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Land off Bethania Road, Acrefair

Prospect Estates

20210040-PSW

Protected Species Walkover Survey

SJ 27934 43327

4th August 2021

Prepared by: Steven Whitcher, MCIEEM	Date: 4 th August 2021	Revision 1
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Disclaimer

This report has been prepared by Steven Whitcher for the sole use of the commissioning party. The report may not be relied upon by any other party without written agreement from Steven Whitcher.

In line with Chartered Institute of Environmental and Ecological Management (CIEEM) recommendations the findings of this survey are deemed valid for 18 months from the date of the survey.

1. Summary

Purpose	Outline planning permission is being sought for an area of land off Bethania Road in Acrefair near Wrexham. A protected species walkover survey of the site was commissioned to support the application for outline planning permission.
Results	No statutory or non-statutory designated sites were identified within, or immediately adjacent to, the surveyed area. The potential for protected species was identified within the site although no specific field signs were identified. The areas of potential included: ○ Ponds and records of amphibians within 500m of the surveyed area, ○ Badger records within the wider surrounding area, ○ Roosting and foraging habitat for bats in close proximity to the site, ○ Potential habitats for nesting birds and existing records of bird species in the surrounding area, ○ Foraging opportunities for hedgehogs with connectivity to areas of suitable shelter in the surrounding area.
Recommendations	○ Implement precautionary working methods for amphibians and badgers during the development, ○ Design a sensitive lighting scheme for the site and retain dark buffers to surrounding habitats, ○ Avoid site clearance during the nesting season and carry out surveys ahead of working during the nesting season, ○ Include measures to ensure hedgehogs retain connectivity across the site.
Conclusions	If the development is carried out following the recommendations within this report and includes enhancements for specific species the impact on protected species will be negligible.

2. Introduction

2.1. Purpose

2.1.1. Outline planning permission is being sought for an area of land off Bethania Road in Acrefair near Wrexham.

2.1.2. A protected species walkover survey of the site was commissioned to support the application for outline planning permission.

2.2. Site Description and Location

2.2.1. The site comprises a small area of grassland immediately adjacent to Acrefair Sports and Social Club, as show in Figure 1 below.



Figure 1: Showing the extent of the surveyed area.

2.2.2. The site is currently an area of grassland with signs of recent disturbance, including bare soil and vehicle movements, potentially due to ongoing works to the adjacent social club.

2.2.3. The land surrounding the site comprises woodland to the south and east, the sports and social club to the west and Bethania Road and areas of residential housing to the north.

2.2.4. The wider surrounding area comprises a mosaic of small villages and open farmland with abundant areas of woodland. The town of Wrexham lies approximately 8km to the north and the River Dee flows approximately 2km to the south.



Figure 2: Looking north across the site from the southern boundary.



Figure 3: Showing the site in context with the wider surrounding area.

2.3. Proposals

2.3.1. The proposals are to obtain outline planning permission for the residential development of the site.

2.3.2. The plan in Appendix I of this report shows an indicative layout for the site.

3. Methodology

3.1. Desk Study

3.1.1. A desk study was carried out in order to identify existing records of protected species or designated sites within 2km of the survey area.

3.1.2. Records of locally designated sites and existing records of protected species were requested from Cofnod. A full copy of the records can be provided on request.

3.1.3. Personal databases held by Steven Whitcher were also searched for records of protected species within 1km of the site.

3.1.4. The MAGIC website was searched for records of statutory or non-statutory sites within 2km of the survey area and for records of existing European Protected Species (EPS) licence within the surrounding area.

3.1.5. The area within 500m of the site was searched for waterbodies using publicly accessible mapping including Ordnance Survey, Google Earth and the MAGIC website.

3.2. Field Study

3.2.1. A field survey of the site was undertaken on by Steven Whitcher (MCIEEM) on the 2nd August 2021. The walkover survey was carried out in accordance with current industry best practice guidelines.

3.2.2. The weather at the time of the survey was fine, clear and still (BWS-1) with a temperature of 20°C recorded at the time of the survey.

3.2.3. The survey looked for evidence of protected or notable fauna species and followed specific survey guidelines, where applicable, including:

- Checking all buildings, trees and structures for bat roosting potential in line with the Bat Conservation Trust Good Practice Guidelines, 3rd edition (*Collins 2016*), and BTHK Bat Roosts in Trees (*BTHK 2018*).
- Assessing all accessible ponds within 500m of the surveyed area using the Habitat Suitability Index (HSI) assessment criteria (*Oldham et al. 2000*).
- Assessing the habitats on site for their suitability to support protected or notable species, including but not limited to, badgers (*Harris et al 1989*), water voles (*Strachan et al 2011*), otters (*Channin, 2003*), crayfish, nesting birds (*BBS,BTO*), reptiles (*Froglife 1999*), hedgehogs and hazel dormice.

3.3. Limitations/Constraints

3.3.1. The survey was carried out during August, when vegetation levels are high, making some areas of the site, or the immediate surrounding area, difficult to thoroughly survey.

3.3.2. Pond 3 could not be accessed during this survey although there are existing records confirming the presence of great crested newts (*Triturus cristatus*) within the pond and therefore the lack of access is not seen as a constraint to the results of the survey.

4. Results and Interpretation

4.1. Designated Sites

4.1.1. Cofnod did not return any records of statutory or non-statutory sites within, or immediately adjacent to, the surveyed area although they did return several records within 2km of the site. A list of the sites is included in Tables 1 & 2 below.

Table 1: Non-statutory sites within 2km

Site Name	Designation	Reason for Designation	Location
Gardden Wood/Rocky Wood	Local Wildlife Site (LWS)	An area of semi-natural broad-leaved woodland.	1.75km NE
Plas Bennion	LWS	An area of dense scrub, marshy grassland and semi improved grassland.	550m NE
Acrefair Railway Cutting	LWS	An area of semi improved neutral grassland.	700m SE
Ty Mawr and Tan y Cut Wood	LWS	An area of grassland, scrub and woodland.	1.6km S
Cefn-mawr	Regionally Important Geodiversity Sites (RIGS)	Unknown	550m SE
Australia Quarry	RIGS	Unknown	1.5km SW

Table 2: Statutory sites within 2km.

Site Name	Designation	Reason for Designation	Location
Afon Dyfrdwy (River Dee)	Sites of Special Scientific Interest (SSSI)	Grassland, geology, woodland and fauna species.	1.5km S (at closest)
Afon Dyfrdwy a Llyn Tegid (River Dee and Bala Lake)	Special Area of Conservation (SAC)	Fauna species.	1.5km S (at closest)
Bryniau Clwyd a Dyffryn Dyfrdwy	Area of Outstanding Natural Beauty (AONB)		1.2km SW (at closest)

4.1.2. Cofnod also returned several records of ancient woodland sites within 2km of the site, the closest located 750m to the southwest.

4.1.3. None of the sites, statutory or non-statutory, will be directly impacted by the residential development of the surveyed area. It is also unlikely that the sites will be indirectly impacted by the development of the site from an increase in foot traffic due to the small scale of the proposed development and the already partially urban nature of the surrounding area.

4.2. Fauna

4.2.1. Amphibians

4.2.1.1. Cofnod returned several records of amphibians within 2km of the surveyed area. The records include 2015 records of great crested newt (*Triturus cristatus*) 400m to the east and 700m to the south of the site.

4.2.1.2. The remaining records comprised records of smooth newt (*Lissotriton vulgaris*) and common toad (*Bufo bufo*) with the closest record located 600m to the east.

4.2.1.3. During this survey three ponds were identified within 500m of the site. The location of the ponds is shown in Figure 4 below.



Figure 4: Showing the site location (red line), 500m buffer (red shading) and pond locations.

4.2.1.4. Pond 1 comprises a large pond/wetland area located 450m to the northeast of the surveyed area. The pond displays high levels of bulrush (*Typha sp.*) with little open water visible. The land surrounding the pond comprises a mixture of woodland, scrub and grassland providing a suitable terrestrial habitat for amphibians.

4.2.1.5. Pond 2 comprises a large pond within grazing pasture 350m to the northeast of the surveyed area. The pond displays high levels of poaching from horses with little bankside vegetation present and the only vegetation being an area of bulrush is located in the centre of the pond. The land surrounding the pond comprises grazed fields that provide limited terrestrial opportunities for amphibians.

4.2.1.6. Pond 3 could not be accessed during this survey but comprises a small pond located 375m to the west of the surveyed area. The pond appears to be a small pond located within an area of grassland to the rear of residential properties. One of the records returned by Cofnod confirms

that eDNA surveys of the pond carried out during 2015 confirmed the presence of great crested newts.



Figure 5: Pond 1.



Figure 6: Pond 2.

4.2.1.7. Table 3 shows the Habitat Suitability Index (HSI) scores for each of the ponds.

Table 3: HSI scores for the ponds within 500m of the site.

	Pond 1	Pond 2	Pond 3
Location	1	1	-
Pond area	0.96	-	-
Pond drying	1	1	-
Water quality	0.67	0.67	-
Shade	1	1	-
Fowl	1	0.67	-
Fish	1	0.67	-
Ponds	0.6	0.7	-
Terrestrial habitat	1	0.33	-
Macrophytes	0.8	0.45	-
HSI	0.89	0.68	-
Suitability	Excellent	Average	-

4.2.1.8. The site provides limited opportunities for terrestrial amphibians due to the lack of suitable refugia and signs of disturbance to the area. No terrestrial amphibians were identified during this survey of the site.

4.2.1.9. Due to the small size and low terrestrial potential provided by the site and the distance the ponds are located from the site, the closest pond located 350m away and the closest existing records located 375m away, and the abundant areas of suitable terrestrial habitat in close proximity to the ponds, particularly Ponds 1 and 3, it is assessed as unlikely that the proposed development will have a significant impact on great crested newts or other amphibians.

4.2.1.10. The works may impact on individual amphibians in the event that they seek refuge on the site or are attracted to the site once development works create areas of suitable refugia. However, suitable precautionary working methods would reduce these potential impacts.

4.2.2. Badgers

4.2.2.1. Cofnod returned several records of badger (*Meles meles*) within 2km of the site, although none within 1.5km.

4.2.2.2. Occasional paths were identified crossing the site, although these appeared to be due to the use of the site by local residents and dog walkers. No definitive badger field signs were identified.

4.2.2.3. The existing records show that badgers are present in the wider surrounding area although there are no signs that the site is regularly used by badgers. Therefore, the development of the site is unlikely to have a direct impact on the badgers.

4.2.3. Bats

4.2.3.1. Cofnod returned abundant records of bats and bat roosts within the 2km search area, although none within or immediately adjacent to the surveyed area. The closest records refer to field records of common pipistrelle (*Pipistrellus pipistrellus*) and whiskered (*Myotis mystacinus*) approximately 500m from the site. The closest roost record refers to a brown long eared (*Plecotus auritus*) night roost approximately 700m from the site. Therefore, the proposed development will not impact on known bat roosts.

4.2.3.2. No buildings or trees that would provide suitable roosting opportunities for bats were identified within the surveyed area. Therefore, there will be no direct impact on roosting bats during the proposed development.

4.2.3.3. The woodland to the east and south of the site provides a suitable foraging and commuting habitat, particularly along the woodland edges, and may provide suitable roosting opportunities for bats, although the woodland lies outside the site boundary and therefore a thorough inspection of the trees within the woodland was not possible during the survey.

4.2.3.4. If the development includes suitable dark buffers to the adjacent woodland the impact on any bats roosting or foraging within the woodland will be minimal.

4.2.4. Birds

4.2.4.1. Cofnod returned abundant records of birds, including red and amber list species, within the 2km search area although no records for the surveyed area, or the immediately surrounding area.

4.2.4.2. The surveyed area provides limited opportunities for birds due to the generally low lying vegetation and the occasional disturbance, which would potentially deter ground nesting birds. A generally low level of bird activity was identified across the site during the survey.

4.2.4.3. The development of the site is therefore unlikely to impact on birds or local bird populations, particularly if precautions are put in place during the nesting season, which extends from March to September each year.

4.2.5. Crayfish

4.2.5.1. Cofnod did not return any records of white clawed crayfish (*Austropotamobius pallipes*) within the 2km search area and therefore a no watercourse within, or immediately adjacent to, the surveyed area.

4.2.5.2. Therefore, there will be no impact on white clawed crayfish during the development of the site.

4.2.6. Hedgehogs

4.2.6.1. Cofnod returned occasional records of hedgehog (*Erinaceus europaeus*) within the 2km search area, although the closest records are over 400m from the surveyed area.

4.2.6.2. The site provides limited opportunities for hedgehogs to seek shelter due to the lack of areas of dense vegetation, although the surrounding woodland may provide suitable opportunities.

4.2.6.3. The site may support foraging hedgehogs although no field signs were identified during this survey of the site. Therefore, it is unlikely that the proposed development will impact on hedgehogs.

4.2.7. Invertebrates

4.2.7.1. Cofnod returned several records of invertebrates within the 2km search area, although none within 750m of the surveyed area.

4.2.7.2. The grassland within the site supports some invertebrates with several species visible during the survey. However, due to the regular disturbance it is assessed as unlikely that the site will support significant assemblages of invertebrates and therefore it is unlikely that the development of the site will impact on invertebrate populations in the wider surrounding area.

4.2.8. Otters

4.2.8.1. Cofnod returned occasional records of otter (*Lutra lutra*) within the 2km search area, although the records are all associated with the River Dee and Llangollen Canal, located over 1.25km from the site.

4.2.8.2. No watercourses were identified within the surveyed area, or the immediate surrounding area, and therefore there will be no impact on otters during the proposed development of the site.

4.2.9. Reptiles

4.2.9.1. Cofnod returned occasional records of reptiles within the 2km search area. The records refer to grass snakes (*Natrix helvetica*) and slow worm (*Anguis fragilis*) with the closest record located over 1.5km from the site.

4.2.9.2. The surveyed area provides limited opportunities for reptiles due to the lack of suitable refugia and regular disturbance. No reptiles were identified during the survey of the site.

4.2.9.3. The development of the site is unlikely to impact on reptile populations within the surrounding area due to the small size of the site and its lack of connectivity to high value reptile habitats in the surrounding area.

4.2.10. Water Voles

4.2.10.1. Cofnod returned a single record of water vole (*Arvicola amphibius*) located over 1.25km from the site and associated with the River Dee.

4.2.10.2. No watercourses were identified within the surveyed area, or the immediate surrounding area, and therefore there will be no impact on water voles during the proposed development of the site.

5. Recommendations

5.1. Designated Sites

5.1.1. None of the designated sites within the surrounding area will be impacted by the proposed development and therefore there are no specific recommendations relating to designated sites.

5.2. Fauna

5.2.1. Amphibians

5.2.1.1. Great crested newts are known to be present within the area although the site lies outside the core habitat for the species with the closest existing records located 375m from the site. Therefore, it is not recommended that further great crested newt surveys are carried out prior to the works commencing, it is however recommended that precautionary working methods are implemented during the development as a precaution.

5.2.1.2. The precautionary working methods should include, as a minimum:

- Site personnel being briefed on the potential presence of amphibians within the area, how to identify the species and what to do if amphibians are encountered,
- Measures to reduce the refugia created during the development, including materials being stored on batons and site cabins being elevated.

5.2.1.3. In the event that individual common amphibians are encountered during the development they should be carefully moved to areas of suitable habitat outside the development footprint. If great crested newts or high numbers of common amphibians (5+) be encountered work on site should cease and further advice should be sought.

5.2.2. Badgers

5.2.2.1. Badgers are known to be present in the area and therefore, as a precaution, it is recommended that any excavations on the site have a sloping side to allow animals that may become trapped to escape. Any pipe ends should be capped between shifts to prevent animals entering the pipes.

5.2.3. Bats

5.2.3.1. It is recommended that the lighting on the site is designed in line with the BCT & ILP Guidelines (2018) with a dark buffer retained to the surrounding woodland habitats to ensure that the development does not impact on foraging or commuting bats.

5.2.3.2. To enhance the site, it is recommended that roost opportunities, in the form of integrated bats bricks, are included in the buildings during the development.

5.2.4. Birds

5.2.4.1. It is recommended that any site clearance works avoid the nesting season, which extends from March to September each year. Any site clearance works carried out during the nesting season should be immediately preceded by a thorough nesting bird survey, carried out by a

suitably experienced surveyor. Any nests identified must remain undisturbed, with a suitable buffer around the nest, until the young have fledged.

5.2.4.2. To enhance the site, it is recommended that nesting opportunities, in the form of nest boxes, are included in the buildings on the site.

5.2.5. Hedgehogs

5.2.5.1. It is recommended that all fence boundaries within the site include holes at least 13cm in diameter to allow hedgehogs continued access around the site.

6. Conclusions

6.1. If the development is carried out following the recommendations within this report and includes enhancements for specific species the impact on protected species will be negligible.

7. References

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Proposed residential development at Bethania Road Acrefair Wrexham



schedule of accommodation

ref	accommodation	area sqft	no	total sqft
A	3 bedroom houses	838	20	16 760
B	3 bedroom house	916	2	1 832
C	4 bedroom house	1270	11	13 970
total no dwellings			33	32 562

car parking; min 2 spaces per dwelling in-curtilage

Revisions	Date	Details

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architects project managers construction cost consultants principal designers
Registered in England and Wales Reg No: 2113029
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Client:	Prospect Estates
Job:	Bethania Road, Acrefair
Drawing title:	Feasibility Layout one
Drawing Number:	M3873
Unit number:	sk 103
Scale:	1:500 at A2
Date:	May 2021
Drawn by/checked by:	GRF

Appendix II: Planning Policy and Species Legislation Summary

1. Planning Policy

1.1. The National Planning Policy Framework (NPPF, 2019) sets out the governments planning policies and how they should be applied. Section 15 of the policies refers to 'Conserving and enhancement the natural environment'. This outlines how local authorities should deal with biodiversity when considering planning applications.

1.2. NPPF paragraph 175 States:

When determining planning applications, local planning authorities should apply the following principles;

- a) If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- b) Development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
- c) Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and*
- d) Development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvement in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.*

2. Legislation Summary

Site	Legislation
Locally Designated Sites	Locally designated sites are not covered by any statutory legislation but are protected by local development plans.
Statutory Sites	Statutory sites are protected in different ways depending on the reason for the sites designated with sites being covered by legislation including the Wildlife and Countryside Act 1981 and the Habitats Directive.
Species and Habitats of Principal Importance	Species and habitats of principal importance are covered by the Natural Environment & Rural Communities Act 2006.

Species	Legislation	Offences include
Badgers	Protection of Badgers Act 1992	○ Wilfully kill, injure, take, possess or cruelly ill-treat a Badger, or attempt to do so; ○ To intentionally or recklessly interfere with a sett (this includes disturbing Badgers whilst they are occupying a sett, as well as damaging or destroying a sett or obstructing access to it).
Bats	Conservation of Habitats and Species Regulations 2017	○ Deliberately kill, injure or capture a bat; ○ Deliberately disturb bats;

	Wildlife and Countryside Act 1981	○ Damage or destroy a breeding site or resting place of a bat. ○ Obstruct access to any structure or place which any bat uses for shelter or protection; or ○ Disturb any bat while occupying a structure or place which it uses for that purpose.
Birds	Wildlife and Countryside Act 1981	○ Intentionally kill, injure, or take any wild bird; ○ Intentionally take, damage or destroy a nest of any such bird whilst it is in use or being built; or ○ Intentionally take or destroy an egg of any such bird.
Crayfish	Wildlife and Countryside Act 1981	○ Obstruct access to any structure or place which a crayfish uses for shelter or protection; or ○ Disturb a crayfish while occupying a place which it uses for that purpose.
Great Crested Newts	Conservation of Habitats and Species Regulations 2017	○ Intentionally or deliberately capture, injure, kill, or disturb the species;
	Wildlife and Countryside Act 1981	○ Intentionally or recklessly damage, destroy or disturb a GCN in a place of shelter or protection, or obstruct access to such a place; or ○ Damage or destroy a breeding site or resting place.
Hazel Dormice	Conservation of Habitats and Species Regulations 2017	○ Deliberately capture, injure or kill a dormouse; ○ Deliberately disturb dormice; ○ Damage or destroy a breeding site or resting place of a dormouse
	Wildlife and Countryside Act 1981	○ Obstruct access to any structure or place which a dormouse uses for shelter or protection; or ○ Disturb a dormouse while occupying a structure or place which it uses for shelter or protection
Otters	Conservation of Habitats and Species Regulations 2017	○ Deliberately capture, injure or kill any wild otter; ○ Deliberately disturb wild otters; ○ Damage or destroy a breeding site or resting place of an otters.
	Wildlife and Countryside Act 1981	○ Disturb an otters while it is occupying a structure or place which it uses for shelter or protection; or ○ Obstruct access to such a place.
Red Squirrels	Wildlife and Countryside Act 1981	○ Kill, injure or take a red squirrel; ○ Damage, destroy or obstruct access to any structure or place which a red squirrel uses for shelter or protection; or ○ Disturb a red squirrel while it is occupying a structure or place which is used for that purpose.
Reptiles (non EPS)	Wildlife and Countryside Act 1981	○ Intentionally kill or injure a reptile.
Water Voles	Wildlife and Countryside Act 1981	○ Intentionally capture, kill or injure water voles; ○ Intentionally or recklessly damage, destroy or block access to their places of shelter or protection; or
	Natural Environment & Rural Communities (NERC) Act 2006	○ Disturb water voles while occupying a place of shelter used for that purpose.

Local authorities therefore have a duty to consider protected species as a material consideration when assessing planning applications. The ODPM Government Circular 06/2005 states: *'It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.'*