



Reasonable Avoidance Measures for Great Crested Newts

Land at Llay Hall Farm,
West of Miners Park,
Wrexham LL12 0PD

Prepared on behalf of
Biogas Technology Ltd

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QUALITY MANAGEMENT

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1.0 SUMMARY

- 1.1 Biora Ltd was commissioned in August 2021 by Biogas Technology Ltd to produce Reasonable Avoidance Measures (RAMs) in satisfaction of Condition 3 of LLA P/2019/0210 for the '*erection of two generator units and ancillary development*'.
- 1.2 The conditions states '*no part of the development shall commence until a scheme of reasonable avoidance measures in relation to great crested newts, including a timescale for their implementation, has been submitted and approved in writing by the Local Planning Authority*'.
- 1.3 The proposed development comprises replacement of a two gas-powered generator units and ancillary development on land at Llay Hall Farm, west of Miners Park, Llay, Wrexham LL12 0PD.
- 1.4 For further information on this document, please contact:

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2.0 INTRODUCTION

2.1 Background and Scope of Survey

2.1.1 Biora Ltd was commissioned in August 2021 by Biogas Technology Ltd to produce Reasonable Avoidance Measures (RAMs) in satisfaction of Condition 3 of LLA P/2019/0210 for the 'erection of two generator units and ancillary development'.

2.1.2 The conditions states 'no part of the development shall commence until a scheme of reasonable avoidance measures in relation to great crested newts, including a timescale for their implementation, has been submitted and approved in writing by the Local Planning Authority'.

2.1.3 The site comprises a small area of hard standing compound and associated access track off Llay Road (B5102), immediately to the west of Llay Industrial Estate. The site is located in an area that has been identified as supporting a population of Great Crested Newts (GCN) *Triturus cristatus*, a European Protected Species, and the proposed development work lies in proximity to potential and known GCN breeding ponds.

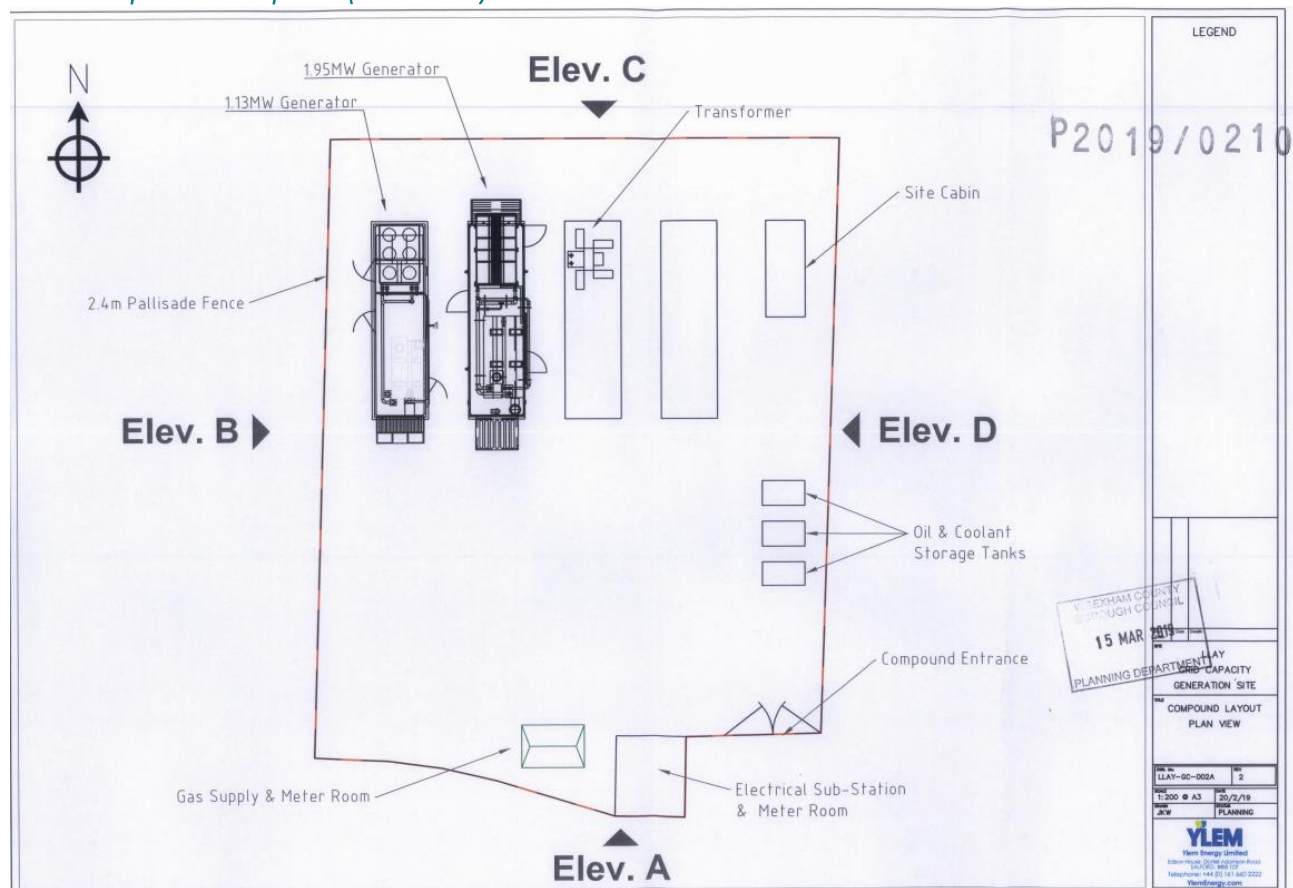
2.2 Proposed Development Works

2.2.1 Planning permission has previously been granted at the site for the 'Utilisation of mines gas for the production of electricity' under application ref: P/2002/0985. Permission was granted in 2003 and the development was implemented. However, the mines gas at the site has since been exhausted and the generators have been removed although the existing compound, fencing, hardstanding and landscaping belt remain.

2.2.2 The site will remain a 2no. generator units, running from natural gas, and ancillary development. The proposed generators would have a capacity of 3.5MW, which is similar in footprint and scale (including stack height) to the previously approved and implemented development. The generators would be of the best available technology and, consequently, would be more efficient, quieter and cleaner than those previously installed and operated. Although the above-ground equipment from the 2003 planning consent has been removed the concrete plinths remain. It is proposed to re-use these concrete plinths for the proposed equipment.

2.2.3 The proposed development application for the replacement of two gas-powered generator units and ancillary structures is illustrated in [Plan 1](#), below.

Plan 1. Proposed Development (not to scale)



- 2.2.4 All installation work will take place over the existing hard surface, without need to enter or disturb the habitat in the surrounding wooded area.

2.3 Site Description and Context

- 2.3.1 The site is centred at OS grid reference [SJ 31986 56240](#) and located to the west of Llay industrial estate in an – otherwise - rural setting. The rural landscape comprises hedge-lined fields with occasional trees and ponds scattered through the fields.

3.0 LEGISLATION

3.1 European Protected Species (EPS)

3.1.1 Great crested newts are European Protected Species and are fully protected under the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 (as amended). Under the legislation it is an offence to:

- Intentionally or deliberately capture, kill or injure Great Crested Newts (GCNs).
- Intentionally or recklessly disturb them in a place used for shelter or protection.
- Damage or destroy a breeding site or resting place.
- Intentionally or recklessly damage, destroy or obstruct access to a place used for shelter or protection.
- Possess a great crested newt, or any part of it, unless acquired legally.
- Sell, barter, exchange or transport or offer for sale great crested newts or parts of them.

3.1.2 Wrexham County Borough Council operate GCN mitigation measures that are determined by the location (in relation to GCN habitat), nature and extent of the proposed development. For the current proposal, the relevant prescription is '*Undertake Reasonable Avoidance Measures (RAMs) to prevent harm to GCN*'.

4.0 REASONABLE AVOIDANCE MEASURES

- 4.1 **Site Induction:** As part of the site induction, all staff working on site will be made aware of the potential for the presence of Great Crested Newts (GCNs) within the site and immediate landscape and of their legal protection and status as European Protected Species through a **Toolbox Talk**, provided by a qualified ecologist. An illustration of the species (see Appendix) included on the Toolbox Talk hand out will be displayed in the Site Office for reference for the duration of the works.
- 4.2 **Timing of Clearance Works:** All works to prepare the site for development will be undertaken during the spring/summer season (April to mid-June) when GCN enter into / are around aquatic habitat to breed, and outside of the hibernation period (avoiding November to February, inclusive).
- 4.3 **Site Clearance:** The site is currently vacant hardstanding with occasional, naturally regenerating birch saplings. For the initial stages of the development, any clearance of saplings/removal of existing structures may be undertaken in a phased manner under the supervision of an ecologist holding a Great Crested Newt Survey Licence. Removal of any structures or debris clearance will encompass a finger-tip search around all potential refugia in a careful and controlled manner, with constant vigilance for any sheltering newts and/or any other potential protected species.
- 4.4 **Storage of Materials:** Building materials should be stored only within existing areas of hard-standing and should be raised above ground level using pallets to prevent amphibians from seeking shelter underneath. In addition, care should be taken that all works, plant and materials remain on existing open areas of hardstanding, avoiding the surrounding boundaries and woodland margin.
- 4.5 **Removal of Rubbish:** Waste materials should be removed from site immediately or placed in skips. No piles of rubbish or waste should be allowed to remain on site as this could create a potential shelter for amphibians which could then be disturbed in their removal. This is a precautionary measure only, and the chance of significant numbers of newts moving to shelter under stored materials is considered to be very low.
- 4.6 **Trenches and Holes:** All trenches, or holes should not be left open overnight. They should either be backfilled or covered, and the edges sealed to prevent amphibians getting trapped overnight. They should be checked in the morning prior to work restarting.
- 4.7 **Exclusion Areas:** the perimeter of the site will be delineated by high-visibility tape, to prevent accidental movement into and disturbance of the surrounding landscape.
- 4.8 **Where GCN are found:** In the unlikely event that any individual GCN is found during development, then all works must cease immediately, and advice sought from an ecologist holding a Great Crested Newt Survey Licence. Where the GCN's live is in imminent danger, the GCN can be moved to the nearest point of safety.

APPENDIX: GCN Toolbox Talk