resources Report (SoNaRR) and the Natural Resources Wales (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; and,
- 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.

4. Pre-application surveys – the “information” stage of the step-wise approach

Ecological surveys of the site were undertaken in 2022 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; and,
- mitigation and compensation plans for protected and priority species and habitats found on or adjoining the site.

In brief, the application site comprises modified neutral grassland, with semi-natural broad-leaved woodland along the northern and western boundaries as well as dense/continuous and scattered scrub, a dry ditch and introduced shrub. A small number of buildings are interspersed across the site, primarily within areas of hard standing.

In terms of the key factors underpinning ecological resilience, the site is situated within an industrial area and fragmented by hard standing. It also has relatively little diversity of habitat and is not currently managed pro-actively for nature as it is regularly mown to a short sward. The site is currently relatively nature-depleted due to its location on the periphery of an industrial estate and subject to regular management and disturbance.

Habitats of high ecological value present within the site is woodland and dense scrub, however, this will be retained and protected during works, maintaining connectivity around the northern and western perimeter and into the wider area.

A small area of amenity grassland and scattered trees adjacent to the B5373 Rackery Lane will be removed to create a new motorcycle and cycle access point. The removal of a few trees is not considered to affect the connectivity of the vegetative corridor adjacent to Rackery Lane.

The below sections on nature conservation designated sites, habitats and species consider the stepwise approach adopted with regards to the development.

4.1. 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 due to separation distance. The scheme has no effect on ancient woodland, veteran trees or notable S7 habitat.

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

The site comprises modified neutral grassland with woodland and scattered trees being the main ecological features (G9529.010 TEP 2022). Impacts are made on the basis on a Wider Site Plan (RGP Architects Drawing 11373-PL-L08).

The grassland is modified and under regular intense management and therefore of limited ecological value. Most of the development will be on this habitat type, thereby avoiding significant impacts on biodiversity.

The periphery of the site plan shows woodland, dense scrub and mature scattered trees to be retained within the site, which will largely maintain connectivity. Whilst some scattered trees will be removed to provide for site access along Rackery Lane, replacement planting will be incorporated within new landscaped area along the south-eastern boundaries of the site and ensure that no net loss and potentially net gain of trees. Protection measures for trees and hedgerows would be implemented through an Arboriculture Method Statement/Tree Protection Plan when development works take place.

No notable flora was recorded within the site.

4.3. Fauna species – baseline, avoidance, mitigation, and compensation steps

Amphibians

No aquatic habitat was found to be present within the site, but suitable ponds are present in the wider area including four ponds within 500m of the site. These ponds were subject to survey, with only two found to be holding water, ponds 1 and 2. One of these (pond 1) found great crested newts (GCN) to be present during the eDNA survey and pond 2 returned a negative result.

Terrestrial habitat within the site is of high value for amphibians such as GCN including woodland, scrub and a dry ditch. However, these will be retained and protected during works, with works

focussed largely within lower value modified grassland. As GCN has been found present in the wider area, in order to ensure legislative compliance a GCN mitigation licence from NRW will be required.

To enhance aquatic and terrestrial habitat a new scrape will be created and left to naturally colonise and fill with rainwater. In addition, a number of hibernacula and log/brush piles will be installed in close vicinity to the scrape. As a result, the amount of habitat suitable for amphibian shelter and foraging will compensate for losses of grassland and increase habitat value substantially.

Badger

No evidence of badger was found during the survey, but suitable habitat is present within the site including woodland and scrub. As badgers are highly mobile species, an updated badger survey will be required prior to works commencing on site. If found to be present, mitigation will need to be implemented to ensure legislative compliance. This may be in the form of altering proposals to maintain suitable buffers or applying for a mitigation licence from NRW. Measures for mammals including badger will be set out within the Precautionary Working Method Statement (PWMS) for the site to ensure the scheme will not impact badgers or other small mammals.

Bats

Woodland within the site contains trees that have moderate to high bat roosting potential. However, these will be retained and protected and no direct impacts are anticipated. A number of trees along Rackery Lane were noted as having low bat roost potential and a small amount of tree removal is required to facilitate a new access. The removal of low potential trees or pruning/loping of their branches will require works to be undertaken under a PWMS, with measures implemented such as soft felling trees under the supervision of a bat licensed ecologist and the installation of bat boxes on suitable retained trees.

Linear woodland around the boundaries of the site is of value to foraging and commuting bats and this will be retained and protected. The loss of a small number of scattered trees along Rackery Lane is not considered to impact foraging and commuting bats due to the localised nature of works and retention of scattered trees in the vicinity.

Habitat creation on site, including the installation of a new scrape and vegetation planting will benefit bats, through increased prey provision and improving connectivity across the site. In addition, a sensitive lighting scheme will be implemented to avoid any indirect impacts from external lighting on foraging and commuting bats.

Birds

As previously stated, the woodland is being retained within the site. Where scattered trees would need to be removed to provide for site access, there is potential to reduce the availability of nesting and foraging habitat though this can be compensated by replacement tree planting and installation of nesting boxes on retained trees.

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

Suitable habitat is present within the site, including rank grassland, tall ruderal, scrub and piles of rubble. This coupled, with records of grass snake adjacent to the site and common lizard within 500m, suggests there is potential for direct impacts to occur to reptiles if present on site during development works.

To avoid impacts on reptile species during construction, works will be undertaken in accordance with a PWMS. Habitat enhancement will be undertaken within the site which will also be of benefit for reptiles, including the creation of a scrape, hibernacula and log piles. Connectivity with suitable habitats within the wider area such as the woodland will be maintained and connectivity enhanced within the site through landscape planting.

5. Enhancement – the “Net Benefit” stage of the step-wise approach

Measures to provide net biodiversity benefit include the use of native species and inclusion of new scrape, hibernacula, log piles and linear planting to the south-east of the site and will benefit a range of species.

Enhancement for roosting bats and nesting birds can be delivered within the new development through the provision of bat, bird and hedgehog boxes.

Measures to deliver the net benefit to biodiversity will be secured through a long-term management and maintenance plan for the site, and the contents and scope of which will be secured through planning condition.

6. 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 enhanced;
- Condition attribute - the condition of habitats will be enhanced through long term management;
- Connectivity attribute - connectivity through the site will be maintained and enhanced through habitat retention and enhancement; and
- Adaptation - a network of semi-natural features are incorporated to ensure that biodiversity's ability to adapt to, resist and recover from pressures is enhanced.

6.1. Water and Drainage

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 permeable paving, 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.

6.2. 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.

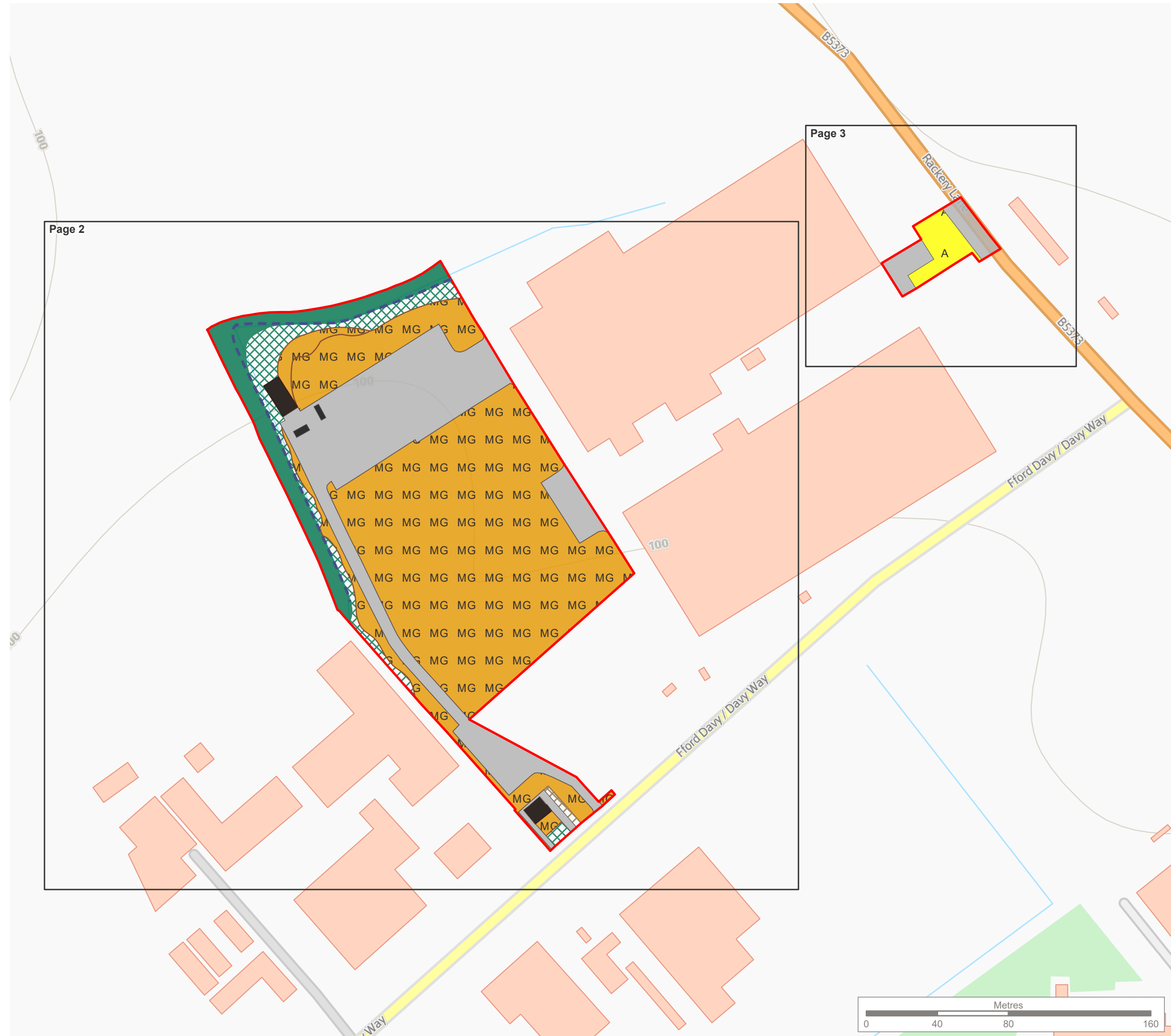
PPW 6.2.1 notes the components of GI that may be present at local or smaller scales (the scales of GI applicable to development proposals, rather than landscape-scale GI). The site currently has woodland, scrub, scattered trees and modified neutral grassland. Woodland is the dominant linear feature and this does have connectivity to the wider landscape but this will be retained and protected and enhanced with landscaping and the creation of a new scrape along the north-western boundary.

The proposed scheme would create a GI component not currently in place, notably a new waterbody/scrape in addition to a new landscaped area to the southeast. The GI components would be linked better within a GI framework for the site. The site's enhanced GI could serve to provide access to nature for those working within the industrial estate, benefit conservation and potentially surface water management.

Drawings:

G9529.010 Phase 1 Habitat Map - TEP

11373-PL-L08 - Wider Site Plan, RGP Architects

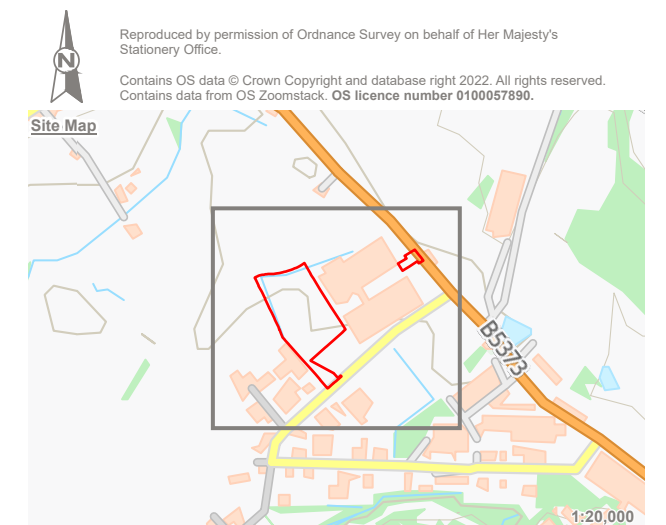


KEY

- Site boundary
- Dry ditch
- Semi-natural broad-leaved woodland
- Dense/continuous scrub
- Modified neutral grassland
- Amenity grassland
- Introduced shrub
- Building
- Hardstanding

Note:

The locations of habitats and habitat features are indicative.



Rev	Description	Drawn	Approved	Date

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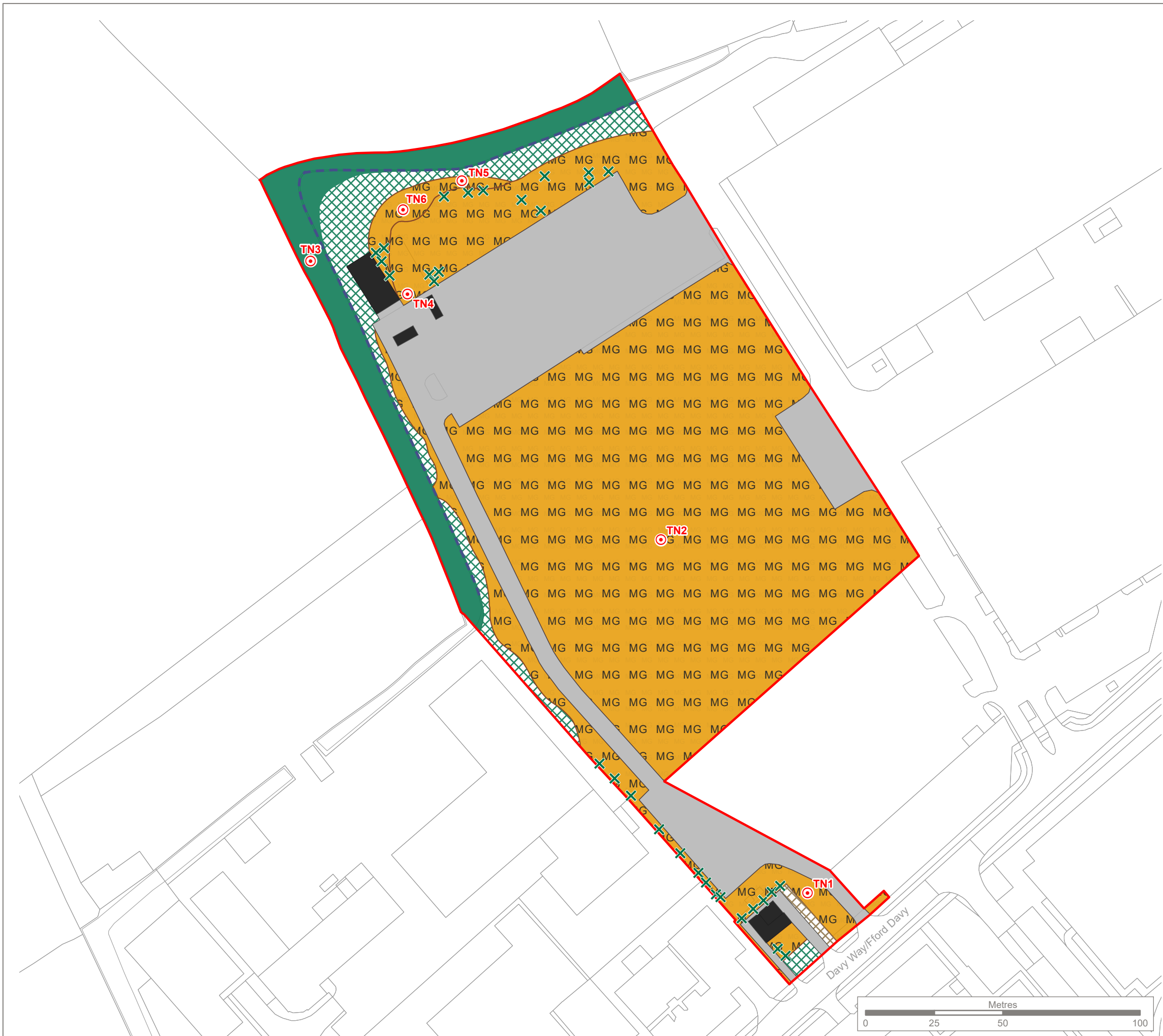
Project
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Title
Phase 1 Habitat Survey

Drawing Number
G9529.010.1

Page 1 of 3

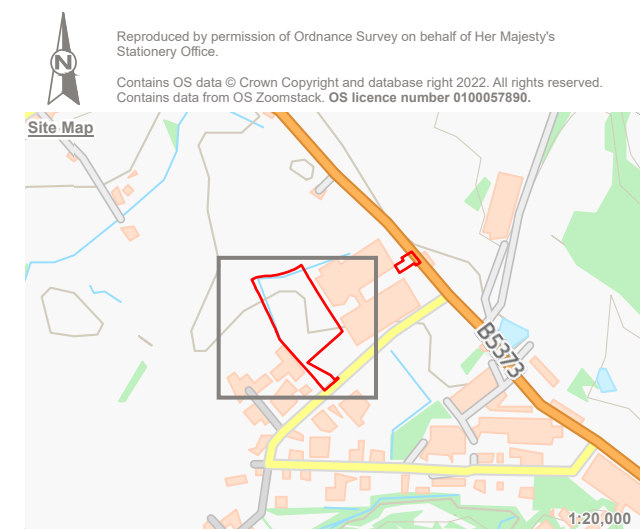
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KEY

- Site boundary
- Target note
- Scattered scrub
- Dry ditch
- Semi-natural broad-leaved woodland
- Dense/continuous scrub
- Modified neutral grassland
- Introduced shrub
- Building
- Hardstanding

Note:
The locations of habitats and habitat features are indicative.



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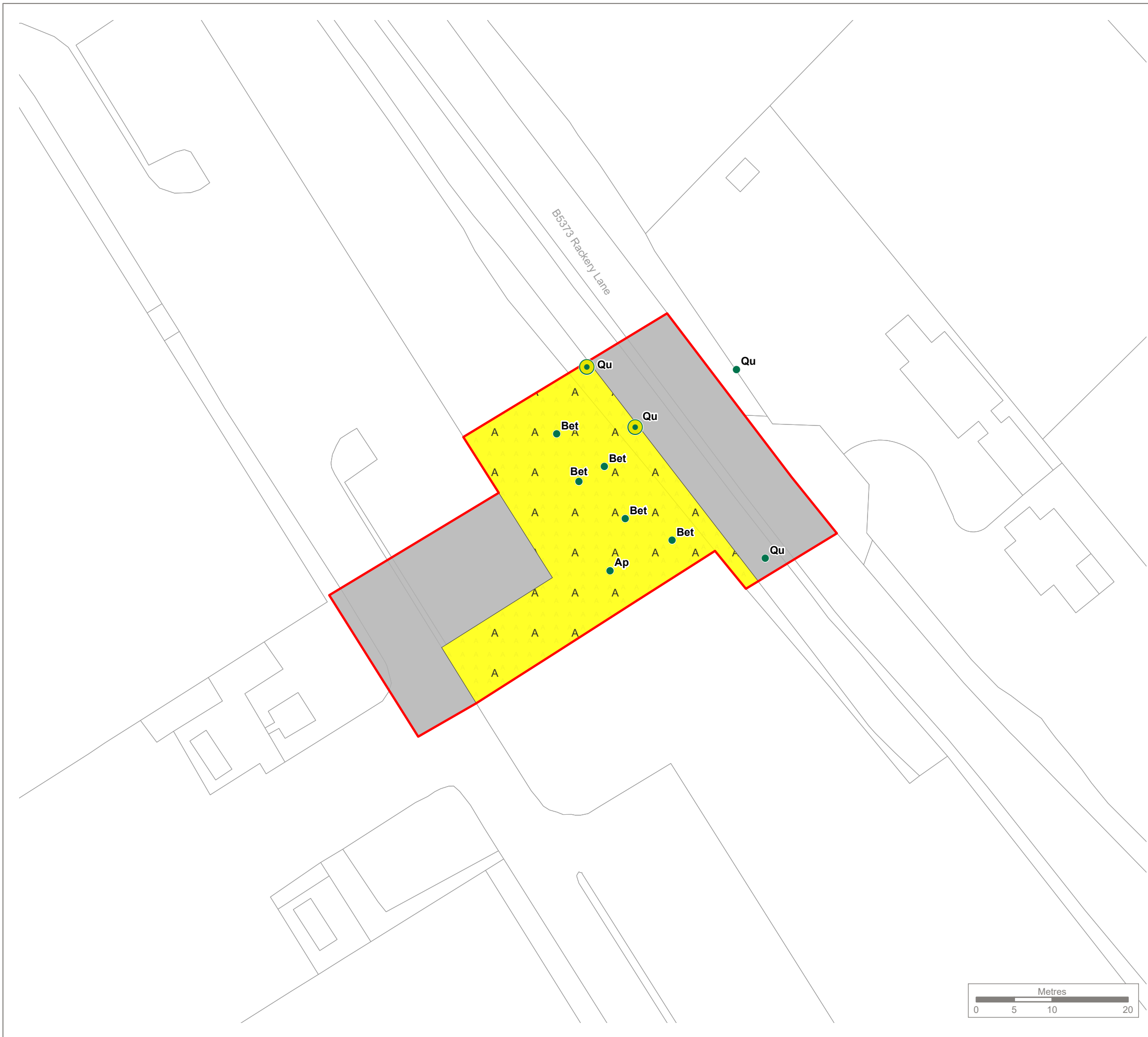
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Title
Phase 1 Habitat Survey

Drawing Number G9529.010.2				Page 2 of 3
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KEY

- Site boundary
- Scattered broad-leaved tree
- Broad-leaved tree with low bat suitability
- A A Amenity grassland
- Hardstanding
- Ap Sycamore
- Bet Birch species
- Qu Oak

Note:
The locations of habitats and habitat features are indicative.

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Site Map

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Title
Phase 1 Habitat Survey

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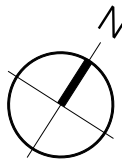
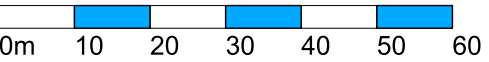
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SITE SPECIFIC HAZARDS

IN ACCORDANCE WITH THE REQUIREMENTS OF THE CDM REGULATIONS 2015 THE FOLLOWING SIGNIFICANT RESIDUAL HAZARDS HAVE NOT BEEN DESIGNED OUT OF THIS PROJECT AND MUST BE TAKEN INTO CONSIDERATION BY CONTRACTORS PLANNING TO UNDERTAKE THE WORKS SHOWN ON THIS DRAWING:

SCALE 1:1000



LEGEND

— OWNERSHIP BOUNDARY

NOTES

1. DRAWING PRODUCED BASED UPON OS AND TOPOGRAPHICAL SURVEY DATA.
2. LAYOUT SUBJECT HAS BEEN SUBJECT TO VEHICLE TRACKING
3. REFER TO DRAWING 11373-PL-L10 FOR DETAILED SITE PLAN OT WESTERN PORTION OF SITE



REV. DATE NOTES INIT.

CLIENT / PROJECT



DAVY WAY, WREXHAM

DRAWING TITLE

WIDER SITE PLAN

STATUS

PLANNING

DATE	JUN. '22	DRAWN	AJP	SCALE @ A2	1:1000
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PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER
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11373	PL	L08
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Site Location Plans	L	GA Plans	P	Elevations	E
Sections	S	Details	D	Prefix: Colour	C

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