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VAT REGISTRATION NO: 290 0603 30

For: Blueprint Architectural Services

Site: No 35 Moreton Inn, Ruabon Road, Wrexham, LL14 6PD

National Grid Reference: SJ30174548

Date of Issue: 31st August 2021

Re: Natural Resources Wales planning application comments,

Context

As part of proposals to demolish the former Moreton Inn public house in Wrexham to allow for redevelopment of the land into 9 new dwellings, Tyrer Ecological Consultants Ltd attended the site during March 2021 to undertake a preliminary ecological appraisal of the site, and again in May to undertake two dusk emergence surveys.

During the March survey visit, a number of ecological constraints in relation to Great Crested Newt (*Triturus cristatus*) were noted, namely including the proximity of the Johnston Newt Sites Special Area of Conservation (SAC), a number of ponds within 500m of the application site boundary, and the presence of some limited areas of terrestrial habitat suitable for use by Great Crested Newt (GCN).

For context the ecological document in relation to GCN issued thus far is as follows:

March 2021 – ‘Preliminary Ecological Appraisal’ – Tyrer Ecological Consultants Ltd

Natural Resources Wales consultation response

In July 2021 Natural Resources Wales issued a consultation response in relation to the ecological documents provided by Tyrer Ecological Consultants Ltd. In brief, the need to provide further information to safeguard populations of GCN in the area was highlighted, specifically involving the provision of a detailed Reasonable Avoidance Measures (RAMs) Method Statement, consideration of on-site and off-site mitigation for GCN, and the provision of further ecological information that could be used to inform a Habitat Regulations Assessment (HRA) of the application. This document is intended to provide this further information.

RAMs Method Statement and Ecological Compliance Audit

Objectives

Development related activities on the application site (named above), such as building demolition, piling, vegetation clearance, or excavation in areas of suitable newt habitat, for example, may potentially affect Amphibians that may inhabit the local area. As a result, safeguards must be applied to protect these species; the Method Statement below outlines sequential measures to be implemented to ensure these objectives are achieved.

Before Any Works Understanding

- Before any works commence at the application site all site contractors/stakeholders will be briefed by 'Tool-box' talk of the potential for protected species to occur on site, including amphibians and reptiles, what to look out for and what to do in the event that animals are found. This talk should cover ID aids and legal ramifications of an offence through reckless behaviour.
- Contractors/stakeholders will ask any questions as required following the toolbox talk, before signing the Audit Form (see overleaf) which will be kept by the Ecologist/ECoW for audit trail.
- Following the toolbox talk an "Environmental Champion" will be appointed, likely to be the Site Manager, who will be responsible henceforth to report to the ECoW throughout the work schedule at agreed intervals in the absence of ecological supervision.
- Photograph(s) of relevant protected species will be displayed at the site office memo board and/or kept by the contractor's personal being for visual reference purposes.
- Construction works are to only take place during daylight hours 8.00am-6.00pm as opposed to the night time, when amphibians are most active.

Pre Works

Timings

- Juvenile and adult amphibians are most vulnerable to harm during their **hibernation period considered to be November to February** inclusive. Site clearance works should avoid this sensitive period. If this is not possible works carried out during this sensitive period (between November – February) should take into account the potential presence of hibernating animals within rubble piles, assorted items lay about site, areas of dense vegetation, for example.
- Pre-commencement check - a walkover and hand search is to take place by an Ecologist/ECoW before any rubble, pile, bulky item or vegetation clearance.

Habitat manipulation prior to works (March-Oct)

- 3 to 5 days prior to stripping the site bare of vegetation in prep for development, it is recommended that habitats are first trimmed in phases; initially trimmed to 150mm in height using mowers, brush cutters or similar approved cutting method. Strimming should commence directionally south to north across the site at all cutting phases allowing animals to move off site, or towards desired or retained areas.
- Once vegetation is cut to 150mm a further hand search should take place within 72 hours. Following the hand search, when herpetofauna are confirmed absent, the vegetation should then be cut to ground level (or below 100mm), raked bare and maintained at this sward thereafter during the construction period. Habitat manipulation like this will discourage animals from using the areas thus less likely to be harmed by works on site.
- Brash piles to be accumulated on hardstanding and all brash piles to be removed within 48 hours of dumping to avoid being utilised by species seeking shelter.
- A hibernaculum will be constructed within a designated ecology area under instruction of the Ecologist. Any herptiles found during the work schedule will be carefully relocated to the hibernacula acting as a safe receptor zone within the safety of the buffer zone throughout the work schedule.

During Works

- Any clearance works to areas of interest/ refugia as considered applicable by the Ecologist (such as log piles, brick piles) or loss of existing dense vegetative features, should only commence after a careful visual inspection (Hand Search) has been carried out and the Ecologist has determined that no animals are present and is satisfied no animals are at risk. Any animals found that are not European Protected Species (EPS) will be removed from harm's way and placed into suitable buffer zones, species pending and following correct protocols/biosecurity measures.
- For the full duration no works are to extend off site in the areas adjacent to the red line boundary or within agreed buffer zones/fencing. No pallets, skips or otherwise are to be placed upon areas of dense vegetation and should instead only be placed on flat, cleared ground.
- The impact of works on adjacent habitats will be avoided by the clear demarcation of the works area. All work must strictly be in accordance with all of the relevant Pollution Prevention Guidelines published by the Environment Agency which may include, but is not limited to, PPG1 (general), PPG5 (works in, near, or liable to affect watercourses) and PPG6 (work at construction & demolition sites).
- Contingency/emergency plans should be drawn up to address chemical spillage, drainage, collision, etc.
- Machinery and materials to remain on bare ground and reasonable efforts must be made to avoid creating piles, or accumulated aggregates. Materials that require piling will be stored within areas of bare ground above ground level, using pallets to prevent reptiles and amphibians from seeking shelter below.
- Any excavated materials stored overnight will be searched prior to being used as infill.
- Where excavations/trenches are excavated it should be ensured that they are not left open overnight to avoid amphibians falling into them and becoming trapped. If trenches cannot be filled in after the working day for whatever reason, an escape mechanism such as wooden planks of 10 cm wide should be placed in them at a 45 degree diagonal angle, to serve as an escape mechanism to small animals including mammals and herpetofauna.
- Excavations should be checked in the morning on a daily basis for the presence of any animals that may have fallen in during the night. Excavations should be backfilled as soon as possible.
- All site operatives will maintain a watching brief throughout the work schedule and report any issues, anomalies or discrepancies to the ecologist or wildlife champion as appointed.
- If any newts are found work must stop immediately and contact should be made with the assigned licensed, qualified ecologist / ECoW.
- At no point should any person handle a reptile without the express permission of the Ecologist.
- Any frogs or toads found should be carefully caught using wet gloves, placed (where capture is possible and humane) in a ventilated box using dampened gloved hands and released into suitable nearby like for like habitat that will be unaffected by the proposed works. Toads should not be touched using non-gloved hands as they secrete a toxin through their skin and they should not be handled for longer than is necessary.
- Plastic netting, wire coils or similar hazardous features should not be left on the ground, to avoid entanglement. Aggregates/constructional materials should be stored on pallets as opposed to the storing on the ground.
- If in the event a GCN is found work must cease; the Ecologist will be made aware of the finding and will appraise the situation providing further advice. Site staff must be made aware that if GCN are found there is a correct procedure in place to follow, and failure to halt works may result in committing an offence. At no point should any person handle a GCN or suspected GCN. Unlicensed handling is illegal and untrained handling may cause the newt unnecessary stress and injury.

A Guide to Timings

Operation	Months												Notes
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
Early understanding													
Toolbox Talk	Any time prior to works												Soon as possible for early understanding
Appoint Wildlife Champion	Following toolbox talk												-
Pre-works													
Buffer zone demarcation & signage	Pre-habitat manipulation & hand search												To avoid encroaching in sensitive area
Hand-search on site by Ecologist			Y	Y	Y	Y	Y	Y	Y	Y			Prior to habitat manipulation
Habitat Manipulation			Y	Y	Y	Y	Y	Y	Y				Staggered, as described, to allow animals to move away
Establishment of buffer zones during management	During habitat manipulation												Specifics To be sanctioned by LPA
Breeding Bird Checks			Y	Y	Y	Y	Y	Y					Where birds are found to be breeding on site, buffer zones established temporarily until the birds have fledged the nest
Hibernaculum creation in buffer zone			Y	Y	Y	Y	Y	Y	Y	Y			To provide a receptor area for translocated animals
										Recommended timeframe		Y	

Identification Aids

Great Crested Newt (*Triturus cristatus*)



Identification Tips

- Largest Newt in the UK, up to 16cm in length, but juveniles are smaller,
- Big & black animal with rough, warty skin,
- Orange/yellow colouring on belly,
- Irregular black blotches on belly,
- Toes banded black/orange (yellow toe nails),
- Male has a jagged crest on its back which sags when not in the water, and a separate smoother crest along tail, white stripe on tail too,

DO If a GCN is discovered during works, STOP ALL WORKS in the area, inform your site manager and contact the project ecologist IMMEDIATELY .	DON'T Do not touch or handle a GCN they are very delicate – and it is against the law. Penalties for breaking the law include unlimited fines, imprisonment and seizure of equipment. DO NOT RISK BREAKING THE LAW
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For any questions call Tyrer Ecological Consultants Ltd

Tel: 01704 875 781

Toolbox Talk Audit Form

Tyrer Ecological Consultants Ltd



Site:		Ecologist(s):	
I can confirm I have attended the formal Toolbox talk held by the named Ecological Consultant. I confirm I am aware of the legislation in relation to herpetofauna species that may be in the locale. I confirm I will endeavour, to the best of my capability, to follow the measures outlined in the RAMS to protect all animals from harm, and know what to do if I encounter protected species.			
Name:		Signed:	
Company:		Date	
Name:		Signed:	
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No	Phase of Development	Performance Indicator	Evidence Required	Pass (Yes/No) & Comments	What action is required as a result of findings?	Completed by (print name, date and sign)
		General				
1	Pre-demolition	The developer will advise NRW Species Officer of the start date for the works prior to works commencing.	Written or electronic documentation with notification of start of works.			
2	Pre-demolition	A suitably experienced licensed ecologist will be appointed and retained during the life time of this development to provide on-site advice.	Letter, contract or other document outlining the appointment of an ecologist for the lifetime of the project.			
3	Pre-demolition	Prior to the start of any works on site, all site workers will be inducted by the project ecologist. This induction will cover the legal status of the species, the method of working and, action to be taken if protected species are encountered.	Copy of documents from ecological induction, showing induction content and detailing contact numbers and contingency procedures should great crested newts be found during the course of works. List of induction attendees.			
4	Pre-demolition	Preparation and implementation of a bio-security risk assessment as detailed in E.5 of the method statement	Bio-security risk assessment is available for inspection. Log of implementation of bio security measures is available for inspection and shows that they have been implemented. Field observation shows that bio security measures are in place e.g. foot washes to reduce risk of invasive aquatic plants and amphibian diseases such as chytridiomycosis			

No	Phase of Development	Performance Indicator	Evidence Required	Pass (Yes/No) & Comments	What action is required as a result of findings?	Completed by (print name, date and sign)
		E.1 GCN capture and exclusion				
5	Pre site clearance	If GCN fencing required, design and installation of amphibian fencing to the specifications provided in the CCW guidance sheets/ EN (2001) and as detailed in the method statement:	Log and field observation show that exclusion/ drift fencing have been installed as detailed in the method statement, including: - fencing has been installed on the inside of security fencing; - fencing has been installed so there is a minimum 1 m access strip left for maintenance on all sides - fencing layout does not contain gaps through which newts may pass. - vehicle access points have been installed using gates of heavy plastic or ACO stop-grids; - fence-posts have been located on the outside of the receptor area; fencing membrane has been installed without noticeable creases or folds; - joints in the membrane have been 'curl-joined' and well secured to a post with pads and nails. The jointing method continues underground as well as above			
6	Construction	If present, amphibian fencing has been subject to inspection and maintenance according to CCW guidance sheets / EN (2001) and as detailed in the method statement throughout	A fence inspection log of all inspections and all repairs required has been maintained and is available to NRW at 48 hours notice to show that: - the fence has been inspected			

No	Phase of Development	Performance Indicator	Evidence Required	Pass (Yes/No) & Comments	What action is required as a result of findings?	Completed by (print name, date and sign)
		the translocation and construction periods.	by a suitably qualified/ licensed ecologist every 24 hours - any repairs have been completed within 12 hours throughout the duration of construction works. - that 99% or more of the length of the exclusion fencing has been maintained in a satisfactory condition - fencing has been kept clear of vegetation or other materials that may enable newts to climb over the fence			
7	Pre-construction	All ground vegetation will be cut c.70mm above ground level. Arisings will be removed from the Site and cleared areas will then be left for a minimum of 3 days and nights in suitable weather conditions (above 5°C) to allow any great crested newts to disperse (over the directional amphibian fencing if present).	Log of activities, including clearance activities, is available for inspection recording captures.			
8	Pre-construction	Suitable amphibian refugia and ground features will be inspected via a destructive hand search by the ECoW to check for resting great crested newts. These works will be completed when weather conditions and temperatures are suitable.	Log of activities, including clearance activities, is available for inspection recording captures.			
9	Construction	Works within amphibian habitats will not commence until working areas are confirmed to be clear	Log of activities, including clearance activities, is available for inspection recording			

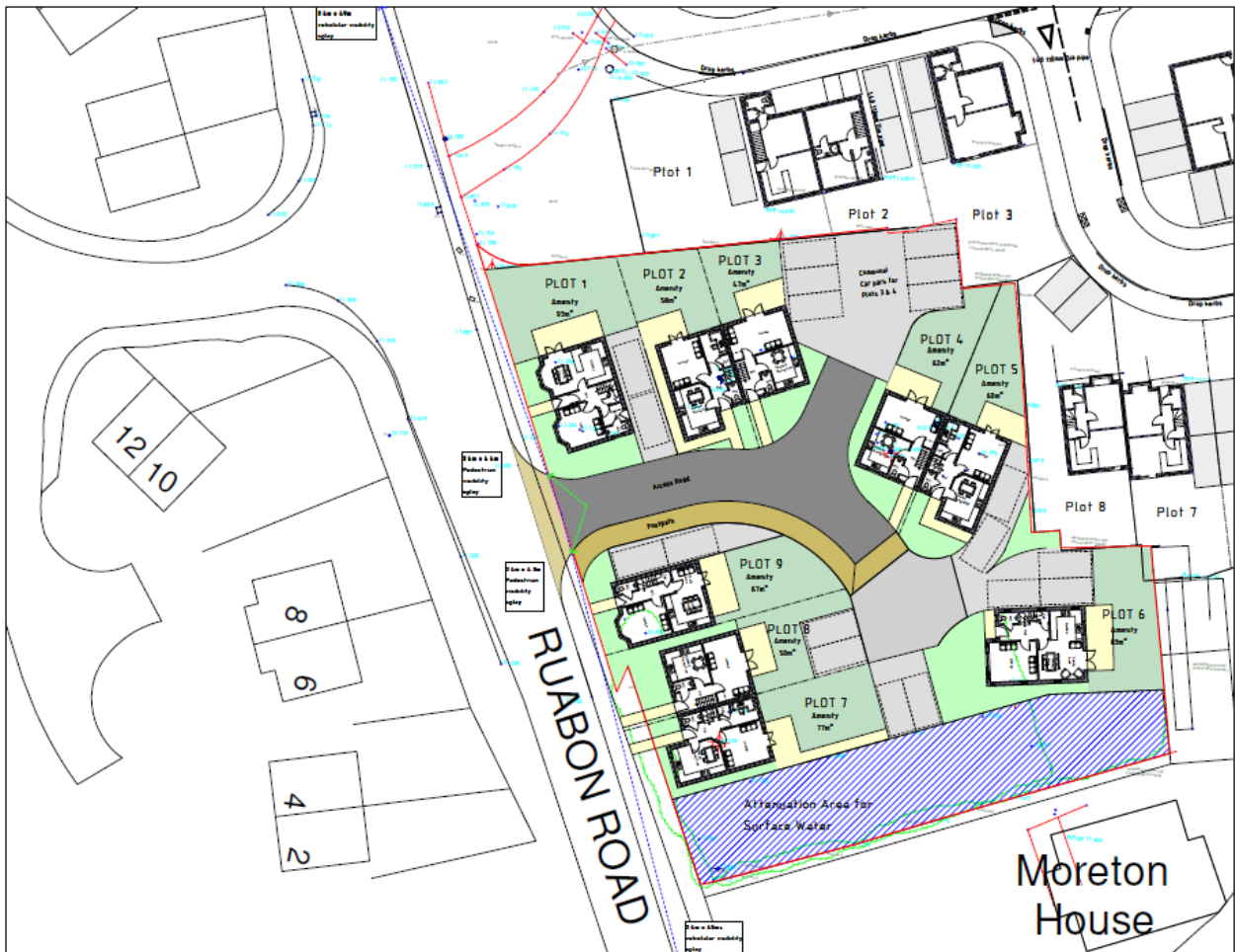
No	Phase of Development	Performance Indicator	Evidence Required	Pass (Yes/No) & Comments	What action is required as a result of findings?	Completed by (print name, date and sign)
		of amphibians by the licensed ecologist.	captures.			
10	Construction	Any works outside the amphibian fence (if present) are to be in accordance with a methodology as approved by NRW supervised by a licensed person. If no amphibian fence is present, the ECoW will observe all clearance works at the Site utilising plant machinery within vegetated habitats and will undertake a visual check of the clearance areas for great crested newt prior to removal.	Any works outside the amphibian fence are to be in accordance with a methodology as approved by NRW supervised by a licensed person.			
11	Construction	If no amphibian fencing is present, any excavations will have a slope dug into them to allow amphibians to escape should they fall in overnight. All excavations will be checked visually by contractors in the morning prior to commencement of works for amphibians. All materials will be stored within containers located on hardstanding. Providing that no gaps are present around the base of the container that GCNs could exploit (to be assessed by the ECoW), the container may be directly placed on the ground. Otherwise, the container will be placed off the ground on pallets.	Log of activities is available for inspection and any amphibians found will be recorded, with advice sought if newts are found within excavations.			
		E.2/E3 GCN habitat modification and creation for				

No	Phase of Development	Performance Indicator	Evidence Required	Pass (Yes/No) & Comments	What action is required as a result of findings?	Completed by (print name, date and sign)
		mitigation and compensation				
12		All mitigation and compensation measures have been implemented as per section E2 and E.3 of the Method Statement and within the committee report (23.01.2019) which states <i>"In addition, the issue of financial contribution can be addressed through the payment of £2,500 per dwelling towards SAC Management. The applicant has made advance payment of the requisite monies under BPZ 111 B644"</i>	Mitigation will occur off-site via a commuted sum which was paid prior to 23.01.2019. The mitigation will be co-ordinated by the fund management agency, to ensure Wepre Park Rangers will draw down from the fund as appropriate.			
		F and H: Long Term Site proposals				
13	Operational Phase	A welcome pack for future residents detailing the importance of the adjacent SAC and measures that occupants can take to reduce any negative effects that their actions may have in the long-term on populations of great crested newts that may migrate through or take shelter within their properties.	Copy of welcome pack provided to the LPA and NRW.			
Any other points to note/comments from auditor:						

Mitigation for GCN

Due to potential indirect impacts of the proposed works on the nearby SAC, Natural Resources Wales has proposed consideration be given to site design and/or commuted sum to support off-site actions. In relation to on-site mitigation, a redesigned surface water attenuation area is suggested.

The image below displays the current plans for the application site, including the creation of a designated attenuation area at the southern boundary, which includes a recessed 'pool' at the south-western end.



To enhance the development site for GCN and other amphibians, it is therefore recommended that the southern end of the site is replanted with native species and managed as a mixture of scrub, scattered trees, and wildflower meadow, thus providing terrestrial habitat around the attenuation area and the 'pool' that will favour such species. A list of native species appropriate for replanting at the former Moreton Inn has been provided in Appendix III of the preliminary ecological appraisal, but should include a mixture of herbaceous and woody plants including for example Pedunculate Oak, Wild Cherry, Hazel, English Bluebell, and Meadow Crane's-bill. The hibernaculum referenced during the RAMs provided above should be created in this area.

The issue of a financial contribution may be addressed by payment of a sum assigned by the **Local Planning Authority (?!?)** per new dwelling constructed to support newt conservation in the local area. The recipient of this sum should be the Johnstown Newt Sites SAC, with a suitable management body selected to allocate the funds towards the continued habitat management of the site.

Further Ecological Information

Conclusions

Following the supervised works the Ecologist is satisfied the Method Statement provided in the Licence application has been followed, and no harm was caused to bats or will be caused by the remaining works.

PENNINE *Ecological* can confirm that the contents of this document have been collated using the combined expert knowledge and experience of the attending ecologists, and thus the document can be relied upon as an addendum to existing ecological reports issued to Together Housing Association.

For any enquiries or if any information is required, please contact PENNINE *Ecological*.

Kind regards,



Mr. J. Pescod, Ecological Consultant, Qualifying CIEEM
09th August 2021