



**Brother Industries, Vauxhall Industrial Estate, Ruabon,
Wrexham, LL14 6HA**

**Erection of storage and distribution warehouse (Class
B8)**

**Report in relation to the discharge of Conditions 8 and 9
of permission RHO P/2022/0979**

July 2023

1 Background

In May 2023, Wrexham County Borough Council granted permission for the erection of a storage and distribution warehouse (Class B8) at Brother Industries, Vauxhall Industrial Estate, Ruabon, Wrexham, LL14 6HA (Ref: RHO P/2022/0979).

Condition 8 of the planning permission decision notice states:

“No development shall take place until a Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Method Statement shall include, but not necessarily be limited to:

- Measures to be taken to prevent or reduce accidental capture or killing of amphibians including installation of permanent amphibian fencing into the boundary fence line.*
- Ecological Compliance Audit, including key performance indicators.*

The measures above shall be carried out in accordance with the approved details.”

Condition 9 of the planning permission decision notice states:

“No development, including site clearance, shall commence until a Biosecurity Risk Assessment, and Method Statement that considers invasive non-native species and specific diseases (e.g. Chytrid) has been submitted to and approved in writing by the Local Planning Authority.

The risk assessment must include:

- (i) appropriate measures to control any INNS on site;*
- (ii) measures or actions that aim to prevent INNS from being introduced to the site for the duration of construction and operational phases of the scheme.*

The Biosecurity Risk Assessment shall be carried out in accordance with the approved details.”

This report details the information required to satisfy Conditions 8 and 9.

It should be noted that the permitted area is all tarmacked car park and the proposed warehouse is effectively a ‘no-dig’ construction comprising a metal frame bolted and sealed to the ground, with composite wall panels and a PVC roof. The electricity supply box is nearby (with a few metres – see photo 1) and any trenching needed for connection is understood to be do-able as cut and fill within 1 working day. It is understood that no other utilities are required. This context affects the content of the required method statement, audit and biodiversity risk assessment. See photos 1 to 3.

Photos



Photo 1 – Location of warehouse on car park, as marked by traffic cones. The electricity supply box is ringed in red



Photo 2 – Location of warehouse on car park, as marked by traffic cones. The location of the nearest breeding pond is arrowed (beyond the tall wooded bund)

Photos (cont.)



Photo 3 – showing an example of a completed warehouse with a metal frame flush with the ground and PVC walls and roof

Condition 8

The method statement in Appendix 1 details the measures to be taken to prevent accidental capture or killing of amphibians, including great crested newt. However, please note that the requested installation of permanent amphibian fencing into the boundary fence line has not been included since it is considered that this would comprise an offence; in that it may obstruct access to places of rest or shelter, as below:

“Great crested newts and the law

It is against the law to:

... obstruct access to their resting or sheltering places...”

From <https://naturalresources.wales/permits-and-permissions/species-licensing/list-of-protected-species/great-crested-newt-licensing/?lang=en>, accessed July 2023.

Nevertheless, it is considered that the method statement in Appendix 1 will prevent accidental capture or killing of amphibians, including great crested newt.

The ecological compliance audit in Appendix 2 includes key performance indicators designed to ensure the method statement in Appendix 1 is adhered to.

Condition 9

The 'Preliminary Ecological Appraisal: Vauxhall Industrial Estate, Wrexham by Heatons Huddart, H and Tose, A Dated 2023' submitted and approved as part of the application stated: *“No invasive species were noted during the Phase 1 Habitat Survey”*

Hence, given highly likely absence, no measures to control invasive non-native species (INNS) within the site are considered to be required.

The following Biosecurity Risk Assessment (BioRA) outlines the measures to be taken to minimise the risk of INNS being transported onto the site. It will be presented to all construction contractors working on the permitted works during an induction prior to commencement of works. In addition, all construction contractors will be required to adhere to the “clean check dry procedure” which can be found at <http://www.nonnativespecies.org/checkcleandry/biosecurity-for-everyone.cfm> (accessed July 2023).

Brother Industries, Vauxhall Industrial Estate, Ruabon, Wrexham, LL14 6HA Biosecurity Risk Assessment July 2023			
Species	Potential contamination route	Likelihood of risk	Operational procedures / actions required to minimise risk
Himalayan balsam, <i>Impatiens glandulifera</i>	Introduction of species via construction machinery. Introduction of seeds via contaminated soil.	Low: Himalayan balsam is not known to be on site or in the immediate locality. Low: there are no requirements to import untreated soil.	Ensure owner and contractors know what Himalayan balsam looks like. If any plants are identified, these should be pulled up and left to dry before the seeds set (July/August).
Japanese knotweed, <i>Fallopia japonica</i>	Introduction of species via construction machinery. Introduction of fragments via contaminated soil.	Low: Japanese knotweed is not known to be on site or in the immediate locality. Low: there are no requirements to import untreated soil.	Ensure contractors know what Japanese knotweed looks like. If it is identified on site, refer to the advice at https://www.gov.uk/guidance/prevent-japanese-knotweed-from-spreading (accessed July 2023) for control.
Other invasive non-native species	Introduction of species via water used on site. Introduction of species via vehicles moving from site to site.	Low: tap water is likely to be used for construction and washing purposes. Low; Construction vehicles are understood to mainly work on tarmac and hardstanding	If water is used on site for construction purposes or to wash vehicles or equipment, care should be taken to ensure that the source of the water will not inadvertently act as a vector for the transportation of INNS to/from the site or elsewhere. Disposal of contaminated wash water, including all silt and other solids (e.g. plant fragments), must also be dealt with in a responsible manner to avoid pollution and to prevent the spread of any non-native species that may be present. Care must be taken not to facilitate the transportation of plant seeds or fragments, animals or eggs on machinery, vehicles or by foot, from one site to another. Vehicles should be inspected before moving them from site to site or off site, and provide wash facilities suitable for the machinery you have, if needed, e.g. a drive through bath. The clean, check, dry procedure must be used for all equipment and clothing.

Since the proposals are at least 30m from the nearest known breeding pond (to the N and over a 10m tall bund – see Photo 2), there is considered to be negligible risk of introducing invasive non-native aquatic plants or chytrid fungus to that pond.

Appendix 1 Great crested newt method statement and briefing

i) A suitably experienced ecologist will undertake a fingertip search of all the work areas and access routes to ensure the likely absence of great crested newts from these areas.

ii) Steps should be taken to ensure that works will not harm or disturb individual great crested newts, or their places of rest or shelter. These steps are:

- the creation of potential places that could be used for rest or shelter by great crested newt will be minimised by not laying plastic, bricks, wood, slabs etc. flat on the ground, except where pre-agreed with the ecologist (eg: as far as feasible from the breeding pond and on an area with no possible places of rest or shelter for newts) or, where feasible, these should be raised off the ground by at least 15cm (such as on railway sleepers or two pallets).
- Any trenching for utilities/electricity should be cut and filled the same day. However, in the very unlikely event that this is not possible, the risk of newts being trapped will be minimised by:
 - providing earths ramps at regular intervals in any trench (etc.) every night to allow any trapped newts to escape; and/or
 - placing a covering on any trench (etc.) that will effectively prevent any newt from falling in. Examples of such a cover would include plywood or metal (as appropriate) edged with foam rubber (or similar) that would 'fill' any gaps otherwise present due to ground unevenness, or a tarpaulin sheet (or similar) with the edges weighed down with soil (or similar); and;
 - undertaking a morning inspection to double check for the presence of any newts before works re-start.
- work that may affect newts will be carried out with due care and attention and all contractors will be required to remain vigilant in order to spot any newts.

iii) In the unlikely event that at any point a great crested newt is discovered on the site the following instructions will be followed:

- contact the ecologist (Rob Mileto on 01743 236096 or 07929 037409) who should advise on what to do next. If no consultant ecologist is immediately available, photograph the newt if possible or take detailed notes on colour, length, texture of the skin and if there is a white stripe on the side of the tail. Then, gently cover the newt with handfuls of grass and move away.
- works in the area where you found the newt should stop - otherwise you may be causing an offence.

Great Crested Newt Briefing

This briefing should be regarded as a basic guide only - it is for each person to ensure they are fully conversant with the law as applied to great crested newts.

1) What a great crested newt looks like

An adult male looks like this (picture approx. half life-size). Adult males have rough dark (black) skin and are up to 15cm long (nearly the length of a typical hand). Note the white stripe on the tail.



An adult female is similar (picture approx. half life-size). It is typically slightly bigger than males (note there is no white stripe on the tail).



Immatures are small versions of the adults above and are about the length of an index finger.

Note that there are two other species of newt that might be found and which can look like a small version of a great crested newt (there is a smooth newt in the photo above). Therefore, if any newt is found it is best to telephone as detailed below.

2) Where great crested newts are likely to be found

Although newts are often thought of as aquatic, only the adults use ponds and other areas of standing water for breeding between around March to June (much like frogs). For the rest of the year (and all year for juveniles) newts live on and under the ground. The most likely places to find them out of water are the same sorts of places you would find slugs and worms - dark damp places often under timber, rocks, slabs, skips, stored materials and debris. They can also be found in drains.

3) The law that applies to great crested newt

With certain exceptions, it is an offence to:

- intentionally or deliberately capture or kill, or intentionally injure great crested newts;
- deliberately disturb great crested newts or intentionally or recklessly disturb them in a place used for shelter or protection;
- damage or destroy a great crested newt breeding site or resting place;
- intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter by great crested newt.

4) What to do if you find, or think you have found, any newt

- do not handle the newt. If possible, cover it with some wet vegetation (eg: wet grass);
- ring the following numbers: 01743 236096 or 07929 037409 and speak with Robert Mileto and he will advise on what to do next. If Rob is not available, photograph the newt if possible or take detailed notes on colour, size etc.;
- works in the area where you found the newt should stop - otherwise you may be causing an offence.

Appendix 2 Ecological Compliance Audit

No	Performance Indicator	Evidence required - this list should be adapted to reflect the agreed method statement	Pass (Yes/No), comments	What action is required as a result of findings?
1	A suitably experienced ecologist will be appointed and retained during the lifetime of the construction to provide on-site advice.	Letter, contract or other document outlining the appointment of an ecologist for the lifetime of the project.		
2	Prior to the start of the permitted works on site, all site workers will be inducted by the suitably experienced ecologist. This induction will cover the legal status of the species, the method of working, and action to be taken if protected species are encountered. (This is the method statement and briefing in Appendix 1). (The induction will also cover the Biosecurity Risk Assessment)	Copy of documents from ecological induction, showing content of induction. List of induction attendees		
	Any other points to note/comments from auditor:			