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Preliminary Ecological Appraisal

for

Wrexham Tennis Centre

June 2023

3266/11

PRELIMINARY Ecological Appraisal

for

Wrexham Tennis Centre

June 2023

3266/11

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Prepared by:	Adam Lynch	Date:	16/06/2023
Checked by:	Matthew Robson	Date:	19/06/2023
Approved by:	Matthew Robson (PM)	Date:	19/06/2023

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Office 1, Llys Clwyd Cwrt Y Dderwen, Ffordd Celyn, Ruthin, Denbighshire LL15 1NJ
 email: rml@rmlconsult.com web: www.rmlconsult.com
 Tel +44(0)1824 704366
 Registered in England No. 1848683 VAT Reg. No. 401 4243 13



Summary

RML was commissioned in June 2023 to undertake a Preliminary Ecological Appraisal to inform the proposed improvements at Wrexham Tennis Centre including:

- two new external tennis courts;
- resurfacing and resizing of all exterior courts;
- new LED floodlights to all outdoor courts;
- improvements to car parking; and,
- removing portions of existing hedgerows.

The survey was undertaken by an experienced ecologist on the 8th of June 2023 across the entirety of the site including the proposed location for additional external courts.

The site comprised of the tennis centre buildings, external tennis courts, hardstanding, amenity grassland, scattered trees, hedgerows and introduced shrub. Semi-improved grassland is the dominant semi-natural habitat type, which lies to the north and east of the centre buildings.

The survey was required to identify potential ecological constraints of the proposals and to advise of any mitigation measures. Further survey requirements and measures to avoid, reduce and minimise ecological effects, during the pre- and post-construction phases are recommended. Overall, the conservation interest at the site is likely to improve with mitigation.

The proposed development has the potential to impact habitats of currently low to moderate ecological value. The potential loss of immature trees, non-native hedgerows and grassland should be minimised and compensated for, to maintain connectivity with the wider habitats and mitigate for areas of loss.

Impacts to birds are likely without appropriate mitigation.

No direct or indirect effects to statutory or non-statutory designated sites will occur.



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1 INTRODUCTION

1.1 Scope of commission

1.1.1 Richards, Moorehead and Laing Ltd (RML) was commissioned by Lawray Architects to undertake a preliminary ecological appraisal (PEA) of proposed development work at Wrexham Tennis Centre, to the west of Wrexham (hereafter referred to as the 'site'), centred on Grid reference SJ 332860 351482 based on a site survey. This report provides the results of the survey and provides recommendations for the enhancement of the site.

1.1.2 The appraisal is required to identify potential ecological constraints arising from the proposals and to advise of any mitigation measures, further survey requirements and measures to avoid and minimise ecological impacts.

1.2 Site description

1.2.1 The site is located approximately 1.4 km north-west of Wrexham town centre and currently comprises 3.6 ha of hard standing, buildings, tennis courts, amenity grassland, semi-improved grassland, hedgerows, scattered trees and introduced shrubs.

1.2.2 The location and extent of the site is shown on **Figure 1**, appended to this report (**Appendix B**).

1.3 Aims and objectives

1.3.1 The purpose of this report is to:

- a) Provide the results of the PEA carried out by RML ecologists on the 8th of June 2023 of the proposed works footprint and adjacent habitats located at Wrexham Tennis Centre.
- b) Make an assessment of the habitats present, the potential for these to support protected species and the likely impacts due to construction at the site.
- c) Identify any further survey requirements;



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- d) Identify appropriate enhancement measures including mitigation and,
- e) Highlight any potential requirement for protected species licensing.

1.4 Personnel and quality assurance

1.4.1 Ecologist & Environmental Scientist Dr Adam Lynch has a strong background in biological and environmental research, with a PhD in ecotoxicology which was a hybrid of his previous research interests (ecology and parasitology), looking at the effects of water pollution on aquatic parasite transmission. During his academic career he also gained practical experience in environmental work assisting licenced ecologists from RML in performing activities such as newt and bat surveys. Adam currently divides his time between ecological clerk of works duties and ecology, notably habitat, reptile, and entomological surveys.

1.4.2 Principal Ecologist Matthew Robson is a full member of CIEEM with over 24 years of experience in the ecology, conservation, and forestry sectors. He has experience of extended Phase 1 habitat surveys, mycological and NVC surveys, hedgerow surveys and species surveys for freshwater invertebrates, great crested newts, bats, reptiles, otter, and water voles. Additional work has included ecological impact assessment studies and water quality monitoring for clients including Scottish Water, Lancashire and Lincolnshire County Councils, and Highways England. Matthew has extensive experience with badger surveys and mitigation having held or worked as an accredited agent on eight licences. He holds both Natural England and Natural Resources Wales class licences for GCN. Before working in industry, Matthew pursued a research and lecturing background in geology and environmental management and the organic, inorganic, and biological analysis of water quality. His PhD encompassed heavy metal and PAH pollution and inorganic pollutant determination within natural watercourses using freshwater macroinvertebrates as a proxy indicator for water quality. He has also spent 2 years in the voluntary sector working for the British Trust for Conservation Volunteers and has worked as a forestry supervisor within the Peak District National Park.



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2 LEGISLATION AND PLANNING POLICIES

2.1 Habitats and Species

2.1.1 Certain habitats and species are subject to protection as laid out in the Wildlife and Countryside Act (as amended)¹ and/or the Conservation of Habitat and Species Regulations 2017 (the 2017 Regulations) as amended² or by their own separate protection, for example, the Badgers Act 1991³. Wild birds are supported by Regulation 10 of the 2017 Regulations which require local authorities and others to take steps to contribute to the diversity and extent of habitat for wild birds.

2.1.2 For a summary of the offences under this legislation refer to **Appendix A**.

2.2 Environment (Wales) Act 2016⁴

2.2.1 Welsh legislation confirms Wales' legal commitment to biodiversity conservation. Section 6 of the Environment (Wales) Act 2016 introduced an "enhanced biodiversity and resilience of ecosystems duty (the S6 duty)" for public authorities, which requires that they "seek to maintain and enhance biodiversity so far as consistent with the proper exercise of their functions and in so doing promote the resilience of ecosystems".

2.3 Planning Policy Wales 11⁵

2.3.1 Planning Policy Wales 11 (PPW11) Section 6.4.3 sets out the responsibilities of the Local Planning Authority when assessing development proposals and their impacts on biodiversity. This document states:

'The planning system has a key role to play in helping to reverse the decline in biodiversity and increasing the resilience of ecosystems, at various scales, by ensuring

¹ <https://www.legislation.gov.uk/ukpga/1981/69>

² <https://www.legislation.gov.uk/uksi/2017/1012/contents/made>

³ <https://www.legislation.gov.uk/ukpga/1991/36/enacted>

⁴ <https://www.legislation.gov.uk/anaw/2016/3/contents/enacted>

⁵ https://gov.wales/sites/default/files/publications/2021-02/planning-policy-wales-edition-11_0.pdf

appropriate mechanisms are in place to both protect against loss and to secure enhancement.

- 2.3.2 It sets out the requirement for planning authorities to demonstrate that they have sought to fulfil the duties and requirements of Section 6 of the Environment Act 2016 by taking all reasonable steps to maintain and enhance biodiversity in the exercise of their functions.

2.4 Technical Advice Note 5⁶

- 2.4.1 Technical Advice Note (TAN) 5 (Nature Conservation and Planning) provides advice about how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation. This guidance note should be read in conjunction with PPW11.

2.5 Adopted Local Development Plan (2006 -2021)⁷

- 2.5.1 The adopted Local Development Plan (current at the time of writing) for Wrexham County Borough Council sets out several local policies to ensure the protection and development of biodiversity.

2.6 Biodiversity Policy and Net Benefits for Biodiversity

- 2.6.1 Wales Biodiversity Partnership (WDP) have produced biodiversity checklists for local authority and public authority staff in Wales. The checklists will assist public and local authorities to take account of biodiversity in their operational activities and will help organisations to remain legal under the Environment (Wales) Act (2016) Biodiversity Duty and other biodiversity related legislation. In addition, the implementation of the checklists and guidance will help build towards the biodiversity outcomes contained in the Environment Strategy for Wales.

⁶ <https://gov.wales/sites/default/files/publications/2018-09/tan5-nature-conservation.pdf>

⁷ <https://www.wrexham.gov.uk/sites/default/files/2020-05/lpg-32e.pdf>

- 2.6.2 The net-benefits for biodiversity approach by Welsh Government has the intention to deliver an overall improvement in biodiversity by putting an emphasis on proactive consideration of biodiversity and wider ecosystem benefits within a placemaking context to be considered early in the design process. The aim is to design schemes that positively impact ecosystem resilience. Natural Resources Wales (NRW) has developed a framework for evaluating ecosystem resilience based on five attributes and properties specified in the Environment (Wales) Act 2016. This is referred to as DECCA: Diversity, Extent, Condition, Connectivity and Aspects of ecosystem resilience⁸. When designing Resilient Ecological Networks (RENs) including the biodiversity enhancements recommended for these natural flood interventions, these attributes would be considered.

⁸ Garrett HM, and Ayling SC. 2021. Terrestrial and freshwater Resilient Ecological Networks: a guide for practitioners in Wales. 43 pp. NRW Report No. 483 Natural Resources Wales. Dolgellau

3 METHODOLOGY

3.1 Desk study

3.1.1 Third party consultation was undertaken as part of the proposal. Data was requested from Cofnod, the Local Environmental Records Centre for North Wales. Cofnod was contacted on 2nd June 2023 to obtain the following ecological data:

- Details of any statutory and non-statutory nature conservation designations within 10 km⁹ of the site; and
- Records of any legally protected or other notable species within 2 km¹⁰ of the site.
- Records of bat species within 10 km of the site.

3.1.2 Open source 1:25,000 Ordnance Survey mapping and Google Earth Pro satellite imagery were used to identify any mapped water bodies and watercourses within 500 m of the Site.

3.1.3 Magic¹¹ online mapping was interrogated to include 10 km around the site for European and international designated sites and statutorily protected sites for birds and bats. Sites of Special Scientific Interest (SSSI) and Impact Risk Zones (IRZs) were also considered where applicable.

3.1.4 Natural Resources Wales 'Lle' Map Browser was searched for data relating to Local Nature Reserves¹².

3.1.5 Where applicable, information supplied by these organisations has been incorporated into the following account with due acknowledgement. The pertinent results of the desk study have been incorporated within Section 4 as tables. For

⁹ Only those sites within 2 km of the scheme proposals are reported within this document. Cofnod data can be provided upon request.

¹⁰ Only those species within 1 km of the scheme proposals are reported within this document. Cofnod data can be provided upon request.

¹¹ <https://magic.defra.gov.uk/MagicMap.aspx>

¹² <https://lle.gov.wales/catalogue/item/LocalNatureReserves/?lang=en>

brevity, where multiple records were recorded at the same location, the location is only presented once within the tables.

3.2 Field survey

Extended phase 1 habitat survey

- 3.2.1 An extended Phase 1 habitat survey was conducted on the 8th of June 2023 by Matthew Robson and Adam Lynch of RML to determine the current baseline conditions of the site. The survey area included all land affected by the proposed construction and immediate adjacent land, where accessible. The weather conditions during the survey were sunny and calm with an ambient temperature of 15°C.
- 3.2.2 Habitats were described and mapped following the standard Phase 1 habitat survey methodology (JNCC, 2010). Phase 1 habitat survey is a standard technique for classifying and mapping British habitats. The dominant plant species were recorded, and habitats were classified according to their vegetation types. Where appropriate, consideration was given to whether habitats qualify, or could qualify, as a Habitats of Principal Importance following habitat descriptions published by the Joint Nature Conservation Committee (JNCC, 2008). The Phase 1 survey method is 'extended' through the additional recording of specific features indicating the presence, or likely presence of, protected species or other species of nature conservation significance (also referred to as 'notable' species).
- 3.2.3 The scientific naming of plant species follows those in Stace (2010). Habitats were marked on a paper base map and were subsequently digitised using a Geographical Information System (QGIS). Target notes (TN) were made to provide information on specific features of ecological interest or habitat features too small to be mapped. These are shown in **Appendix B** and described in **Appendix C**.
- 3.2.4 Any invasive plant species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) recorded during the Phase 1 habitat survey was also target noted. Detailed mapping of such species; or a full survey of the Site for all invasive plant species is beyond the scope of this commission.

3.3 Protected Species Assessment

3.3.1 Any evidence, or potential for protected species and notable species were noted and, where appropriate, marked as a target note on the Phase 1 habitat plan. The assessment of habitat suitability for protected and notable species was based on professional experience and judgement and supplemented by standard sources of guidance on habitat suitability assessment for key faunal groups. This modified approach to Phase 1 habitat survey is in accordance with the approach recommended by Guidelines for Preliminary Ecological Appraisal (CIEEM, 2013).

3.4 Survey constraints and limitations

3.4.1 There were no survey constraints; the habitat survey was carried out at the optimal time of year. Identification of plant species was not hampered, with most being clearly visible, allowing full determination of habitat types to be made.

3.4.2 Every effort has been made to provide a comprehensive description of the Survey Area. However, the following specific limitation applies to this assessment: records held by local ecological record centres, local recording groups and on the internet are often collected on a voluntary basis; therefore, the absence of records does not demonstrate the absence of species, rather, it may simply indicate a gap in recording coverage.

3.4.3 As the behaviour of wild animals is unpredictable and can change over time, the results of the survey reflect site conditions on the 8th June 2023.



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4 RESULTS

4.1 Desktop Study

Site Context

4.1.1 The site is bounded to the north by residential housing, to the south by the Glyndwr University campus including the University Sports Centre to the east by the Borderlands railway line and to the west by Plas Coch Retail Park. The majority of the area occupied by semi-natural habitats present appear heavily managed, to the detriment of wildlife.

4.1.2 The surveyed area is located approximately 1.4 km north-west of Wrexham town centre and 0.3 km due east of the A483.

4.2 Designated Sites

4.2.1 No Natura 2000 sites (Special Areas for Conservation or Special Protection Areas) are located within 10 km of the Site.

4.2.2 There are no Ramsar sites within 2 km of the site.

4.2.3 There is one designated site, a site of Special Scientific Interest (SSSI), located within 2 km of the site. The site and its description are detailed in **Table 1** below.

Table 1: Statutory Designated Sites Within 2 km of Study Area.

Site name	Distance from site	Reason for notification (as taken from site citations)
Gatewen Marsh (SSSI) ¹³	0.8 km west.	Gatewen Marsh is of special interest as it is one of only three significant examples in the former county of Clwyd of the “southern mesotrophic mires” wetland type. The marsh is unusual in containing substantial stands of Great Reedmace (<i>Typha latifolia</i>) in shallow water with Brooklime (<i>Veronica beccabunga</i>), Water Plantain (<i>Alisma plantagoaquatica</i>) and Bottle Sedge (<i>Carex strata</i>). The fringes of these areas support stands of Common Spike-rush (<i>Eleocharis palustris</i>) with Water Mint (<i>Mentha aquatica</i>), Gipsy-wort (<i>Lycopus europaeus</i>), Narrow-leaved Water-parsnip (<i>Berula erecta</i>) and Lesser Spearwort (<i>Ranunculus flammula</i>).

¹³ https://www.cofnod.org.uk/resources/sssi/2554/SSSI_2554_Citation_EN001.pdf

4.3 Non-statutory Designated Sites

4.3.1.1 The desk study identified six non-statutory designated sites within 2 km of the centre of the Site. Their descriptions are detailed in **Table 2** below.

Table 2: Non-statutory Designated Sites Within 2 km of Study Area.

Site name	Distance from site	Description
Moss Valley (Wildlife Site)	1.37 km west.	Well wooded valley slopes with adjoining grassland. The eastern slopes have semi-natural woodland, a canopy of pedunculate oak, sycamore and ash with some planted beech. The understorey has hawthorn, hazel and wild cherry. The ground flora is fairly diverse with areas of nettle, bracken, bramble and ivy along with large areas of thinner soiled woodland with wavy hair-grass, bluebell, wood sage, heather and goldenrod. On the western slopes there is a more recent woodland with a sycamore/ash/oak canopy. The ground flora includes bramble, bracken, ivy, bluebell wood-sorrel, harts-tongue fern and tutsan.
Berse Drelincourt (Wildlife Site)	1.4 km south-west.	A small area with a mosaic of semi-natural habitats. The best area is a grassland in the western corner; this has common spotted orchid, glaucous sedge and bird's-foot trefoil. There is a thin strip of woodland along a stream which runs through the site. To the south of this is a rank but diverse grassland with some scrub invasion. This borders the old mineral railway which has a good number of species; kidney vetch, oxeye daisy and squirrel's-tail fescue included.
Bryn Alyn & Wormswood	1.77 km north.	An area of deciduous woodland bordering the river Alyn to the west.
Wilderness Woods	1.77 km north.	An area of deciduous woodland bordering the river Alyn to the east.
Woodlands and Fishpond Wood	1.79 km north.	Two areas of wetland; the larger area is the site of an old lake which is no longer dammed. Along the line of this lake is now a marsh and alder woodland. Around the west end of the marsh is semi-improved neutral grassland with a good herb content. Species include black knapweed, bird's-foot trefoil and field wood-rush. The most frequent species in the marsh are great willowherb, common sedge, meadowsweet, marsh horsetail, Yorkshire fog and marsh marigold. Other species present include elongated sedge, hairy sedge, common yellow sedge, greater bird's-foot trefoil, ragged robin, hard rush, water figwort and water mint.

Site name	Distance from site	Description
New Broughton Meadow	1.92 km west.	Site with a variety of semi-natural habitats. At the centre is a pond with some marginal vegetation. Around this is a wet alder/willow carr. This extends into a marshy area which has much hairy sedge and lesser water parsnip. The surrounding land is mostly sandy grassland, with a ranker sward to the north-east. There is scrub along the line of the old railway. The grassland is diverse with such species as goat's-beard, oxeye daisy, common toadflax and bird's-foot trefoil.

4.3.2 There are two areas of ancient woodland (either ancient semi-natural or restored) within 2 km of the site. The closest is 4.3 ha in size and lies 1.6 km to the east of the Site.

4.4 Desk study results – Habitat

The following records for priority habitats, and their proximity, were returned for the site (for the last 10 years and within 2 km) by COFNOD (JNCC alphanumeric codes in parentheses).

- Fen (E.3) – 0.87 km west
- Swamp (F.1) – 0.9 km north
- Standing water (G.1) – 1.11 km southwest
- Running water (G.2) – 1.88 km north

4.5 Protected and Notable Species

4.5.1 The following section presents the findings of the desk study (species records within 2 km of the site within the last 10 years) from COFNOD.

Amphibians

4.5.2 There were 112 records of amphibians returned within 2 km of the site in the last 10 years. Within this period 29 Great crested newts (*Triturus cristatus*) were recorded, with the nearest found in a pond 1.12 km northwest of the site near the A541. 50 smooth newts (*Lissotriton vulgaris*) and 16 Palmate newts (*Lissotriton helveticus*) were recorded, as well as a further 16 newts of the genus *Lissotriton* (unspecified

species). One common toad (*Bufo bufo*) and two common frogs (*Rana temporaria*) were also recorded.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Bats

- 4.5.4 There were a total of 34 records from five bat species recorded within 2 km and within the last 10 years. The distance and direction from site are given for the nearest individual (Table 3).

Table 3: Nearest Individual of Each Bat Species Recorded Over the Last 10 Years Within 2 km of Study Area.

Common Name	Scientific name	Distance/direction from site for nearest	Designation
Brandt's	<i>Myotis brandtii</i>	1.8 km southwest	Bern2, Bonn2, CHS2, HDir4, LBAP-C, RL-DD, WCA5
Lesser horseshoe	<i>Rhinolophus hipposideros</i>	1.8 km southwest	BAP, Bern2, Bonn2, CHS2, HDir2, HDir4, LBAP-A, LBAP-C, LBAP-D, LBAP-E, LBAP-F, LBAP-G, LBAP-W, S7, WCA5
Common pipistrelle	<i>Pipistrellus pipistrellus</i>	0.17 km southwest	Bonn2, CHS2, HDir4, LBAP-A, LBAP-D, LBAP-E, LBAP-F, LBAP-G, S7, WCA5
Soprano pipistrelle	<i>Pipistrellus pygmaeus</i>	1.2 km northeast	BAP, Bern2, Bonn2, CHS2, HDir4, LBAP-A, LBAP-D, LBAP-E, LBAP-F, LBAP-G, S7, WCA5
Noctule	<i>Nyctalus noctula</i>	1.04 km southeast	BAP, Bern2, Bonn2, CHS2, HDir4, LBAP-A, LBAP-C, LBAP-D, LBAP-E, LBAP-F, LBAP-G, S7, WCA5
Key BAP: UK Biodiversity Action Plan Priority Species ¹⁴ . Bern: Bern Convention on the Conservation of European Wildlife and Natural Habitats ¹⁵			

¹⁴ <https://jncc.gov.uk/our-work/uk-bap-priority-species/>

¹⁵ <https://www.coe.int/en/web/bern-convention>

Bonn2: Bonn Convention on the Conservation of Migratory Species of Wild Animals¹⁶
 CHS2: The Conservation of Habitats and Species Regulations 2010¹⁷
 HDir: Habitats Directive¹⁸
 LBAP: Local Biodiversity Action Plan¹⁹.
 S7: Section 7 Environment Act (Wales) 2016²⁰
 RL: IUCN Red List of Threatened Species²¹
 WCA: Wildlife & Countryside Act 1981²²

Birds

- 4.5.5 There were 20 species of bird recorded within 2 km of the site within the last 10 years. The nearest records to the site include Kestrel (*Falco tinnunculus*) 0.34 km northwest, Red kite (*Milvus milvus*) 0.34 km west and Herring gull (*Larus argentatus*) 0.35 km west.

Hedgehog

- 4.5.6 There were 72 records of hedgehog (*Erinaceus europaeus*) within 2 km of the site in the last 10 years. The nearest was seen 0.15 km north.

Invertebrates

- 4.5.7 There were seven records for invertebrates returned within 2 km of the site in the last 10 years. Results for the nearest individual of each species are shown in Table 4.

Table 4: Nearest Individual of Each Invertebrate Species Recorded Over the Last 10 Years Within 2 km of Study Area.

Common Name	Scientific name	Distance/direction from site for nearest	Designation
White-letter Hairstreak	<i>Satyrrium w-album</i>	0.298 km west	BAP, LBAP-F, RL-EN, S7, WCA5
Wall	<i>Lasiommata megera</i>	1.31 km northeast	BAP, LBAP-G, RL-NT, S7
Dingy Skipper	<i>Erynnis tages</i>	1.97 km north	BAP, LBAP-C, LBAP-F, LBAP-G, RL-VU, S7

¹⁶ <https://www.cms.int/>

¹⁷ <https://www.legislation.gov.uk/ukxi/2010/490>

¹⁸ https://environment.ec.europa.eu/topics/nature-and-biodiversity/habitats-directive_en

¹⁹ <https://www.biodiversitywales.org.uk/>

²⁰ <https://www.legislation.gov.uk/anaw/2016/3/section/7>

²¹ <https://www.iucnredlist.org/>

²² <https://www.legislation.gov.uk/ukpga/1981/69>

KeyBAP: UK Biodiversity Action Plan Priority Species²³.LBAP – Local Biodiversity Action Plan²⁴.S7 - Section 7 Environment Act (Wales) 2016²⁵

Red list – Near threatened

Otter

- 4.5.8 There were eight records of otter (*Lutra lutra*) as recently as 2021. The nearest record was of an adult and cub in a built-up area 0.89 km southwest of the site.

Reptiles

- 4.5.9 There was one record from 2022 of a grass snake (*Natrix helvetica*) 1.7 km north of the site near Dodds Lane, and three records for common lizards (*Zootoca vivipara*) from 2018, with the nearest at 0.87 km south near Jaques Way.

4.6 Habitat Appraisal

- 4.6.1 The following is a summary of the Phase 1 habitat survey. A description of the dominant species, the composition and management of each habitat is provided below alongside an indicative species list. Target notes are provided in **Appendix C** and photographs in **Appendix D**. Alphanumeric codes are used in this section in line with the JNCC Phase 1 habitat survey classification (JNCC, 2010).
- 4.6.2 The surveyed site area comprises buildings, hardstanding, and activity infrastructure (**Photograph 1**), with extensive amenity grassland, semi-natural neutral grassland, scattered trees, hedgerows and introduced shrubs, tall ruderal vegetation, and semi-natural broadleaved woodland.
- 4.6.3 The main habitats recorded within the surveyed site are described in the following paragraphs. The location and extent of habitats present are shown on **Figure 1** in **Appendix B**.

²³ <https://jncc.gov.uk/our-work/uk-bap-priority-species/>

²⁴ <https://www.biodiversitywales.org.uk/>

²⁵ <https://www.legislation.gov.uk/anaw/2016/3/section/7>

Semi-natural Broad-leaved woodland (A1.1.1)

- 4.6.4 A small (0.1 ha) semi-natural broadleaved woodland lies along the western edge of the site. Species were dominated by small-leaved lime (*Tilia cordata*) and sycamore (*Acer pseudoplatanus*) with holly (*Ilex aquifolium*), horse chestnut (*Aesculus hippocastanum*), wych elm (*Ulmus glabra*), yew (*Taxus baccata*), turkey oak (*Quercus cerris*), and dogwood (*Cornus sanguinea*). The understorey was not particularly rich in species being dominated by cow parsley (*Anthriscus sylvestris*), hogweed (*Heracleum sphondylium*), common sorrel (*Rumex acetosa*) common nettle (*Urtica dioica*), and common grasses such as cock's-foot (*Dactylis glomerata*).

Scattered scrub (A2.2)

- 4.6.5 Bramble and self-set rowan scrub was noted between the rear of the hedges bordering the tennis courts and the rear of houses along Plas Coch Road.

Scattered broad-leaved trees (A3.1)

- 4.6.6 Broadleaved trees were notable within the areas of semi-improved grassland, and hedgerows. Species included apple (*Malus sp.*), bird cherry (*Prunus padus*), copper beech (*Fagus sylvatica f. purpurea*), downy birch (*Betula pendula*), rowan (*Sorbus aucuparia*), small-leaved lime, Swedish whitebeam (*Sorbus intermedia*), sycamore (*Acer pseudoplatanus*), Turkish hazel (*Corylus colurna*) and whitebeam (*Sorbus aria*).
- 4.6.7 None of the trees were highlighted as having Tree Protection Orders (TPOs) and none are listed on the Ancient Tree Inventory²⁶.

Semi-improved neutral grassland (B2.2)

- 4.6.8 This habitat, surrounding the centre to the east and north (**Photograph 2**) has been excessively mown giving the appearance of amenity grassland. However, closer inspection of peripheral areas identified numerous grass and forb species. Grasses included annual meadow grass (*Poa annua*), barren brome (*Anisantha sterilis*),

²⁶ <https://ati.woodlandtrust.org.uk/>

creeping bent (*Agrostis stolonifera*), false oat-grass (*Arrhenatherum elatius*), red fescue (*Festuca rubra*), soft brome (*Bromus hordeaceus*), Timothy (*Phleum pratense*) and Yorkshire fog (*Holcus lanatus*). Forbs were relatively abundant; common bistort, common knapweed (*Centaurea nigra*), common mouse ear (*Cerastium fontanum*), common ragwort (*Jacobaea vulgaris*), creeping buttercup (*Ranunculus repens*), cut-leaved crane's-bill (*Geranium dissectum*), daisy (*Bellis perennis*), field forget-me-not (*Myosotis arvensis*), fox and cubs (*Pilosella aurantica*), hedge mustard (*Sisymbrium officinale*), lesser trefoil (*Trifolium dubium*), red clover (*Trifolium pratense*), ribwort plantain (*Plantago lanceolata*), silverweed (*Potentilla anserina*), smooth hawk's-beard (*Crepis capillaris*), white clover (*Trifolium repens*) and wood avens (*Geum urbanum*).

Tall ruderal (C3.1)

- 4.6.9 Tall ruderal species were widespread across the site. Typically associated with field edges. Species included scattered curled dock (*Rumex crispus*), common bistort (*Bistorta officinalis*), common knapweed (*Centaurea nigra*), common nettle, creeping thistle (*Cirsium vulgare*), mugwort (*Artemisia vulgaris*), and rosebay willowherb (*Chamerion angustifolium*).

Amenity grassland (J1.2)

- 4.6.10 This habitat was present in the immediate vicinity of the tennis centre and the fenced off tennis courts. The sward was heavily mown but did contain a restricted number of forb species.

Intact species-poor hedge (J2.1.2)

- 4.6.11 These are present alongside a number of the external tennis courts to the west of the site (Photograph 3). These comprised Lawson's cypress (*Chamaecyparis lawsoniana*), with occasional cherry laurel (*Prunus lauroceracus*), dogwood (*Cornus alba*), elder (*Sambucus nigra*) and pruinose bramble (*Rubus pruinosis*) in less maintained areas to the rear of houses along Plas Coch Road. A small section of hawthorn (*Crataegus*

monogyna) hedge was noted to the northern corner of the site. Ground flora was notably poor for all hedgerows, typically comprising common nettle, common grasses and thistles. Ground flora below the cypress hedges was typically absent.

Introduced shrub (J1.4)

- 4.6.12 This habitat was limited to two small stands of rhododendron (*Rhododendron ponticum*), appearing to be affected by chlorosis, along the southern edge of the site between the boundary wall and the tennis centre indoor courts. The species is a Schedule 9 species, within the Wildlife and Countryside Act 1981.

Fence (J2.4)

- 4.6.13 Chain link fences surround the external tennis courts further enclosed by Heras fencing. Post and panel fencing has been added to the existing stone wall to the south of the site presumably as a barrier between the centre and the new housing development. A small ornamental fence surrounds the new orchard plantation to the east of the play area. None were considered to have any ecological value.

Wall (J2.5)

- 4.6.14 Only one wall was noted, to the rear of the gardens of houses along the southern perimeter of the centre (**Photograph 4**). Made of stone, this feature was sparsely colonised by ruderal vegetation such as ivy (*Hedera helix*) and Oxford ragwort (*Senecio squalidus*). In a couple of locations, the wall was seen to be bulging due to the growth of trees within the adjacent property.

Bare ground (J4)

- 4.6.15 Bare ground was limited to occasional patches at the base of hedgerows and in discreet patches around the car parks and within the children's play area.

4.7 Priority habitats

4.7.1 Table 5 lists the habitats found within the surveyed area and whether these habitats are listed as Priority Habitats in Section 7 of the Environment (Wales) Act 2016²⁷.

Table 5: Summary of Priority Habitats

Habitat Ref	Habitat Description	Priority Habitat	Site Context/Justification
A1.1.1	Semi-natural Broad-leaved woodland	✓	0.1 ha area along the western edge of the site, dominated by small-leaved lime and sycamore.
A3.1	Scattered broadleaved trees	✓	Broad-leaved trees were notable within the areas of semi-improved grassland and in the hedgerow.
A2.2	Scattered scrub	x	Bramble and self-set ash scrub were present within the unmanaged area to the east of the site.
B2.2	Semi-Improved neutral grassland	x	Surrounds the centre of the site to the east and north. Maintenance has given the appearance of amenity grassland. Numerous grass and forb species including annual meadow grass, barren brome, creeping bent, common bistort, common knapweed and common mouse ear.
C3.1	Tall ruderal	x	Tall ruderal species were widespread across the site associated with disturbed ground.
J1.2	Amenity grassland	x	Amenity grassland made up the majority of the site habitat.
J2.1.2	Hedgerows	✓	Present alongside a number of the external tennis courts to the west of the site. Dominated by non-native species such as Lawson's cypress and cherry laurel. Also included native species such as dogwood and elder. Small section of hawthorn hedge was noted to the northern corner of the site.
J1.4	Introduced shrub	x	Limited to two small stands of rhododendron along the southern edge of the site between

²⁷ <https://www.biodiversitywales.org.uk/environment-wales-act>

Habitat Ref	Habitat Description	Priority Habitat	Site Context/Justification
			the boundary wall and the tennis centre indoor courts. Schedule 9 invasive species, within the Wildlife and Countryside Act 1981.
J2.4	Fence	x	Chain link and Heras fences surround the external tennis courts. Post and panel fencing has recently been added to the existing stone wall to the south of the site. A small ornamental fence surrounds the new orchard plantation to the east of the play area.
J2.5	Wall	x	One stone wall to the rear of the gardens of houses along the southern perimeter of the centre. Sparsely colonised by ruderal vegetation such as ivy and Oxford ragwort.
J4	Bare ground	x	This habitat was limited to occasional patches within the disturbed ground around footpaths.
Key: ✓ Listed as priority habitat X Not listed as priority habitat			

4.8 Protected and notable species

4.8.1 The following section presents the findings of the extended Phase 1 Habitat survey conducted on the 8th of June 2023.

4.8.2 Where a species or species group has been omitted, this is due to there being no evidence or no suitability on site to support the species and as such are not considered to be affected by the schemes proposals.

Flora

4.8.3 There was minimal flora of particular note. Exceptions comprised the semi-natural broad-leaved woodland and some mature trees within the field to the north and east of the centre (Photograph 5).



Amphibians

- 4.8.4 No water bodies are present on site and there is a negligible potential for amphibian species migrating from nearby ponds into the site. The nearest Great crested newt (*Triturus cristatus*) was found in a pond 1.12 km northwest.

Reptiles

- 4.8.5 Much of the site has reduced habitat suitability for reptiles (amenity grassland and hardstanding particularly). There are small areas which have *some* potential to support reptiles, particularly the stone wall running along the south boundary and the semi-natural broad-leaved woodland to the west.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Bats

- 4.8.7 A small number of the trees within the surveyed area were of suitable size for bat roosting potential, including the large beeches on the southern and eastern boundaries and the mature trees within the woodland (**Photograph 6**). However, these were inspected and found to be lacking further roost potential features such as old woodpecker holes, splits, cavities, rot holes, loose bark. The existing buildings, including the structure enclosing the internal courts, the fitness suite, reception, conservatory, lounge bar, corridors and the physio suite/viewing gallery, were also inspected for roost potential. Numerous features were observed which would allow internal access to bats, such as the gaps in the external insulation (**Photograph 7**). However, inspection inside revealed that internal features would be of negligible potential for roosting bats, even opportunistically.

Birds

- 4.8.8 The tall ruderal habitat, woodlands, hedges, and scattered trees all provide suitable nesting and foraging habitat for birds (**Photograph 8**). A fledgling Jackdaw (*Corvus monedula*), accompanied by adults, was observed during the survey, suggesting that trees on, or close to, the site are utilised. Wood pigeons (*Columba palumbus*) were observed utilising the Lawson cypress hedges, suggesting the likelihood of nesting (**Photograph 9**). As is the case with bats, no evidence of nesting or roosting birds was found on, or in, the existing buildings.

Hedgehog

- 4.8.9 No evidence of hedgehogs was noted during the survey, however the species has previously been recorded close to the site (0.15 km north in 2019 and 0.43 km northeast in 2021). This species could utilise the woodland, field boundaries, adjacent gardens and areas of habitat mosaic and scrub for foraging and refuge.

Invertebrates

- 4.8.10 Due to the site's low floristic diversity and significant areas of hardstanding, the main area disturbed by the scheme (external tennis courts) has reduced potential for invertebrate species in its current state. The unaffected mature trees provide the highest quality habitat for invertebrates on site, particularly oak.

5 PRIORITY AND NOTABLE SPECIES

- 5.1.1 **Table 6** lists the species with known presence or potential to be present on the site which are Priority Species listed on Section 7 of the Environment (Wales) Act 2016 or are considered notable and relevant to the site in question.

Table 6: Summary of Priority Species

Species group	Species	Site Context
Birds	Any local passerine species	The tall ruderal habitat, woodlands, hedges, and scattered trees all provide suitable nesting and foraging habitat, but these areas are unlikely to be impacted.
Mammals	Hedgehog	Species recorded 0.15 km from site. Suitable habitat within the field boundaries and scrub habitat but negligible impact expected.
	Bats	Negligible, buildings lack internal voids and material is generally unsuitable in terms of thermal properties and entrance/exit opportunities. No impact on this species is expected.
	[REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Reptiles	Common lizard	Limited suitable habitats on site and presence unlikely. No impact on this species is expected.



6 DISCUSSION AND ASSESSMENT

6.1 Statutory Designated Sites

- 6.1.1 No direct or indirect effects to statutory designated sites are expected, the nearest; Gatewen Marsh SSSI, is located 0.8 km to the west at its nearest point. No construction operations would encroach on this site. Therefore, no further mitigation is considered.

6.2 Non-Statutory Designated Sites

- 6.2.1 Details of 6 non-statutory designated areas within 2 km of the Site were returned as part of the desk study. Impacts on non-statutorily designated sites are considered to be negligible. Mitigation to address this is discussed in the recommendations section below.

6.3 Habitats

- 6.3.1 The semi-improved grassland margin habitats are common and well represented in the locality. They are of moderate diversity and of relatively low habitat value. The uncommon scattered scrub was also of low habitat value.
- 6.3.2 The semi-natural broadleaved woodland and scattered broadleaved trees represent the habitat of most value within and the Site. Broadleaved woodlands are a s41 NERC Act Habitat of Principal Importance and a UKBAP (Biodiversity Action Plan) priority habitat.
- 6.3.3 Whilst hedgerows are also listed as a priority habitat, the examples on site were generally lacking in diversity. The cypressia-dominated species-poor hedgerows bordering some of the tennis courts offer negligible biodiversity value.
- 6.3.4 In the absence of mitigation, the scheme could also result in the damage to the roots systems and/or crowns of trees situated within boundary habitats set to be retained. Mitigation to address these potential impacts are discussed in the recommendations section below.

6.4 Protected and Notable Species

Amphibians

- 6.4.1 Due to the absence of waterbodies on site, impact is expected to be negligible. There is negligible potential for species migration from nearby waterbodies onto the site. Therefore, amphibians are not considered further.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Bats

- 6.4.3 While there were found to be some small gaps which would allow access, there is a notable absence of internal voids suitable for bats (e.g., attics) throughout, particularly in the internal court building and conservatory (**Photograph 10**), due to the nature of their construction and purpose. The brick buildings, including the fitness suite and reception are flat-roofed and thus also lack voids suitable for roosting bats.
- 6.4.4 The internal court building structure consists of a steel frame with sheet steel cladding and semi-opaque acrylic 'window' sheets. The thin nature and general thermal instability of these materials make the building unsuitable for habitation by bats. Bats typically rely on gripping a surface prior to entry/exit and this type of material would not allow for this. All areas were found to be absent of other indirect evidence of bat presence, including urine staining, droppings, moth/butterfly wings and scratch marks around potential entry points. Furthermore, the numerous adjacent properties surrounding the site are of traditional construction and much more likely to support any bats in the area. Therefore, the site is considered to be unsuitable in terms of suitability for bat roosting.

- 6.4.5 The broader grassland and woodland habitats on site offer foraging and commuting potential with more suitable structures for roosting beyond the boundaries of the site.

Birds

- 6.4.6 All buildings would appear to represent negligible potential for nesting due to their design. The woodland and scattered trees on site however offer nesting opportunities. Development of the site is unlikely to become a major source of disturbance during works due to the discreet nature of the development. Noise disturbance will be negligible in the context of the site's current usage.
- 6.4.7 The main impact on nesting birds would arise if vegetation clearance or disturbance are conducted within the nesting bird season (considered to be March - August inclusive but can be earlier or later in the season dependent upon local climatic conditions). No tree clearance is expected, however removal of Lawsons cypress hedges would impact species such as wood pigeons, which appeared to be using them for nesting.

Hedgehogs

- 6.4.8 Hedgehogs may use the surveyed area, particularly the tall ruderal scrub and semi-natural broad-leaved woodland, for foraging and dispersal into the wider landscape. While encroachment from the works seems unlikely, there remains some potential for disturbance or injury during site preparation.

Invertebrates

- 6.4.9 The area of grassland and tall ruderal vegetation to be affected by the proposed court construction is currently of low biodiversity value, being heavily mown semi-improved grassland. Other areas of the surveyed site would, however, provide suitable habitat for more commonly encountered invertebrate species, including pollinators, mainly within the orchard, woodland, trees and areas of tall ruderals and long grass to the periphery of the field.



Reptiles

- 6.4.10 The habitats within the surveyed area have some limited potential to support reptiles, specifically the stone wall, scrub and tall ruderal habitat. However, these habitats are unlikely to be disturbed and the proposed working area itself is of negligible use to reptiles, while also already being subject to regular human disturbance. Encroachment upon these habitats may disturb these species and, as with amphibians, there is also potential for disturbance when moving natural or manmade refugia.

Invasive Non-Native Species/Problematic Species (INNS)

- 6.4.11 The schedule 9 species, *Rhododendron ponticum*, is present on site but the two stands are minimal in size and appear to be affected by chlorosis.



Office 1, Llys Clwyd Cwrt Y Dderwen, Ffordd Celyn, Ruthin, Denbighshire LL15 1NJ
email: rml@rmlconsult.com web: www.rmlconsult.com
Tel +44(0)1824 704366
Registered in England No. 1848683 VAT Reg. No. 401 4243 13



7 RECOMMENDATIONS

7.1 Summary

7.1.1 The following sections discuss the potential effects of the works, current at the time of writing, upon the ecological interest at the site and advises upon methods which can either avoid, mitigate, or compensate for these effects.

7.1.2 The proposal for the works at the site, and the potential for biodiversity gains means that overall, the proposals are likely to have a positive effect on the site's biodiversity

7.1.3 Potential effects which could arise from the external works including the formation of two new external courts, include the following:

- Direct mortality and disturbance to protected and notable species;
- Direct loss of and disturbance to habitats; and,
- Increased noise, disturbance, and risk of pollution during construction.

7.2 Further Survey and Consultation

7.2.1 Ecological survey data is typically valid for two years unless otherwise specified, for example if conditions are likely to change more quickly due to ecological processes or anticipated changes in management. It is considered standard practice therefore to repeat surveys should works not commence within two years of the initial survey.

7.3 Proposed Mitigation

7.3.1 Potential impacts on designated sites, habitats, fauna and flora can be mitigated by sensitive design and other measures. In order to comply with legislation and planning policy it is recommended that:

Habitats

7.3.2 It is recommended that trees are protected during construction by employing a Construction Environmental Management Plan (CEMP or a Precautionary Working Method Statement (PWMS) to ensure best practice guidance is followed. Where loss

of habitat is unavoidable, this can be rectified post-construction through the planting of replacement trees of local provenance and the re-planting of hedgerows.

- 7.3.3 It is acknowledged that a habitat of equivalent value will only be achieved in the long term. However, the potential for these habitats to regrow, over time, back to their original state can be provided via a habitat and landscape management plan.
- 7.3.4 Reference should be made to BS5837:2012 Trees in relation to design, demolition and construction – Recommendations (BSI 2012). This includes tree root zone protection and should be considered wherever trees or trees within hedgerows are likely to be affected.
- 7.3.5 The grassland which will be lost due to the emplacement of new external tennis courts is currently maintained as amenity grassland. It is recommended to allow/develop an equivalent area to remain less managed. This could take the form of restricting mowing to two cuts a year in spring and autumn and allowing the autumn cuttings to lie for two weeks before removal. This will allow the seed bank to be replenished and result in a more diverse, invertebrate and bat friendly feeding resource.

Bats

- 7.3.6 None of the potential roosting features noted within the lodge or the mature oak to the east are anticipated to be directly affected by the proposed construction works.
- 7.3.7 It is assumed that all works would be undertaken during daylight hours, and no night-time work would be required.
- 7.3.8 Should any semi-mature or mature trees or buildings be identified for removal however, these should be inspected by suitably qualified bat worker and advice sought.
- 7.3.9 It is understood that the site is being monitored under a protected species licence from Natural Resources Wales for the bat populations already on site, which could be extended to cover sectional felling of potentially suitable trees for example, if required.

- 7.3.10 Before installation of lighting columns, an external lighting/internal light spillage scheme, designed to avoid negative impacts on bats, could also be submitted for approved by the LPA. This should follow the guidance set out in Guidance Note 08/18 'Bats and artificial lighting in the UK (2018)²⁸' from the Bat conservation Trust & The Institute for Lighting Professionals. For example, a warm white spectrum (ideally <2700 Kelvin) could be adopted to reduce blue the light component. Luminaires should feature peak wavelengths higher than 550nm to avoid the component of light most disturbing to bats. The installation of physical light spill control, such as hoods or cowls, should also be considered.

Birds

- 7.3.11 Removal of vegetation which could support nesting birds should be undertaken outside the bird breeding season. It is advised that if works are programmed to start at a time which conflicts with this, then site clearance works (i.e., the removal of the tall ruderal habitat, scrub, trees etc.) is scheduled ahead of the main site preparation and clearance works. If cut or flailed, any regrowth should be kept short to deter nesting birds. If this is not possible, a suitably experienced ecologist will need to conduct a nesting bird check immediately before vegetation removal. Any active nests should be left undisturbed with a suitable buffer (dependent upon species found) emplaced until the nest is no longer in use.

Hedgehogs

- 7.3.12 If any hedgehogs are found during site clearance and preparation works, then they must be removed to a suitable location outside the working area.
- 7.3.13 If any trenches/excavations are dug, then these must be either covered over each night or installed with an egress as described above.

²⁸ <https://cdn.bats.org.uk/uploads/pdf/Resources/ilp-guidance-note-8-bats-and-artificial-lighting-compressed.pdf?v=1542109349>

Reptiles

- 7.3.14 It is advised to retain as much of the tall ruderal and rough grassland habitat as possible. Where there is the requirement for disturbance to this habitat, then tall vegetation should be strimmed down in stages to 150 mm, then left for a day, checked by an ecologist, and then taken to ground level (stage strimmed).
- 7.3.15 Any deadwood or bramble etc. within the trapped area, should be dismantled by hand, and checked by an ecologist. This is to be done when temperatures are above 10° C, and not in frosty conditions. Similarly, all potential refugia comprised of waste materials should be carefully dismantled by hand during removal.
- 7.3.16 Any arisings (grass cuttings, turves, log piles, rocks) should be retained and used to create hibernacula which could be placed close to the site boundaries and within the woodland.
- 7.3.17 If any reptiles are found during site checks, then these must be removed to a suitable location outside the working area.

Invasive Non-Native Species/Problematic Species (INNS)

- 7.3.18 Problematic species are limited to discreet stands of rhododendron to the south of the centre tennis court building.
- 7.3.19 Removal is recommended and, in its current state, this should be relatively easy to achieve before it spreads, if done sooner rather than later.
- 7.3.20 It will also be necessary to ensure that these species are not caused to spread off site during the construction works, by operatives or on-site machinery, or by any means. This information should be included in the method statement.
- 7.3.21 Appropriate demarcation and exclusion zones should be set up to ensure that INNS are not inadvertently spread during the construction.
- 7.3.22 The control and management and eradication of INNS from site would present a net benefit for biodiversity.

8 NET BENEFITS FOR BIODIVERSITY

8.1 Summary of biodiversity losses

8.1.1 Within the current scheme proposals, there is a negligible loss of biodiversity interest at the site in the long term. Measures have been advised to protect the existing habitats and those to be retained as well as Reasonable Avoidance Measures for any protected and notable species which may be encountered.

8.2 Net benefits for biodiversity.

8.2.1 The recommendation within this report would result in a net increase of biodiversity, as well as having wider ecosystem benefits. These include the following:

- The planting of native trees;
- The creation of hibernacula;
- The control of INNS; and
- Enhancement of habitats to support a notable and protected species.

8.2.2 It would be of benefit if any habitats that are created were subject to ongoing monitoring. This would inform upon success and failures and could be used as an example to inform other similar schemes.

8.3 Measures could be undertaken to fulfil Wales' legal commitment to biodiversity conservation and enhancement under Section 6 of the Environment (Wales) Act²⁹.

7.2.4 Prior to the commencement of work (including any vegetation clearance), a detailed landscaping scheme designed to deliver a net benefit for biodiversity, could be submitted to the Local Planning Authority for approval. This would include a species list for any new planting, featuring species of known benefit to wildlife. No species listed on schedule 9 of the Wildlife and Countryside Act (1981), as amended, or

²⁹ https://www.gov.wales/sites/default/files/publications/2021-02/planning-policy-wales-edition-11_0.pdf

species listed on the Invasive Alien Species of Union concern (EU Regulation 1143/2014 on invasive alien species) should be included.



Office 1, Llys Clwyd Cwrt Y Dderwen, Ffordd Celyn, Ruthin, Denbighshire LL15 1NJ
email: rml@rmlconsult.com web: www.rmlconsult.com
Tel +44(0)1824 704366
Registered in England No. 1848683 VAT Reg. No. 401 4243 13



9 CONCLUSIONS

9.1 Summary

- 9.1.1 This report presents the findings of the extended Phase 1 habitat survey and provides an assessment of the potential effects on ecological features which may result from the proposed works.
- 9.1.2 No designated sites will be affected by the proposed measures.
- 9.1.3 There are minor areas of INNS, these must not be disturbed or caused to spread by the works. A method statement by an approved contractor should be written, to include a biosecurity risk assessment, control, eradication, and management of these species. This should be written in consultation with the landowner/occupier.
- 9.1.4 The site supports, and has the potential to support, some protected and notable species (primarily nesting birds). Mitigation has been recommended where licensable activities would be required before construction could commence.
- 9.1.5 There are minimal biodiversity losses anticipated because of the scheme proposals. There are numerous opportunities of net gains for biodiversity.
- 9.1.6 The details in this report will remain valid for a period of eighteen months from the date of the initial survey (16th June 2023)³⁰ after which if no site works have commenced, the validity of this assessment should be reviewed to determine whether further updates are necessary.

³⁰ Dependent on species as per guidance produced by CIEEM provided at <https://cieem.net/wp-content/uploads/2019/04/Advice-Note.pdf>

10 REPORT REFERENCES

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Office 1, Llys Clwyd Cwrt Y Dderwen, Ffordd Celyn, Ruthin, Denbighshire LL15 1NJ
email: rml@rmlconsult.com web: www.rmlconsult.com
Tel +44(0)1824 704366
Registered in England No. 1848683 VAT Reg. No. 401 4243 13



APPENDIX A: LEGISLATION

The following has been produced as a guide, to outline possible offences that could occur during the scheme. For a definitive list of all species of flora and fauna, and a full interpretation you should refer to relevant Acts listed below.

Conservation of Habitats and Species Regulations 2017 (as amended)

Schedule 2 applies to Protected Species which includes all bat species, otters, great crested newts, dormice, otters, sand lizards, smooth snake and natterjack toad amongst others. The protection afforded is overlapping but separate from the Wildlife and Countryside Act 1981 (as amended).

It is an offence:

- to deliberately capture, injure or kill
- to deliberately disturb
- to damage or destroy a breeding site or resting place of; this applies whether species are present or not.

The Wildlife and Countryside Act 1981 (as amended)

Applies to all wild birds where it is an offence:

- to kill, injure or take any wild bird (subject to certain exceptions)
- to take, damage or destroy a nest whilst it is in use or being built
- to take or destroy the egg of any wild bird

Schedule 1

It is also an offence to disturb any wild bird listed on Schedule 1 of the Wildlife & Countryside Act 1981 (as amended)

- while it is nest building
- at a nest containing eggs or young
- disturbs the dependant young of any such bird.

Schedule 5

For animals fully protected under Schedule 5 which includes all bats, great crested newts, otters, water voles, sand lizards, smooth snake, and natterjack toad, it is an offence:

- to intentionally kill or injure or take
- to intentionally damage or destroy or obstruct access to any structure or place which a species uses for shelter or protection, at any time even if the animal is not there
- to intentionally disturb whilst it is occupying a place which it uses for shelter or protection
- to obstruct access to any structure or place which an animal uses for shelter or protection

Adder, grass snake, common lizard and slow worm are only protected from being killed or injured and the white-clawed crayfish is only protected from being taken.

Schedule 9

Invasive non-native species are listed under Schedule 9. It is an offence:



Office 1, Llys Clwyd Cwrt Y Dderwen, Ffordd Celyn, Ruthin, Denbighshire LL15 1NJ

email: rml@rmlconsult.com web: www.rmlconsult.com

Tel +44(0)1824 704366

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- to plant or otherwise cause to grow in the wild any species listed on Schedule 9.

In addition, The Invasive Alien Species (Enforcement & Permitting Order took effect on the 1st of December 2019. It introduces enforcement provisions, offences and penalties needed to comply with the requirements of EU Regulation (1143/2014) on the prevention and management of the introduction and spread of invasive alien species. The provisions apply to 66 species known as 'species of Union concern'. Under the Order, NRW and the police may impose criminal sanctions in Wales relating to an offence under the Order. As the regulator, NRW may also impose civil sanctions.

Licences may be issued under the Order allowing activities which are prohibited under the EU Regulation to be carried out. These activities can only be carried out in compliance with the conditions of a licence. Natural Resources Wales are the licensing body in Wales.

Protection of Badgers Act 1992

The Protection of Badgers Act 1992 fully protects badgers and their setts.

It is an offence to kill, injure or take a badger, or to damage or interfere with a sett unless a licence is obtained from Natural Resources Wales.

Offences include:

- killing, injuring and taking (or attempting these)
- possession of a dead badger (or derivative)
- cruelly ill-treating a badger
- damaging a badger sett or any part of it
- destroying a badger sett
- obstructing access to / entrance of a badger sett
- causing a dog to enter a badger sett
- disturbing a badger whilst occupying a set

APPENDIX B: PHASE 1 HABITAT PLAN



Office 1, Llys Clwyd Cwrt Y Dderwen, Ffordd Celyn, Ruthin, Denbighshire LL15 1NJ

email: rml@rmlconsult.com web: www.rmlconsult.com

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APPENDIX C: TARGET NOTES

Target Note	Description
1	Well established bench facing south. Age and sunny location make this location potentially suitable as reptile refugia. Dismantling should be done by hand and care taken to avoid harming reptiles which may be present.
2	Two well established east-facing benches. Potential as reptile refugia.
3	Grassland maintained as amenity.
4	Semi-native broadleaved woodland to west of site.
5	Orchard. Semi-improved neutral grassland with apple tree saplings enclosed by metal fence.

APPENDIX D: PHOTOGRAPHS

Photo Ref	Feature/Description	Image
Photograph 1	General view of the site from the eastern corner looking west.	
Photograph 2	Semi-improved neutral grassland to the north of the site.	

Photo Ref	Feature/Description	Image
Photograph 3	Lawson cypress hedge to the east of the site between external court and carpark.	
Photograph 4	Stone wall running along the southern boundary of the site.	

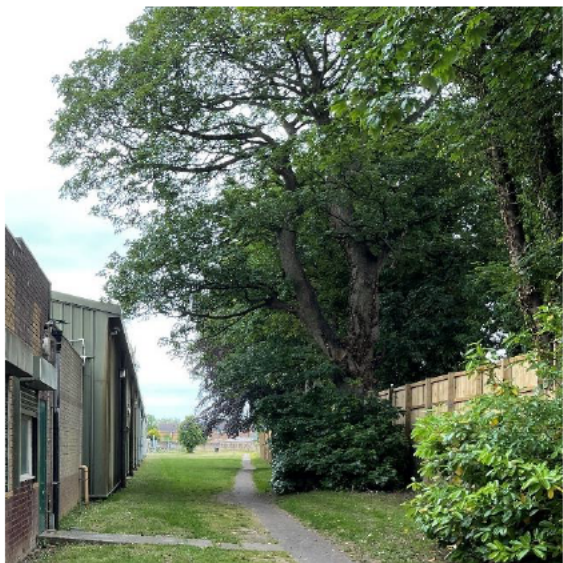
Photo Ref	Feature/Description	Image
Photograph 5	Semi-natural broad-leaved woodland to the east of the site.	
Photograph 6	Example of trees surveyed for bat roost potential.	

Photo Ref	Feature/Description	Image
Photograph 7	Gaps in external insulation with potential for bat access.	
Photograph 8	Example of tall ruderal and woodland habitat to the east of the site.	

Photo Ref	Feature/Description	Image
Photograph 9	Lawson cypress with probably wood pigeon nest.	

Photograph 10	Internal court building showing absence of voids.	
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