



THE
ENVIRONMENT
PARTNERSHIP



BRYN LANE, WREXHAM INDUSTRIAL ESTATE

WREXHAM

LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN

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CONTENTS	PAGE
1.0 Introduction	1
2.0 Site Management Considerations.....	3
3.0 Ecological Factors and Method Statement	6
4.0 Management Intentions and Operations	11
5.0 Monitoring and Review	26

TABLES	PAGE
Table 1: Method Statement for the ecological features.....	9
Table 2: Key Measures for Monitoring.....	26
Table 3: Ongoing Ecological Surveys.....	28

APPENDICES

APPENDIX A:	Landscape Concept Plan (Barry Chin Associates ref: 2147-21-01G)
APPENDIX B:	Soft Landscape Works Maintenance and Management Proposals - 10 Years (Barry Chin Associates ref: 2147-21-RP01D)
APPENDIX C:	Landscape Maintenance Schedules
APPENDIX D:	Legislation Context
APPENDIX E:	Unilateral Planning Obligation
APPENDIX F:	Great Crested Newt Licence (Licence No. S088525/1)
APPENDIX G:	Unilateral Planning Obligation
APPENDIX H:	Great Crested Newt Licence (Licence No. S088525/1)

1.0 Introduction

Purpose of the Management Plan

- 1.1 This Landscape and Ecological Management Plan (hereby referred to as 'Management Plan') has been produced by The Environment Partnership (TEP) Limited on behalf of Overload Ltd to provide a framework for long term landscape and habitat management and maintenance of the landscaping associated with the warehousing at Bryn Lane, Wrexham Industrial Estate (hereby referred to as the 'Site').
- 1.2 This Management Plan was previously prepared to accompany a great crested newt (GCN) licence application in August 2020. This Management Plan has subsequently been updated to support the reserved matters application to be submitted in due course.
- 1.3 This Management Plan will inform long term management of the Site.

Scope of the Management Plan

- 1.4 This Management Plan covers all areas of open space within the Site, specifically proposed woodland, grassland and ponds.
- 1.5 The Management Plan describes the Site in terms of landscape elements and management operations and provides a framework for the long term landscape management and maintenance of the habitats, open space and landscaping associated with the site.
- 1.6 The Management Plan should be read in conjunction with the Landscape Concept Plan (Barry Chinn Associates ref: 2147-21-01G) and Soft Landscape Works Maintenance and Management Proposals - 10 Years (Barry Chinn Associated ref: 2147-21-RP01D).

Structure of the Management Plan

- 1.7 Chapter 2.0 provides a summary of the factors influencing management and a site analysis. Chapter 3.0 sets out ecological factors and method statements, Chapter 4.0 outlines the long-term aims and objectives for management and Chapter 5.0 sets out how the success of the plan will be monitored, reviewed and updated over time.
- 1.8 Appendix A is the Landscape Concept Plan (Barry Chinn Associates ref: 2147-21-01G), Appendix B is the Soft Landscape Works Maintenance and Management Proposals - 10 Years (Barry Chinn Associates ref: 2147-21-RP01D), Appendix C provides a table of maintenance operations and Appendix D summarises relevant legislation.

Site Location

- 1.9 The Site lies on the north eastern edge of the Wrexham Industrial Estate, approximately 5.4 km east of Wrexham town centre. The Site is bounded by Ridley Wood Lane to the north, agricultural land to the east and south, and Bryn Lane to the west. Mapping information will be supplied WCBC, NRW and Cofnod.

Planning and Development Context

- 1.10 Outline planning permission for a B8 storage and distribution warehouse development and associated ecological mitigation area including means of access off Bryn Lane was initially refused by Wrexham County Borough Council (WCBC) planning (application ref: P/2011/0891), but was approved on appeal and granted on the 6th August 2013 (ref: APP/H6955/A/12/2188910).
- 1.11 A subsequent planning application (application ref: P/2016/0327) was submitted in 2016 to renew the initial outline planning application (application ref: P/2011/0891). The Application was refused at WCBC planning committee, and another appeal was made to the Welsh Assembly Ministers against the Council's decision. The application was granted on appeal on the 4th April 2017 (ref: APP/H6955/A/16/3164652).
- 1.12 An application was submitted in March 2020 to WCBC (ref: P/2020/0167) under Section 73 to vary the existing outline, permission under (application ref: P/2011/089) has been approved.
- 1.13 This Management Plan has been prepared to support a reserved matters application and comments from the Local Authority.
- 1.14 Within 12 months of commencement of works, a review of the Landscape & Ecological Management Plan will take place between the Applicant and their appointed Ecological Managing Body, NRW and Wrexham Council to identify whether a Management Agreement is required to be signed with an appropriate public body. This long-term agreement shall be either a Management Agreement under Section 39 of the Wildlife and Countryside Act 1981 (as amended) or under Section 16 of the Environment (Wales) Act 2016. Overlord shall pay all reasonable costs associated with completing an agreement. The provisions of the agreement must also consider the above outstanding points.

2.0 Site Management Considerations

Responsibility for Site Management

- 2.1 During the defects liability period, landscape maintenance and replacement of failed planting will be completed by the landscape contractor who has implemented the scheme.
- 2.2 Following the defects liability period, Overload Ltd will employ a managing organisation who will be responsible for operational management and maintenance of the landscape within the Site.
- 2.3 The managing organisation will require the necessary experience and certificates of competence to undertake landscape management operations on site. The managing organisation will ensure that management complies with the guidelines set out in this Plan.
- 2.4 To ensure the Site continues to be managed for the favourable condition of wildlife, including GCN which are protected under the Conservation of Habitats and Species Regulations 2017 (as amended), contractors with experience in biodiversity management will be sought. Licencing requirements and competencies.
 - Species-specific management
 - Habitat management
 - Site infrastructure maintenance
 - Surveillance
- 2.5 The managing organisation will ensure that management complies with the guidelines set out in this plan, planning conditions and the European Protected Species Licence for GCN (Licence No. S088525/1). Failure to comply constitutes an offence.
- 2.6 Schedule 1 of Unilateral Planning Obligations (page 5) attached sets out the Owner's obligations regarding creating a Managing Body to secure the long term management of the Ecological Mitigation / Landscape Areas. Thus providing financial resources to fund long-term site management works.
- 2.7 Net World owners of the land agree to access and should tenure change WBC will be informed of future proposals.
- 2.8 In the event of corporate take owner, loss of trading and insolvency the mitigation will remain in situ and any future land owners will abide by the Unilateral Undertaking. This is also covered within the GCN Licence Condition 100. (A scheme shall be submitted to the satisfaction of NRW that identifies measures that will enable regulatory bodies, or individuals or bodies authorised by relevant regulatory bodies, to, in the event of lack of or inappropriate surveillance and/or management, to carry out any remediation management works and/ or surveillance).

Health and Safety

- 2.9 Overload Ltd will retain ultimate responsibility for the health and safety of the Site and will review health and safety as part of its regular inspections of the Site. The Site will be subject to informal inspections and a formal annual inspection. Whenever the Site is visited, any deficiencies in safety provision will be noted and acted upon.
- 2.10 The appointed managing organisation is responsible for complying with the provisions of the Health and Safety at Work Act. All machinery and apparatus brought onto the Site shall be safe and maintained to a standard that will not breach provisions within the Health and Safety at Work Act or any other statutory obligations.
- 2.11 The managing organisation shall be adequately trained and sufficiently competent to carry out maintenance operations without causing a Health and Safety risk to themselves or other uses of the site.
- 2.12 All works shall be undertaken in accordance to the relevant codes of practice. Appropriate machinery shall be used inclusive of adequate personal protective equipment to avoid harm to themselves or any other persons.

Biosecurity

- 2.13 The management organisation should have a sufficient awareness of new and ongoing biosecurity threats, and the necessary precautions to avoid their spread should be undertaken on sites where they are known or suspected.
- 2.14 New findings of suspected non-indigenous plant pests and diseases should be reported to the Plant Health and Seeds Inspectorate or Forestry Commission - Forest Research Tree Health Diagnostic and Advisory Service or both.

Management Objectives

- 2.15 The long term management objectives of this plan are:
- To ensure the long term success of the scheme through effective maintenance;
 - To safeguard and enhance the biological and physical integrity of the Site;
 - To improve existing habitats and increase biodiversity net gain;
 - To ensure that retained and newly created habitats within the open spaces and wildlife corridor are managed to enhance their biodiversity and connectivity as foraging and commuting habitat for high value wildlife;
 - To ensure that a population of at least 30 GCN is established and retained across the three ponds (see Chapter 5.0 Monitoring and Review) and
 - To comply with legal obligations and constraints.

Social Factors

Public Amenity

- 2.16 The public will only be able to access the access road, car parking and amenity areas to the west of the Site.

Accessibility

- 2.17 The main vehicular and pedestrian access is to the west of the Site via Bryn Lane.
- 2.18 There is also maintenance access points along the western boundary on Bryn Lane and northern boundary adjacent to Ridley Wood Lane.

Legal Factors

- 2.19 Management of the Site must be in line with all legislation relating to health and safety and the environment. A review of the relevant legislation affecting site management is at Appendix D.
- 2.20 All site works including countryside management, amphibian surveillance and maintenance of any site infrastructure shall only be carried out in accordance with the provisions of species protection legislation; in this instance owing to the presence and significance of the great crested newt and the provisions of the Conservation of Habitats and Species Regulations 2017 (as amended).

3.0 Ecological Factors and Method Statement

- 3.1 The information within this Chapter is in line with Ecological Mitigation Plan (TEP ref: 7215.005), and provides information on ecological factors and demonstrates how retained features of ecological/wildlife interest will be successfully managed.

Designations

- 3.2 There are no statutory designations within 1km of the Site. However, Wrexham Industrial Estate Wildlife Site is approximately 240m south of the Site. This is an area of unmanaged species rich grassland and ancient broadleaf woodland.

Habitats and Species of Principal Importance in Wales

- 3.3 Environment Act (Wales) 2016 requires a list of habitats and species of principal importance in Wales to be drawn up.
- 3.4 Local Biodiversity Action Plans (BAP) provide an indication of the relative value given to existing habitats and species. The Wrexham Biodiversity Action Plan has been used when assessing the value of the habitats and species present within the Site.
- 3.5 Great crested newt (GCN) is the only priority species listed in the Wrexham Biodiversity Action Plan that will be sustained around or within the Site.

Ecological Surveys

- 3.6 Below is a list of the ecological surveys carried out at the Site:
- Extended Phase 1 Habitat Survey (TEP, August 2018);
 - Badger Survey (TEP, August 2018);
 - Ground Based Assessment (Bats) (TEP, August 2018);
 - Static Bat Activity Surveys (TEP, September 2018);
 - Habitats Breeding and Wintering Bird Habitat Assessment (TEP, September 2018); and
 - EDNA Surveys (TEP, June 2020).
- 3.7 The following habitats are to be created or retained within the Site:
- Trees;
 - Woodland;
 - Hedgerows;
 - Ponds;
 - Species-rich grassland; and
 - Wet grassland seeding.

Woodland

- 3.8 A woodland strip lies along the southern site boundary. Approximately 20m wide, the structure of the semi-natural broadleaved woodland is fairly young with some mature trees on the field boundary. The woodland will remain unaffected by the development.
- 3.9 The southern band of woodland is listed on the Habitat Forest Inventory as broadleaved woodland. This is considered a Habitat of Principal Importance under Section 7 of the Environment (Wales) Act 2016.

Ponds

- 3.10 There will be a total of three ponds on Site:
- One attenuation pond; and
 - Two replacement ponds for GCN habitat.
- 3.11 The two replacement ponds for GCN habitat were constructed in 2018, approved and built out as part of a separate planning application (ref: P/2018/0977).
- 3.12 The ponds created for replacement GCN habitat have been designed in line with the Great Crested Newt Mitigation Guidelines (2001), to benefit GCN and other amphibians located within the area.
- 3.13 An attenuation pond is to be constructed in due course.

Hedgerows

- 3.14 The Site is bounded by hedgerows with scattered trees. The species poor but intact hedge is dominated by hawthorn. A species-rich intact hedge lies along the arable field boundary to Ridley Wood Lane (access road onto site).
- 3.15 New indigenous hedgerow will provide foraging, nesting and commuting opportunities for a range of wildlife including amphibians, small mammals, bird and bats.

Invasive Non-Native Species

- 3.16 There are no invasive non-native species recorded on or within close proximity to the Site. However if invasive non-native species are recorded on the Site then a suitably qualified professional should be contacted and an Invasive Non-Native Species Method Statement should be undertaken to stop spread and undertake a programme of treatment.

Species

Amphibians

- 3.17 Data from ponds regularly monitored (Cofnod) across the Wrexham Road Industrial Estate confirms the presence of a nationally important, large, metapopulation of GCN.
- 3.18 GCN spend most of their life on land sheltering in hedges, woods, walls and rough grassland. Adults return to the pond for a few weeks in spring to lay eggs. Eggs hatch into larvae which stay in the ponds until autumn when they leave the water.
- 3.19 GCN tend to favour well established ponds with good vegetation and no fish. They can forage up to 500m away from the pond. GCN prefer older woodlands as there is more dead wood. Hedgerows, rough grassland and scrub areas are used by GCN for refuge.
- 3.20 EDNA surveys undertaken in June 2020 confirmed GCN presence in the two newly created replacement ponds.
- 3.21 GCN are a priority species under Section 7 of the Environment (Wales) Act (2016) and are listed on the Wrexham's Biodiversity Action Plan.

- 3.22 GCN and their aquatic habitat are protected under Schedule 5 of the Wildlife and Countryside Act (1981) as amended, and the Conservation of Habitats and Species Regulations as amended (2017). Under this legislation it is an offence to intentionally kill, injure or capture GCN. It is also an offence to intentionally or recklessly damage, destroy or obstruct access to places used by GCN for shelter or protection or to disturb them whilst they are occupying these habitats.

Birds

- 3.23 A number of protected bird species, including Schedule 1 birds, have been recorded within 1km from the site. Barn owl have been recorded on the edge of the site and the bird survey assessment identified a number of trees along the southern boundary which have roosting potential for barn owl.
- 3.24 The surrounding hedgerows, trees and off-site bordering woodland to the south provide valuable habitat for breeding birds.
- 3.25 All UK wild birds are protected while at the nest. Effectively, this means that if removal of habitats (which can include buildings, trees, hedges, scrub and grassland) cannot be timed to avoid the bird breeding season (April to August inclusive), then a survey by a suitably experienced ecologist will be required to ensure no nesting birds will be affected. There is generally no process to gain a licence to disturb nesting birds; therefore, if active nests are present works will need to avoid the area of the nest until the young have fledged.

Bats

- 3.26 The surrounding mature trees along the bordering hedgerow and woodland edge provide varying levels of bat roost potential.
- 3.27 Bats and their roosts are also protected under Schedule 5 of the Wildlife and Countryside Act (1981) as amended and the Conservation of Habitats and Species Regulations as amended (2012).

Badger

- 3.28 There are records of badger, including setts, within 1km of the Site. Evidence of foraging was noted within the scrub and wood strip adjacent to Bryn Lane, over 400m west of the pond development. No setts were found during the survey and there was no field evidence within the Site.
- 3.29 Badgers and their setts are safeguarded under the Protection of Badgers Act (1991). Under this legislation it is illegal to interfere, damage or destroy a sett, obstruct access to a sett, or disturb a badger whilst it is occupying a sett.

Chemical Use

- 3.30 The use of herbicide will be minimised wherever possible. Hand weeding will be utilised when feasible and the use of mulch around new planting will assist with suppressing weeds.

Method Statement

- 3.31 Existing features of ecological and wildlife interest will be protected to ensure that habitat and species are protected and establish long term. Habitat and species protection has been informed by the Ecological Mitigation Plan (TEP ref: 7215.005).

Table 1: Method Statement for the ecological features

Ecological Feature	Method Statement
Habitat	
Woodland	The woodland will remain unaffected by the creation of the ponds and other proposed landscaping, with design ensuring the root protection zone (RPZ) of the trees along the periphery are not impacted by any ground works.
Hedgerow	The hedgerow and trees will be retained where possible within the proposals for new pond creation, with the RPZ avoided. Access from the Site will be through an existing gate, ensuring the northern hedge remains.
Ponds	Pond works will be undertaken in winter minimising the risk to GCN.
Species	
Amphibian	The water quality of the ponds will be ensured through the SUDS scheme, minimising post-development impacts on aquatic habitats and wildlife. Removal of any identified invasive non-native species (including plants and fish) to ensure viability of habitat for GCN. No chemical use within 250m of ponds.
Birds	Removal of habitats (which can include buildings, trees, hedges, scrub and grassland) will avoid the bird breeding season (April to August inclusive). If this is not possible a survey by a suitably experienced ecologist will be required to ensure no nesting birds will be affected.

Ecological Feature	Method Statement
Bats	Any retained trees within the woodland to the south or on the boundaries of the Site (shown to have the most bat roost potential) will be surveyed for bat roost potential by a suitably qualified ecologist before works begin. If bat roost potential is identified then the survey will provide additional information on reasonable avoidance measures.
Badger	If a badger sett is suspected on Site then no works should be undertaken with 30m of the sett and a survey should be undertaken by suitably qualified ecologist if required.

4.0 Management Intentions and Operations

Landscape Elements

- 4.1 The Bryn Lane, Wrexham Industrial Estate Site will comprise the following landscape elements as shown on the Landscape Concept Proposal (Barry Chin Associates ref: 2147-21-01G) and Landscape Management and Maintenance Plan (Barry Chin Associates ref: 2147-21-RP01D):

- Existing woodland;
- Existing trees;
- Proposed tree and woodland planting;
- Thicket and woodland mix planting;
- Existing hedgerow;
- Proposed hedgerow;
- Existing grassland;
- Ornamental Shrub and low groundcover planting;
- Existing ponds;
- Attenuation ponds; and
- Amphibian refugia.

Site Wide

Management Intention

- 4.2 The Site will be kept free from litter through regular cleansing. Regular inspections will ensure any health and safety hazards are identified and made safe.

Chemical Use

- 4.3 It should be recognised that plants considered as weeds can provide suitable habitat for invertebrates.
- 4.4 Weed control where feasible should be undertaken by hand pulling. However in certain instances, herbicide may be the most effective measure to remove unwanted species during the planting establishment period. Where herbicide application is needed this should be in small controlled areas and should only target the undesirable species. Herbicides should comply with the Control of Pesticides Regulations as amended (1997) and be on the current list of approved products.
- 4.5 Consideration would need to be given to the fact that chemicals can prevent growth of grasses and woody species in landscape schemes.
- 4.6 Where herbicides are to be used within 10m of waterbodies care must be taken to only use formulations of Glyphosate which are approved for use close to water. It is essential that Natural Resource Wales are notified and an agreement obtained.
- 4.7 Fertiliser is not to be applied to any of the meadow areas in order to conserve the development of a diverse sward.

Maintenance Operations

Site Cleansing

- 4.8 A litter pick of the Site will be carried out monthly and will include the ponds and attenuation ponds. All litter will be removed and disposed of in an authorised manner.
- 4.9 When removing material from within or near to the ponds, care must be taken to check for amphibians, which may be hiding in or under items. Any amphibians, except GCN, found will be returned to suitable cover. It is an offence to handle GCN without a specific licence from Natural Resources Wales.

Site Inspections

- 4.10 Site inspections will be undertaken monthly to identify any health and safety hazards and arrange for them to be made safe as far as is practicable.
- 4.11 Results from the monthly site inspections will be compiled and presented within the annual report which will be used in the review of the Plan as detailed in Chapter 5.0.

Existing Woodland

Management Intention

- 4.12 There is retained woodland to the south of the Site, which provides wildlife corridors important for ecological connectivity and opportunities for foraging and refuge. Woodland will be managed for the benefit of small mammals, amphibians and invertebrates as well as recreation.
- 4.13 An arboriculturist will be consulted prior to undertaking any major tree works within the Site.
- 4.14 If invasive non-native species are encountered within the woodland, a species specific method statement will be written detailing appropriate control and treatment measures.

Maintenance Operations

Thinning and Cutting Understorey Vegetation

- 4.15 Trees for thinning will be cut to a level stump length of 150 mm for treatment with stump killer. A minimum of 50% of the stump surface will be scored over and treated to stop re-growth. Future growth of stumps will be monitored and additional cuts and applications of stump killer will be made (or an appropriate herbicide application such as eco plugs) over the following two or three years as required.
- 4.16 Thinning and cutting understorey vegetation will be undertaken on an annual cyclical programme (5 - 10 year cycle) and will be carried outside of bird nesting season. If works are required to any trees with bat roosting potential, advice must be sought from a licensed bat ecologist prior to any works commencing.
- 4.17 Disturbance to GCN refuge features should be avoided by cordoning off the features during works. Herbicide will not be used within 250m of GCN ponds other than via spot treatment.

Coppicing

- 4.18 Trees for coppicing will be cut back to 50mm above ground level. Where a number of stems are coppiced on one plant, cut faces are to slope away from the centre. Care will be taken to ensure that coppicing, thinning and pruning operations do not cause damage to desirable plants, or rutting of the ground in wet conditions.
- 4.19 Wood under 250 mm diameter collected from maintenance works will, wherever possible, be chipped and used sustainably on site.
- 4.20 Wood greater than 250 mm diameter will be logged and used to create deadwood piles. Care will be taken to ensure that thinning/pruning operations do not cause damage to desirable plants, or rutting of the ground in wet conditions.
- 4.21 Coppicing will be undertaken on an annual cyclical programme (5 - 10 year cycle) and will be carried out outside of bird nesting season. If works are required to any trees with bat roosting potential, advice must be sought from a licensed bat ecologist prior to any works commencing. If works are required to any trees with bat roosting potential, advice must be sought from a licensed bat ecologist prior to any works commencing.
- 4.22 Disturbance to GCN refuge features should be avoided by cordoning off areas known to contain the species during works.

Conserving Deadwood

- 4.23 Deadwood management will be low intervention, this means that any deadwood found will be left in situ. If leaving deadwood in situ represents a health and safety risk or hinders management access, it will be moved and stacked elsewhere in appropriate locations onsite to retain shelter and forage opportunities for wildlife.

Deadwood Removal

- 4.24 If deadwood is to be removed from the woodland then this should be supervised by a suitably qualified licenced ecologist.

Visual inspection

- 4.25 During monthly site inspections, woodland will be inspected for the presence of litter, debris and non-native invasive species.

Tree Survey

- 4.26 A trained arboriculturist will carry out an inspection of mature trees within or adjacent to areas of public access to check for damage and disease and to maintain appropriate height clearances for safe pedestrian access. The survey will be carried out every three years or following a storm.

Existing Trees

Management Intentions

- 4.27 There are retained trees throughout the Site and along the northern, eastern and southern boundaries, which provide a mature setting to the development and provide opportunities for foraging and refuge.

- 4.28 An Arboriculturist must be consulted prior to undertaking any major tree works.

Maintenance Operations

Cyclical Maintenance

- 4.29 Maintenance to mature trees will be informed by the tree survey.
- 4.30 Wood under 250 mm diameter collected from thinning, pruning, brashing and vegetation clearance will, wherever possible, be chipped and used sustainably on site for mulching.
- 4.31 Wood greater than 250 mm diameter will be logged and used to create deadwood piles in suitable woodland locations.
- 4.32 Maintenance will be undertaken on an annual cyclical programme (5 - 10 year cycle) and will be carried outside of bird nesting season. If works are required to any trees with bat roosting potential, advice must be sought from a licensed bat ecologist prior to any works commencing.
- 4.33 Disturbance to GCN refuge features should be avoided by cordoning off areas known to contain the species during works.

Tree Survey

- 4.34 A trained arboriculturist will carry out an inspection of mature trees within or adjacent to areas of public access to check for damage and disease and to maintain appropriate height clearances for safe pedestrian access. The survey will be carried out every three years or following a storm.

Proposed Tree and Woodland Planting

Management Intentions

- 4.35 Tree and woodland planting is proposed to provide connectivity to the wider environment, foraging and nesting opportunities and screening along Bryn Lane.
- 4.36 Proposed woodland will be planted to the north, east and south west of the development to complement the existing woodland to the south.
- 4.37 The maintenance operations for proposed tree and woodland planting aligns to the Soft Landscape Works Maintenance and Management Proposals - 10 years (Barry Chinn Associates ref: 2147-21-RP01D), Appendix B.

Maintenance Operation

Weed Control

- 4.38 Weed control will be undertaken four times annually (years 1-4), reducing to twice annually (years 5-7) and then once annually (years 8-10). Weed control will be undertaken between April and September and where feasible should be undertaken by hand pulling and should remove all noxious weeds such as docks, thistles, nettles, ragwort and willowherb.

- 4.39 In certain instances, herbicide maybe the most effective measure to remove unwanted species. Where herbicide application is needed this should be in small controlled areas and should only target the undesirable species. Shields should be used as appropriate to prevent drift into sensitive areas. Herbicides should comply with the Control of Pesticides Regulations as amended (1997) and be on the current list of approved products.

Re-firming

- 4.40 Newly planted trees will require re-firming as required.

Stakes and Ties

- 4.41 Where trees are staked, the stakes and ties will be checked quarterly and it is anticipated that they will need adjusting at least twice annually. Any broken or damaged stakes will be replaced and ties re-fixed at a slightly lower position, allowing for growth since planting.

Formative Pruning

- 4.42 Young trees will require formative pruning until a height of 3m is attained to maintain a desirable shape as well as to maintain health and vigour. Pruning and thinning of trees will be in accordance with BS7370 Part 4 maintenance of soft landscape.
- 4.43 Once a height of 3m is attained, crown pruning is desirable and any dead or severely damaged trees will be felled and replaced accordingly.

Replacement of Failed Planting

- 4.44 Failed planting will be removed and replaced with the same species between November and March for deciduous species and between September and April for evergreen species.
- 4.45 If there is a continuous failure of a certain species, this will be reviewed and, if appropriate, an alternate appropriate species will be planted instead.

Watering

- 4.46 Young single stem trees (whips) planted during the dormant season will need little or no watering. This will allow the tree to naturally acclimatise to the location and will encourage roots to spread down in search of water
- 4.47 Watering may be required during periods of drought in the first couple of years following planting. Water should be applied to the base of the tree and should not be in excess of 20 litres every other day, as required, between April and September.

Fertiliser

- 4.48 Apply slow release multi-purpose plant food and soil improver in Autumn during the first 5 years after planting.
- 4.49 Any bark or other weed suppressant should be carefully removed/lifted and fertilizer applied direct to the top layer of soil at the manufactures recommended rate.

Post Establishment Maintenance

- 4.50 See Existing Trees and Existing Woodland.

Thicket and Woodland Mix Planting

Management Operations

- 4.51 Thicket planting serves as a dynamic interface between the woodland and grassland, providing a gradation of habitat typologies and edge zones.
- 4.52 Thicket planting is to be managed to ultimately achieve a tree canopy with understorey. A gradual development of a diverse age structure should be established over a period of time by the use of a regime of selective thinning, pruning and coppicing. Thicket planting will provide suitable terrestrial habitat and wildlife value and complement existing and proposed woodland planting.
- 4.53 It may be acceptable to allow 'wild areas' to establish for the purpose of increased biodiversity value to invertebrates, including weeds and other dominant species such as docks, thistles, nettles, ragwort and willowherb. However, these species should not be allowed to spread to other areas of the site or neighbouring land.
- 4.54 The maintenance operations for proposed tree and woodland planting aligns to the Soft Landscape Works Maintenance and Management Proposals - 10 years (Barry Chinn Associates ref: 2147-21-RP01D), Appendix B.

Management Intentions

Weed Control

- 4.55 Weed control will be undertaken four times annually (years 1-4), reducing to twice annually (years 5-7) and then once annually (years 8-10). Weed control will be undertaken between April and September and where feasible should be undertaken by hand pulling and should remove all noxious weeds such as docks, thistles, nettles, ragwort and willowherb.
- 4.56 In certain instances, herbicide may be the most effective measure to remove unwanted species. Where herbicide application is needed this should be in small controlled areas and should only target the undesirable species. Shields should be used as appropriate to prevent drift into sensitive areas. Herbicides should comply with the Control of Pesticides Regulations as amended (1997) and be on the current list of approved products.
- 4.57 After the first 10 years it may be acceptable to allow 'wild areas' to establish for the purpose of increased biodiversity value to invertebrates, including weeds and other dominant species such as docks, thistles, nettles, ragwort and willowherb. However, these species should not be allowed to spread to other areas of the site or neighbouring land.

Re-firming

- 4.58 Newly planted trees will require re-firming as required.

Stakes and Ties

- 4.59 Where trees are staked, the stakes and ties will be checked quarterly and it is anticipated that they will need adjusting at least twice annually. Any broken or damaged stakes will be replaced and ties re-fixed at a slightly lower position, allowing for growth since planting.
- 4.60 Remove stakes as necessary, when the tree is suitably established, approximately in Year 5.

Pruning

- 4.61 Pruning will be undertaken to clear deadwood, promote healthy growth and produce desired growth of flowers, fruit, foliage or winter colour as appropriate. Dead, broken, damaged, diseased branches will be removed. Pruning will also include for clearing out crossing branches and branches growing toward the middle of the plant. Pruning will be carried out between December and February.
- 4.62 Any plants subject to vandalism or storm damage should be pruned straight away.
- 4.63 In the long term, consideration will be given to active management, e.g. cyclical thinning and coppicing to create greater structural diversity.

Replacement of Failed Planting

- 4.64 Failed planting will be removed and replaced with the same species between November and March for deciduous species and between September and April for evergreen species.
- 4.65 If there is a continuous failure of a certain species, this will be reviewed and, if appropriate, an alternate appropriate species will be planted instead.

Constraints

- 4.66 Any works required will be undertaken outside of the bird nesting season, between September and February. Should any works be required within the bird nesting season (March to August inclusive) an assessment will be undertaken by a suitably qualified ecologist before any works commence.

Existing Hedgerows

Management Intentions

- 4.67 Native hedgerow where possible, will be retained along the northern, eastern and southern boundaries. Hedgerows provide foraging, commuting and nesting opportunities for wildlife including small mammals, birds and bats.

Maintenance Operations

Hedgerow Cutting

- 4.68 Hedgerows will be cut in an 'A' shape to maintain a wide base for bird nesting and roosting. Hedgerow cutting will be cut on a rotational basis with one third cut every three years to retain foraging and sheltering opportunities. If possible, a 1m grass strip of species rich tussock grass will be left uncut next to the hedgerow to increase habitat potential and increasing connectivity. The grass strip is to be cut simultaneously with the hedge cutting regime. Arisings will be collected and removed from Site.
- 4.69 Any hedgerow management will be carried out outside of the bird nesting season (between March and August inclusive). Should any works be required within the bird nesting season an assessment will be undertaken by a suitably qualified ecologist before any works commence.
- 4.70 Additional hedgerow cutting may be required from a health and safety perspective should there be a good growing season.

Proposed Hedgerow

Management Intentions

- 4.71 Native hedgerow is proposed to provide a buffer between the development and the surrounding environment. The hedgerow planting will provide additional foraging, commuting and nesting opportunities for wildlife including small mammals, birds and bats
- 4.72 Formal hedgerow is proposed around the amenity areas of the Site including the car parking and main entrance areas. Formal hedgerow should be maintained for its aesthetic value.

Maintenance Operations

Cultivate soil

- 4.73 Lightly cultivate all planted areas, breaking up soil evenly, annually in the first two years. Cultivating soil is covered under the license (License no. S088525/1) and should be supervised under the license.

Soil levels

- 4.74 Edge up planted areas to maintain soil level 25mm below adjacent hard surfaces and kerbs. Any soil washed onto hard surfaces to be cleaned off. Repeat at each maintenance visit.

Weed Control

- 4.75 To reduce excessive competition, a weed free area will be retained around hedgerow plants to a diameter of 0.5m around the base. Mulch will be replenished annually to a depth of 65mm.

Formative Pruning

- 4.76 Prune as necessary to prevent invasive species smothering less aggressive species and to prevent shrubs overhanging footpaths and other areas of hard paving.
- 4.77 Formative 'facing up' the hedgerow will establish dense branch growth annually in September.

Re-firming

- 4.78 Newly planted hedgerow plants will require re-firming as required.

Replacement of Failed Planting

- 4.79 Failed planting will be removed and replaced with the same species between November and March for deciduous species and between September and April for evergreen species.
- 4.80 If there is a continuous failure of a certain species, this will be reviewed and, if appropriate, an alternate appropriate species will be planted instead.

Hedgerow Cutting

- 4.81 Native hedgerow: Prune native hedges to heights stated on landscape drawings (Appendix B) (approx. timing September) as required depending on establishment. Cut sides, tops and ends to straight and true lines.
- 4.82 Formal hedgerow: Prune formal hedges to heights stated on landscape drawings (Appendix B) (approx. timing May and September). Cut sides, tops and ends to straight and true lines.

Existing Grassland

Management Intention

- 4.83 There is existing grassland in the northern, eastern and southern area of the Site.
- 4.84 The existing grassland will be managed to maintain and promote structural and botanical diversity and prevent the grasslands from scrubbing over. Nectar-rich plants will also provide a vital source to invertebrates, and subsequently bats and birds.

Maintenance Operations

Grass Cutting

- 4.85 The grass will be cut once a year in September to a height of 150mm with the arisings removed to prevent nutrient enrichment.
- 4.86 Grass cuts will be undertaken with flail cutters/mowers set to retain vegetation at a height of 150mm in order to prevent any risk to amphibians that may be present within the grasslands. Arisings will be removed from site or if appropriate used on Site to increase habitat opportunities.
- 4.87 Grass cutting will be avoided between mid-March and August (inclusive) to prevent risk of disturbance and destruction to nesting birds.

Weed Control

- 4.88 Weed control will be undertaken annually between April and September and where feasible should be undertaken by hand pulling and should remove all noxious weeds such as docks, thistles, nettles, ragwort and willowherb.
- 4.89 In certain instances, herbicide may be the most effective measure to remove unwanted species. Where herbicide application is needed this should be in small controlled areas and should only target the undesirable species. Shields should be used as appropriate to prevent drift into sensitive areas. Herbicides should comply with the Control of Pesticides Regulations as amended (1997) and be on the current list of approved products.
- 4.90 Herbicide will not be used within 250m of GCN ponds other than via spot treatment.

Fertiliser Use

- 4.91 Grassland areas will not be fertilised in order to conserve the sward diversity.

Ornamental Shrub and Low Groundcover Planting

Management Intention

- 4.92 Ornamental shrub and low groundcover planting is proposed to the west of the main offices and warehouse staff entrance, creating an attractive entrance to the Site. Management of ornamental shrub and low groundcover planting will focus on maintaining a neat and tidy appearance, which will also encourage plant growth through appropriate horticultural techniques.

Management Operations

Pruning

- 4.93 Pruning will be undertaken in order to clear deadwood, promote healthy growth and produce desired growth of flowers, fruit, foliage or winter colour as appropriate. Pruning will also include clearing out crossing and damaged branches.
- 4.94 Branches to be removed should be taken back to an outward facing node and cut cleanly approximately one inch above on a diagonal angle. Pruning will be undertaken carefully by manual means with appropriate hand tools such as secateurs or loppers; which should be regularly sharpened and cleaned after use to prevent the potential spread of disease.
- 4.95 Where pruning is limited to the extent of the current year's growth, work can be carried out at any time of year. If the pruning will be extensive then the works should be undertaken outside of bird nesting season.
- 4.96 Prune shrubs as necessary to prevent invasive species smothering less aggressive species and to prevent shrubs overhanging footpaths and other areas of hard paving.
- 4.97 Once established ornamental shrub planting aims to be kept above 1m but low groundcover planting will be maintained below 1m.

Soil levels

- 4.98 Edge up planted areas to maintain soil level 25mm below adjacent hard surfaces and kerbs. Any soil washed onto hard surfaces to be cleaned off. Repeat at each maintenance visit.

Weed Control

- 4.99 Weed control will be undertaken 12 times annually (years 1-3), 10 times annually (years 4-5) and 6 times (years 6-10). Weed control will be undertaken between April and September and where feasible should be undertaken by hand pulling and should remove all noxious weeds such as docks, thistles, nettles, ragwort and willowherb.
- 4.100 In certain instances, herbicide maybe the most effective measure to remove unwanted species. Where herbicide application is needed this should be in small controlled areas and should only target the undesirable species. Shields should be used as appropriate to prevent drift into sensitive areas. Herbicides should comply with the Control of Pesticides Regulations as amended (1997) and be on the current list of approved products.

Replacement of Failed Planting

- 4.101 Failed planting will be removed and replaced with the same species in the first five years following implementation. If there is a continuous failure of a certain species, this will be reviewed and, if appropriate, an alternate appropriate species will be planted instead.

Watering

- 4.102 Water ornamental shrub beds as necessary to maintenance healthy growth.

Fertilizer

- 4.103 Slow release fertilizer application as appropriate in the first three years to ensure establishment of planting.

Existing Ponds

Management Intention

- 4.104 Two ponds have been created to the east and southeast of the Site to mitigate the loss of GCN habitat.
- 4.105 Throughout the waterbodies the maintenance of open water and provision of dense stands of emergents, tall herbs and wet grasslands are important to support a diverse and healthy population of small mammals, amphibians, insects and waterfowl. Management should focus primarily on maximising the nature conservation potential of component features.
- 4.106 Once established ponds should be managed to retain at least 35-60% of the surface area as open water through the cutting back of marginal and emergent vegetation. Waterbodies will also be managed to minimise health and safety issues. Vegetation will be regularly managed to ensure the top and bottom of the bank and the water level of the waterbody is clearly visible.

Maintenance Operations

Inspections and Remedial Measures

- 4.107 A visual inspection will be carried out as part of the monthly site inspection. This will include an inspection of the water quality for any signs of pollutants (e.g. scum, excessive algal growth and discolouration), extent of vegetation zones and open water, presence of invasive species (including fish) and presence of rubbish and debris.
- 4.108 If pollutants are detected, options for remedial action will be discussed with the landowner and appropriate authorities.
- 4.109 In the event invasive or harmful species are identified, a treatment plan will be drawn up; spot treatment or pulling by hand will be the preferred method. Any other remedial actions will be implemented accordingly.
- 4.110 In the event monitoring identifies the presence of fish as a concern to the viability of the pond (specifically its suitability for maintaining the GCN population), fish removal will be implemented in accordance with current best practice. At the time writing, guidance set out by Amphibian and Reptile Conservation is the most relevant (Fish Control Methods for Great Crested Newt Conservation, September 2010). The first option for fish removal will include draining down ponds in winter and leaving them to dry to remove fish. This may be combined with trapping or electrofishing, during the dormant period during late autumn or early spring.
- 4.111 It should be noted that Natural Resource Wales no longer issue consents for Rotenone application for this type of activity.

Removal of Debris and Rubbish

- 4.112 Any debris and rubbish identified during the monthly visual inspections will be removed.
- 4.113 Any soft pliable debris noted within the pond during April to, and including, August will be left in situ as they may support GCN eggs. A full cleanse after mid-September will be implemented once eggs are hatched and most larvae have developed.

Aquatic and Emergent Vegetation Removal

- 4.114 Maintenance of open water and provision of dense stands of emergent vegetation, tall herbs and wet grasslands are important for maximising biodiversity.
- 4.115 Regular and gentle removal of aquatic and emergent vegetation to maintain 35% to 60% open water. Cutting or pulling by hand is the preferred method to minimise disturbance and will be carried out annually between late October and mid-November. The works will be carried out on a three year rotation (i.e. a 1/3 each year) or as required according to pond condition.
- 4.116 Vegetation will be removed according to a wedge rotation and laid on terram (or similar matting) at the pond's edge for a minimum 24hrs. The vegetation and terram will then be removed from the Site.

- 4.117 Vegetation removal will, wherever possible, avoid the amphibian breeding and bird nesting season.

Marginal Vegetation Management

- 4.118 The marginal vegetation around the pond will be cut to no less than 150mm on a rotation basis. The inner fringe of vegetation immediately by the water's edge will be retained throughout the year to serve as a buffer and to maintain food and cover sources.

- 4.119 Arisings will be removed and disposed of appropriately.

Scrub Control

- 4.120 Encroachment of scrub, grassland and other vegetation will be monitored and reduced so that no more than 25% of the banks of the ponds will be covered by scrub.

- 4.121 Scrub to be cut back on a rotational basis between October and mid-November. All arisings will be chipped and used sustainably on the Site. Larger brash will be utilised to create deadwood features within woodland.

Fertiliser and Herbicide Use

- 4.122 No fertilisers, pesticides or herbicides will be used on or around the pond.

De-silting

- 4.123 Should the water levels within the deepest area of the pond fall below half a metre in two consecutive years, de-silting will be required. De-silting will be carried out approximately every five years depending on the condition of the pond and will be undertaken between November and January.

- 4.124 De-silting will be undertaken by a long armed excavator and entry and access to the pond will be limited to one point or section of bank. Ground protection will be utilised to reduce damage to marginal habitats.

- 4.125 The top third of a metre of silt will be temporarily placed around the margins of the excavated pond, onto protective membrane, to allow amphibians and invertebrates to return to the pond and to be used on completion of works to repopulate the invertebrate assemblage within the ponds.

- 4.126 All other materials generated will be placed on protective membrane around the pond for a minimum 48hrs to allow amphibians and invertebrates to return to the pond. After a period of 48hrs, the silt and the protective membrane will be removed from site.

Attenuation Pond

Management Intention

- 4.127 An attenuation pond is proposed which has been designed to attenuate surface water flows by storing runoff during the storm and releasing it at a controlled rate during and after the storm. The attenuation pond will always contain water.

- 4.128 The attenuation pond has the added benefit of providing habitats for amphibians and other invertebrates as well as attenuating surface water run-off.

Maintenance Operations

Inspections and Remedial Measures

- 4.129 A visual inspection will be carried out as part of the monthly site inspection. This will include an inspection of the water quality for any signs of pollutants (e.g. scum, excessive algal growth and discolouration), extent of vegetation zones and open water, presence of invasive species (including fish) and presence of rubbish and debris.
- 4.130 If pollutants are detected, options for remedial action will be discussed with the landowner and appropriate authorities.
- 4.131 In the event invasive or harmful species are identified, a treatment plan will be drawn up; spot treatment or pulling by hand will be the preferred method. Any other remedial actions will be implemented accordingly.

Grass Cutting

- 4.132 The grass around the attenuation pond will be cut to a height of 150mm (approx.) annually in September.
- 4.133 Arisings will be lightly raked off and removed to prevent nutrient enrichment and retain the desired species composition.
- 4.134 Grass cutting will be avoided between mid-March and August (inclusive) to prevent risk of disturbance and destruction to nesting birds.
- 4.135 Great care will be taken to avoid disturbance to amphibians or damaging refugia hidden in the grass.

Reedbed Maintenance

- 4.136 Dominant species (particularly reed, bulrush and reed sweet grass) will be cut back to prevent them from encroaching on areas of open water.
- 4.137 Vegetation will be strimmed back (to 150mm) annually between November and January. Approximately 25-30% of wetland vegetation will be removed to retain between 30% and 60% of open water each year with arisings removed from the Site.
- 4.138 It is important that cutting does not take place over the entire reedbed area, and should therefore be cut in alternate sections on annual rotation leaving uncut areas as refuge for wildlife.

Herbicide Use

- 4.139 Use of herbicides near the pond will be avoided.

De-silting

- 4.140 Should the water levels within the deepest area of the pond fall below half a metre in two consecutive years, de-silting will be required. De-silting will be carried out approximately every five years depending on the condition of the SUDS and will be undertaken between November and January.
- 4.141 De-silting will be undertaken by a long armed excavator and entry and access to the pond will be limited to one point or section of bank. Ground protection will be utilised to reduce damage to marginal habitats.
- 4.142 The top third of a metre of silt will be temporarily placed around the margins of the excavated pond, onto protective membrane, to allow amphibians and invertebrates to return to the pond and to be used on completion of works to repopulate the invertebrate assemblage within the ponds.

Amphibian Refugia

Management Intention

- 4.143 Amphibian refuge features are to be maintained in a viable condition so as to function to provide shelter and winter refuge to amphibians. Amphibian refuge features are located within species-rich grassland areas associated with tree cover and hedgerows. Species-rich grassland provides sheltered connectivity between the refuge feature and other suitable habitats.

Maintenance Operations

Inspections and Remedial Measures

- 4.144 Amphibian refuge features will be inspected during the monthly site inspections to ensure they are in a viable condition.
- 4.145 In the event the condition of the refuge feature deteriorates to a point that maintenance cannot ensure its viability, a new refuge feature will be recreated nearby. The existing refuge feature will be maintained in situ in its existing condition; if this is not desirable, an ecologist licensed to handle GCN will be appointed to supervise the dismantling of the non-functioning refuge feature.
- 4.146 Grass or shrub atop the refuge features and within 0.5m of the refuge features will be left uncut to avoid disturbance to the refuge feature.

5.0 Monitoring and Review

Site Monitoring

- 5.1 The key measures described in the table below will enable Overload Ltd to measure the appropriateness of landscape maintenance operations and whether management of the Site is meeting the long term management objectives.
- 5.2 An annual report will be produced by the managing organisation, summarising the management of the Site over the last year and the key measures achieved. This report will be submitted to Overload Ltd with financial information.

Table 2: Key Measures for Monitoring

Feature	Key Measures
Site wide	Is the landscape establishing well and attractive to residents and wildlife overall? Is the Site in a clean and tidy condition? Is public access to the Site maintained? Are there any health and safety hazards / deficiencies which require rectification? Does the Site comply with the relevant environmental and health and safety legislation (as set out in Appendix D of this Plan)? Are there any instances where planting is repeatedly failing? If so, has an arboricultural consultant or landscape architect been consulted with to specify an alternative species?
Existing woodland and trees	Carry out an inspection to note any deficiencies. Concerns about risks to public health and safety and tree health, should be reported and specialist input sought as necessary. Review arboriculture assessment for recommendations on thinning and tree works.
Tree and woodland planting	Stakes and ties to be inspected and newly planted trees re-firmed and kept weed free. Any dead or dying trees should be replaced as specified in the original planting plan. Review arboriculture assessment for recommendations on thinning and tree works.

Feature	Key Measures
Thicket and woodland mix planting	Stakes and ties to be inspected and new plants, re-firmed and kept weed free. Any dead or dying plants should be replaced as specified in the original planting plan Carry out an inspection to assess any encroachment of scrub.
Existing Hedgerows	Carry out an inspection to note any gaps and re-plant with suitable native species.
Proposed hedgerows	Inspection of the general establishment of the hedges until the branches of adjacent plants fully merge together to establish dense branch growth. Any dead or dying plants should be replaced as specified in the original planting plan. Inspect planting and prune as required, or prune straight away if presents a hazard.
Existing grassland	Inspection of the grass to ensure botanical diversity, weeds kept to a minimum, and no scrub encroachment. Re-seed as required.
Ornamental shrub and low groundcover planting	Condition of mulch, including coverage, depth and effectiveness as a weed suppressant to be inspected. Any dead or dying specimens should be replaced as specified in the original planting plan. Inspect planting and prune as required, or prune straight away if damaged and presents a hazard.
Existing ponds	Inspection to the banks and ensure any tree or shrub saplings within 5m are removed. Review assessments following inspections and carry out recommended works. All ponds to be number according to NRW system.
Attenuation pond	Inspection to the banks and ensure any tree or shrub saplings within 5m are removed. Carry out inspection of control structure and carry out minor repairs as required. Review assessments following inspections and carry out recommended works.
Amphibian refugia	Inspected during the monthly site inspections to ensure they are in a viable condition.

5.3 Ecological Monitoring

5.4 With respect to monitoring habitats, it is important that ecological surveys are undertaken of habitat areas, to establish the current biodiversity and inform future management policies concerning matters such as protected species and vegetation control. The following surveys will be undertaken:

Table 3: Ongoing Ecological Surveys

Ecological Survey	Target	Frequency	Time
GCN Survey To ensure that the GCN habitat is being managed effectively and the GCN population is stable and growing GCN surveys will be ongoing. These surveys will be population estimate surveys which will be undertaken using suitable methods, four survey visits per year between April and May are proposed. After 10 years the frequency of survey visits will be reviewed in consultation with NRW. Overlord Ltd will be responsible for instructing the survey work and all survey results will be reported to NRW and Cofnod promptly following survey completion. Monitoring works will be undertaken as indicated in F.2 of the Method Statement.	Overall target of 30 GCN across the site. All ponds (not including SUDS) to be occupied by GCN.	Annually	April to June

Review

5.5 The Management Plan will be reviewed on an annual basis by Overload Ltd and its managing organisation and other key partners to ensure that the plan is meeting the original management objectives and responding to the developing needs of the Site.

5.6 The annual review will identify the need for additional maintenance operations and inform future management decisions. This can be achieved by:

- Quarterly formal site inspections by the managing organisation to assess the appointed contractor's quality standards and deliverables in line with this management plan;
- An annual site meeting with the managing organisation and stakeholders and the appointed contractor to assess quality standards and deliverables in line with this management plan; and
- Ad hoc unannounced inspections by the managing organisation to review quality of maintenance work and any potential Health and Safety issues.

- 5.7 The Management Plan will be re-assessed and updated by an appropriately qualified landscape consultant on a five yearly basis to ensure the habitats and landscaping associated with the Site are maintained for ten years.

APPENDIX A: Landscape Concept Plan (Barry Chin Associates ref: 2147-21-01G)

APPENDIX B: Soft Landscape Works Maintenance and Management Proposals - 10 Years (Barry Chin Associates ref: 2147- 21-RP01D)

**SOFT LANDSCAPE WORKS
MAINTENANCE AND
MANAGEMENT PROPOSALS
– 10 YEARS**

NET WORLD SPORTS

Bryn Lane, Wrexham



Barry Chinn Associated Limited
Harbury Road, Deppers Bridge
Southam, Warwickshire, CV47 2SZ

CONTENTS

MAINTENANCE AND MANAGEMENT STATEMENT

APPENDICES

APPENDIX A	YEAR 1 LANDSCAPE MAINTENANCE SCHEDULE
APPENDIX B	MAINTENANCE AND MANAGEMENT SCHEDULE MATRIX FOR 10 YEAR PERIOD
APPENDIX C	BCA DRAWING 2147-21-01G (REDUCED DO NOT SCALE FROM DRAWING)

Reference:	2147-21-RP01D
Date:	04/06/2021
Author:	DP
Checked:	DP

MAINTENANCE AND MANAGEMENT STATEMENT

(Refer to Appendix C for BCA drawing 2147-21-01G Landscape Concept Plan)

This Landscape Maintenance & Management Plan (LMMP) has been prepared in order to discharge condition 18 of permission ref P/2020/0167.

This document sets out the maintenance and management requirements for the proposed landscape scheme associated with the proposed development, not existing retained mature trees and other vegetation to the site boundaries.

Note: existing trees to the southern site boundary are subject to an extant Tree Protection Order, Wrexham County Borough Council ref TPO No.60 1995. These trees are identified in the TEP Arboricultural Method Statement, Tree Survey Schedule and Tree Constraints Plan, April 2021.

Any works to TPO trees will require a proposed schedule of arboricultural works to be submitted to the Local Planning Authority for approval prior to the commencement of works.

The establishment and future success of the external landscape is largely dependent on the standard and frequency of the subsequent maintenance and management it receives. Throughout the development period and thereafter a maintenance and management regime will be adopted with the following aims and objectives.

The aims and objectives of the landscape maintenance and management will be:

- To ensure the successful establishment and continued growth through to maturity of the Soft Landscape scheme shown on drawing no 2147-21-01G Landscape Concept Plan.
- To ensure that the infrastructure landscape at Bryn Lane, Wrexham develops in a manner commensurate with the original design intentions.
- To ensure the successful establishment and retention of effective landscape buffer planting, particularly along the boundaries of the site.
- To secure a long term future for new tree and thicket planting with particular emphasis upon achieving enhancement of ecological potential, conservation and visual amenity.
- To achieve rapid establishment of the plant material with resultant total ground cover, thereby suppressing weed growth and reducing maintenance requirements.
- To retain the natural growth form and maximise the seasonal potential of individual species by the pruning methods adopted.
- To provide both visual and recreational amenity for site users and visitors.
- To manage the landscape in a manner convivial with the safety of site users, such as maintaining visibility splays and the removal of dead, dying or diseased tree branches.

The soft landscape will, for the initial 1 year after Practical Completion, be maintained by the Landscape Contractor responsible for implementation of the works. The contract will include a defects

liability clause to ensure replacement planting is carried out and successful establishment achieved. Refer to Appendix A for the schedule of maintenance for year 1. Thereafter maintenance contracts will be organised by facilities management on an annual basis.

The maintenance and management matrix (Appendix B) provides information the general techniques and methods to be adopted for the ongoing maintenance operations.

These will be reviewed at regular intervals to respond to natural or man-made changes in the environment which affect the landscape types (eg. tree disease).

The above approach will ensure that the quality of the landscape infrastructure created in the early years can be maintained for the benefit of visitors to the site as well as providing a benefit to persons who live near and pass by the boundaries. In addition it will ensure that the landscape develops to maximise the ecological potential of the proposals.

APPENDIX A

YEAR 1 MAINTENANCE SCHEDULE

	YEAR 1 LANDSCAPE MAINTENANCE SCHEDULE	FREQUENCY
	DESCRIPTION	
	During the initial twelve month period after Practical Completion.	
	Note: Allow for twenty-two maintenance visits (18 during the growing season, 4 during the dormant season). A visit shall be defined as the period of time required by the Contractor to carry out all maintenance items specified in the Schedule of work below.	
A	GENERAL	
A.1	Tidy up areas removing rubbish, litter, etc., from planted and grassed areas.	At each visit
A.2	Check that the plant material is firmly planted and firm in where required.	6 times
A.3	Treat pests and diseases by agreement with the Contract Administrator.	As necessary
A.4	Prune woodland transplants / shrubs as necessary to avoid conflict with footpaths, grass mowing, etc.	As necessary
B	TREE PLANTING	
B.1	To extra heavy standard/heavy standard trees: Check, adjust and replace stakes and ties as necessary. Prune, water and feed where required.	As necessary
B.2	Check spiral guards and replace when required.	Four times
C	WOODLAND / THICKET / NATIVE HEDGE PLANTED AREAS	
C.1	Keep areas clear of weed growth by spot herbicide treatment as appropriate from mid April to late September.	Four times
C.2	Check shelter guards and refirm / replace when required. Remove weed growth from within.	Four times
D	CLIPPED NATIVE HEDGEROW	
D.1	Keep areas clear of weed growth by hand weeding and spot herbicide as appropriate from mid April to late September in accordance with ecologist's recommendations..	Four times
D.2	Check shelter / spiral guards and refirm/replace when required. Remove weed growth from within if necessary.	Four times

11.11.2021

APPENDIX B

MAINTENANCE AND MANAGEMENT SCHEDULE MATRIX FOR 10 YEAR PERIOD

MAINTENANCE AND MANAGEMENT SCHEDULE MATRIX FOR 10 YEAR PERIOD										
ITEM OF WORK	YR 1	YR 2	YR 3	YR 4	YR 5	YR 6	YR 7	YR 8	YR 9	YR 10

GENERAL

Tidy up areas removing rubbish, litter, etc, from planted and grass areas	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Treat pests and disease as necessary	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Water all plant material and grass as necessary to maintain healthy growth	✓	✓	✓							
Check plant material is firmly planted and firm in where required.	✓	✓	✓							
Dead, dying or diseased wood to be pruned out	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Check shelter guards / rabbit protection and refirm / replace as required including removing weed growth from within. Consider removal at years 4 to 5.	✓	4 times	4 times	2 times	2 times	✓	✓	✓	✓	✓
Removal of diseased or dead plants with replacements as appropriate	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

TREE PLANTING

Check, adjust, replace stakes and ties as necessary. Remove stakes after approximately 3 years if appropriate. Prune, water and feed as necessary.	✓	✓	✓	✓	✓					
Remedial tree surgery to newly planted trees as necessary to remove any dead, dying or diseased branches and to allow the tree to achieve full stature. All works to be carried out by an Arboricultural Association approved contractor in accordance with BS3998: Recommendations for Tree Work.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

Note: Any works to existing pre-development trees covered by WCBC TPO ref TPO No.60 1995 will be outside the scope of maintenance and management operations and will require prior written consent of the LPA.										
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MAINTENANCE AND MANAGEMENT SCHEDULE MATRIX FOR 10 YEAR PERIOD (CONTINUED)										
ITEM OF WORK	YR 1	YR 2	YR 3	YR 4	YR 5	YR 6	YR 7	YR 8	YR 9	YR 10

WOODLAND / WOODLAND EDGE THICKET / NATIVE HEDGE PLANTED AREAS

Keep areas clear of weed growth by herbicide treatment as appropriate from mid April to late September.	4 times	4 times	4 times	4 times	2 times	2 times	2 times	Once	Once	Once
Woodland mix planting to be managed to ultimately achieve a tree canopy with understorey. Woodland Edge mix to achieve age diversity. A gradual development of a diverse age structure should be established over a period of time by the use of a regime of selective thinning, pruning and coppicing.					1/3 of thicket plants			1/3 of thicket plants		
Remove branches that overhang footpaths or prevent access for grass cutting. Allow native hedges to achieve natural form with only lower branches removed.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Prune native hedges to heights stated on landscape drawings (approx. timing September) as required depending on establishment. Cut sides, tops and ends to straight and true lines.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

SHRUB AND FORMAL HEDGE PLANTED AREAS

Keep ornamental shrub and formal hedge areas clear of weed growth by hand weeding or spot herbicide treatment.	12 times	12 times	12 times	10 times	10 times	6 times	6 times	6 times	6 times	6 times
--	----------	----------	----------	----------	----------	---------	---------	---------	---------	---------

Prune shrubs as necessary to prevent invasive species smothering less aggressive species and to prevent shrubs overhanging footpaths and other areas of hard paving.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Slow release fertilizer application as appropriate to ensure establishment of planting.	✓	✓	✓							

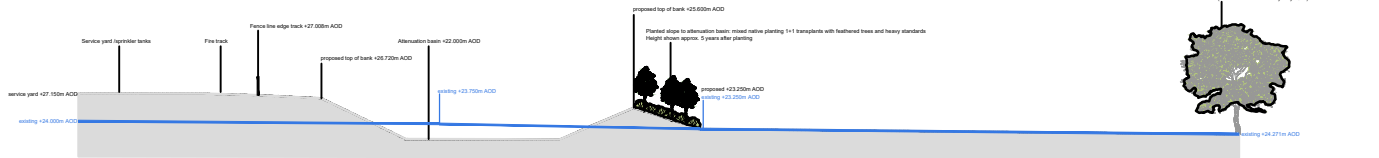
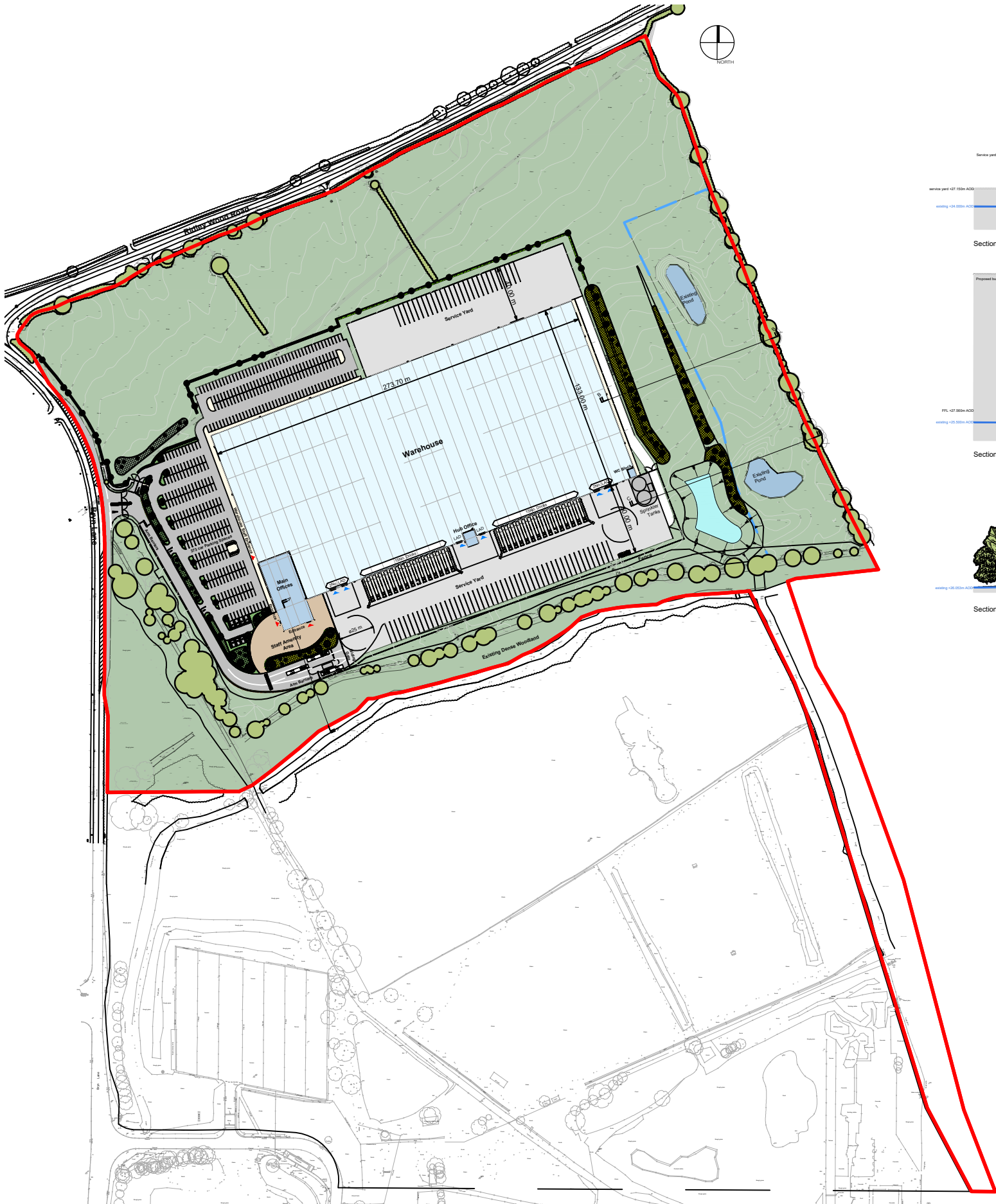
MAINTENANCE AND MANAGEMENT SCHEDULE MATRIX FOR 10 YEAR PERIOD (CONTINUED)										
ITEM OF WORK	YR 1	YR 2	YR 3	YR 4	YR 5	YR 6	YR 7	YR 8	YR 9	YR 10

SHRUB AND FORMAL HEDGE PLANTED AREAS (CONTINUED)

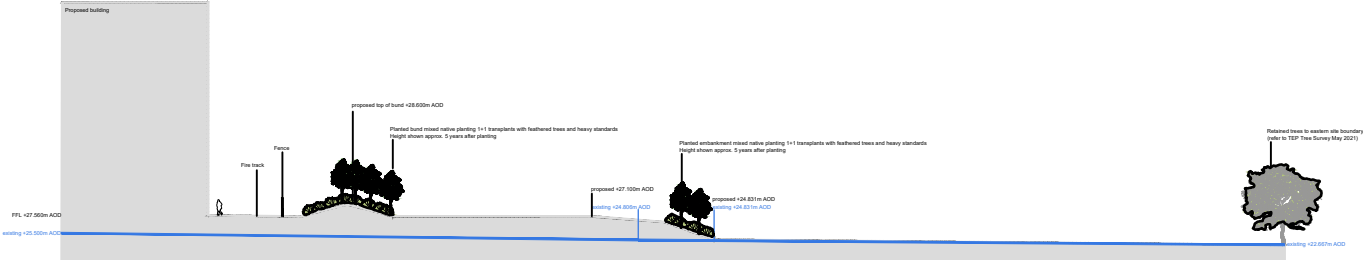
Prune formal hedges to heights stated on landscape drawings (approx. timing May and September). Cut sides, tops and ends to straight and true lines.	✓	2 times	2 times	2 times	2 times	2 times	2 times	2 times	2 times	2 times
Lightly cultivate all planted areas, breaking up soil evenly. Once only.	✓	✓								
Edge up planted areas to maintain soil level 25mm below adjacent hard surfaces and kerbs. Any soil wash onto hard surfaces to be cleaned off.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

APPENDIX C

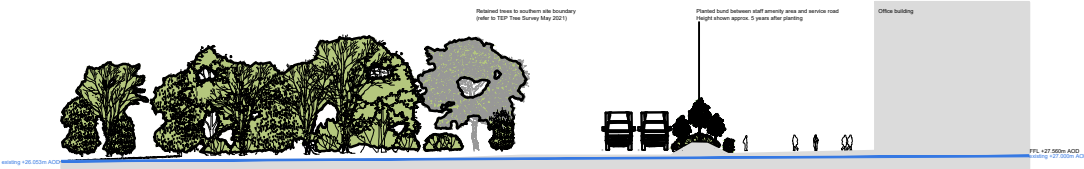
BCA DRAWING 2147-21-01G LANDSCAPE CONCEPT PLAN (APPENDED AS A0 REDUCED TO A3 – DO NOT SCALE OFF THIS DOCUMENT)



Section CC 1:250 Planted bund in relation to proposed eastern elevation / retained trees to eastern boundary



Section BB 1:250 Planted bund in relation to proposed eastern elevation / retained trees to eastern boundary



Section AA 1:250 Planted bund in relation to existing retained trees to southern boundary

KEY

	EXISTING HEDGEROW AND TREES TO BE RETAINED
	EXTRA HEAVY STANDARD TREES (Tree pit size: 1000x1000x900mm backfilled with topsoil) 18-20cm stem girth 4.5-6.0m height 1.8-2.1m clear stem Rounded
	EXTRA HEAVY STANDARD TREES (Tree pit size: 1000x1000x750mm backfilled with topsoil) 14-16cm girth 4.25-6.0m height 1.8-2.1m clear stem Rounded
	HEAVY STANDARD TREES (Tree pit size: 1000x1000x750mm backfilled with topsoil) 12-14cm stem girth 3.5-4.25m height 1.8-2.1m clear stem Root wrapped
	ACACIA COMPACTA 'STREPTACIA', PRUNUS AVIUM 'PIENUS' Acacia compacta, Betula pendula, Prunus avium, Quercus robur, Sorbus aucuparia
	FEATHERED TREES 1.75-2.0m height 2x transplanted Well furnished with lateral shoots to base Root wrapped
	PROPOSED ORNAMENTAL SHRUB PLANTING (300mm depth of topsoil onto 300mm depth subsoil) Ultimate plant height is above 1m.
	PROPOSED CLIPPED INDEGENOUS HEDGEROW (300mm depth of topsoil onto 300mm depth subsoil) Ultimate plant height is below 1m.

	PROPOSED WOODLAND MIX PLANTING (300mm depth of topsoil onto 300mm depth subsoil) Where woodland or forest is planted next to a hard surface/kerb/footpath, it should be positioned 1m from the edge.
	PROPOSED THICKET MIX PLANTING (300mm depth of topsoil onto 300mm depth subsoil) Where woodland or forest is planted next to a hard surface/kerb/footpath, it should be positioned 1m from the edge.
	PROPOSED INDEGENOUS HEDGEROW (300mm depth of topsoil onto 300mm depth subsoil) Planted at 600mm centres in a double staggered line. Rows to be 500mm apart.
	PROPOSED CLIPPED INDEGENOUS HEDGEROW (300mm depth of topsoil onto 300mm depth subsoil) Planted at 600mm centres in a double staggered line. Rows to be 500mm apart.
	PROPOSED POND
	APPLICATION BOUNDARY

PLAN 1:1000@A0

REV	DATE	AUTH
A	04.08.21	DP
B	15.08.21	DP
C	02.11.21	DP
D	08.11.21	DP
E	05.11.21	DP
F	08.11.21	DP
G	11.11.21	DP

	
CLIENT NET WORLD SPORTS	
PROJECT BRYN LANE, WREXHAM	
DRAWING LANDSCAPE CONCEPT PLAN	
CONTRACT 214021	
DWG NO.	
DATE 25/05/21	DRAWN DP
ISSUE For Planning	CHECKED DP
SCALE 1:1000 metric to imperial	REV G
CAD FILE 2141-21-01G Landscape Concept Plan.dwg	

Barry Chinn Associates Limited, Holford Road, Chappin Bush, Southwold, Suffolk, IP19 2JL
T +44 (0)1502 814021 F +44 (0)1502 814022 E g.chinn@barrychinn.co.uk W www.barrychinn.co.uk

APPENDIX C: Landscape Maintenance Schedules

✓

Works to be carried out in these months

Works not to be carried out in these months

*Bird breeding and nesting season (March to August inclusive) no works that may have an impact on nesting birds are to be undertaken

Activity	Frequency per Annum	Years	Indicative Timing of Operation											
			J	F	M	A	M	J	J	A	S	O	N	D
Inspections, Surveys and Cleansing														
Health and Safety														
Undertake a formal inspection to review hazards identified by original assessment.	1	All years	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Specialist Surveys														
Instruct an ecologist to carry out an annual habitat walkover survey to monitor habitat creation.	1	All years	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Instruct a trained arboriculturist to undertake a tree hazard and condition survey of mature trees.	0.3	Every 3 years	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Site Cleansing														
Cleanse the whole site monthly.	12	All years	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Remove fly-tipping and graffiti as soon as possible.	As required	All years	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Soft Landscape Elements														
Existing Woodland and Trees														
Undertake a cyclical programme of selective thinning, coppicing, pruning and felling. Wood under 250 mm diameter collected from thinning, pruning, brashing and scrub/vegetation clearance will, wherever possible, be chipped and used on site for mulching. Wood greater than 250 mm diameter will be logged and used to create deadwood piles to increase biodiversity.	N/A	Every 5 years	✓	✓								✓	✓	✓
Treat any stumps following felling works with stump killer.	N/A	Every 5 years	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Monitor stumps and, if required, cut any re-growth and re-apply stump killer as required.	N/A	Every 2 years	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Proposed Trees and Woodland Planting														
Check stakes and ties quarterly, adjust twice annually.	4	1 to 5	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Replace any damaged or missing stakes and ties.	1	1 to 5	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Remove stakes and ties.	1	Year 5	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Glyphosate spot spray around base of trees any vegetation within 0.5m.	4	1 to 4				✓	✓	✓	✓	✓				
	2	5 to 7				✓	✓	✓	✓	✓				
	1	8 to 10				✓	✓	✓	✓	✓				
Replace failed or damaged deciduous species.	1	1 to 5	✓	✓	✓								✓	✓
Replace failed or damaged evergreen species.	1	1 to 5	✓	✓	✓	✓	✓					✓	✓	✓
Re-firm newly planted trees as required.	1	1 to 5	✓	✓								✓	✓	✓
Water new planting.	As required	1 to 5				✓	✓	✓	✓	✓				
Formative prune to maintain health and vigour.	N/A	5 to 10	✓	✓								✓	✓	✓
Assessment of condition and structure of new tree planting.	1	All years	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Apply slow release multi-purpose plant food and soil improver.	1	All years									✓	✓	✓	
Thicket and Woodland Mix Planting														
Check stakes and ties quarterly, adjust twice annually.	4	1 to 5	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Replace any damaged or missing stakes and ties.	1	1 to 5	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Remove stakes and ties.	1	Year 5	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Glyphosate spot spray around base of trees any vegetation within 0.5m.	4	1 to 4				✓	✓	✓	✓	✓				
	2	5 to 7				✓	✓	✓	✓	✓				

✓

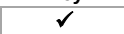
Works to be carried out in these months

Works not to be carried out in these months

*Bird breeding and nesting season (March to August inclusive) no works that may have an impact on nesting birds are to be undertaken

[illegible]

Key

 Works to be carried out in these months

 Works not to be carried out in these months

*Bird breeding and nesting season (March to August inclusive) no works that may have an impact on nesting birds are to be undertaken

Activity	Frequency per Annum	Years	Indicative Timing of Operation											
			J	F	M	A	M	J	J	A	S	O	N	D
1x yearly cut to tree and shrub saplings encroaching the pond and stump treat.	1	All years										✓	✓	✓
Inspect the control structure to and from the pond monthly.	12	All years	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Inspect the pond annually to assess bank stability, water quality, coverage of aquatic/marginal vegetation, drainage and depths.	1	All years	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cut grass around the attenuation pond (to 150mm) and remove arisings sustainably on the site.	1	All years									✓			
Amphibian Refugia														
Monthly inspection to check condition and clear any blockages from access points.	1	All years	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Repairs and/or replacement as required.	As required	All years	✓	✓	✓							✓	✓	✓
Monitoring														
Formal site inspections by managing organisation	4	All years			✓			✓			✓			✓
Annual site meeting with stakeholders	1	All years	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Formal review of management plan and maintenance operations.	0.5	Every 5 years								✓				

NOTE Glyphosate formulations containing the surfactant Polyethoxylated tallow amine (POEA) should not be used within close proximity to waterbodies or other wetland habitats as it can cause high amphibian larvae mortality.

APPENDIX D: Legislation Context

Summary of Relevant Legislation

The following legal obligations, among others must be considered in carrying out any management operations:

Legislation	Obligations
Health and Safety Legislation	
The Health and Safety at Work Act 1974	All operations carried out on the Site must only be undertaken by trained personnel, using methods and equipment approved by the Health and Safety Executive (HSE).
Occupiers Liability Act 1984	Management organisation must ensure that every reasonable care is taken to remove any risks to both legitimate visitors and to any trespassers. In compliance it will be necessary: • To make sure that all footpaths and any other structures are safe; • To remove any hazardous objects; and • To conduct an annual safety audit in order to identify any further hazards.
Environmental Legislation	
Conservation of Habitats and Species Regulations (as amended) (2017)	The Habitat Regulations assign a greater level of protection to a variety of native species of animals and plants listed, which are known as European Protected Species (EPS).
Wildlife and Countryside Act 1981	There is an obligation to comply with legislation for UK species protected (including amphibians, reptiles and bats) under this Act.
Environmental Protection Act 1990	There is an obligation to keep the Site free from litter and refuse.
Countryside and Rights of Way Act 2000	Imposes a new right of access on foot to registered common land and other areas of 'open countryside' which under certain circumstances allows access without being confined to footpaths.

APPENDIX E: Unilateral Planning Obligation

This **UNILATERAL PLANNING OBLIGATION** is dated 28th day of July 2020

and is given by **OVERLORD LIMITED** (company number 08794424) whose registered office is at c/o Net World Sports, Bryn Lane, Wrexham Industrial Estate, Wrexham, LL13 9UT ('the Owner')

1. BACKGROUND

- 1.1** The Owner is the registered proprietor of the Owner's Land
- 1.2** Wrexham County Borough Council is the local planning authority and the highway authority ('the Council')
- 1.3** Gardenbreeze Limited (company number 5015873) applied to the Council for outline planning permission to develop the Application Site under application number P/2011/0891 for a B8 storage and distribution warehouse development and associated ecological mitigation area including means of access off Bryn Lane and the layout
- 1.4** The Council initially refused planning application P/2011/0891 and an appeal was made to the Welsh Assembly Ministers against the Council's decision. As a result of the appeal, planning permission for the Application Site was granted on the 6th August 2013 (APP/H6955/A/12/2188910).
- 1.5** An application (LPA Ref P/2016/0327) was submitted to renew planning application P/2011/0891. Planning Application P/2016/0327 was refused at planning committee, and another appeal was made to the Welsh Assembly Ministers against the Council's decision. The application was allowed on appeal on the 4th April 2017 (Ref APP/H6955/A/16/3164652).
- 1.5** The Owner has now acquired the Owner's Land from Gardenbreeze Limited and has made a Section 73 Application to vary planning permission P/2016/0327.
- 1.6** The Owner is willing to give an undertaking to perform the obligations set out in this Unilateral Planning Obligation in the event of the Section 73 Application being allowed and in consideration of the Council releasing the obligations contained in the Unilateral Planning Obligation given by Gardenbreeze Limited and dated 15th day of April 2010
- 1.7** This deed relates to the development of the Application Site pursuant to the Section 73 Application to vary planning permission P/2016/0327 and if that variation is granted in respect of the Application Site any Unilateral Planning Obligation provided prior to the date of this deed shall lapse and be of no further effect
- 1.8** The undertakings in this deed are made by the Owner as they relate to and affect only the Owner's Land. None of the obligations in this deed relate to or affect the Secondary Access.

2. INTERPRETATION

- 2.1** In this Unilateral Planning Obligation:

‘the Act’ means the Town and Country Planning Act 1990

‘approved’ means approved in writing and given for the purpose of this Unilateral Planning Obligation and any such approval shall not be unreasonably withheld or delayed

‘the Applicant’ means Overlord Limited

‘the Application’ means the planning application numbered P/2020/0167 under Section 73 to vary the existing outline permission under reference P/2016/0327 made by the Owner to develop the Application Site for B8 storage and distribution warehouse development and associated ecological mitigation area including means of access off Bryn Lane and the layout

‘the Application Site’ means the land shown edged in red on the Plan

‘the Commencement Date’ means the date on which the Development commences by the carrying out on the Application Site pursuant to a planning permission granted pursuant to the Application of a material operation as defined in Section 56(4) of the Act but for the purposes of this Unilateral Planning Obligation works involving soil investigations, archaeological investigations, demolition, site clearance, site preparation, the diversion and laying of services, the erection of fences and hoardings and the preparation of site access shall not constitute a material operation

‘the Council’ means Wrexham County Borough Council

‘the Development’ means the development of the Application Site proposed in the Application or permitted by planning permission granted pursuant to the Application or carried out substantially in accordance with such planning permission

‘the Ecological Mitigation / Landscape Areas’ means that part of the Owner’s Land to be identified on plans submitted pursuant to condition 1 of the Application and includes the following features:

- New hedgerows
- Specimen/individual trees
- Existing trees
- Existing waterbodies
- New waterbodies
- Proposed Mounding
- Rough grassland
- Species rich grassland
- Woodland/thicket planting
- Amenity Planting
- Amenity grassland
- Hardstanding

‘the Management Framework’ means a landscape management plan, an ecological management plan and an ecological method statement to be submitted to and approved

in writing by the local planning authority pursuant to the requirements of conditions 18 and 19 of the Application

‘the Managing Body’ means the party or parties which shall undertake:

- the management and maintenance of the Ecological Mitigation/Landscape Area;
- the implementation and ongoing management of the interim and proposed Travel Plan

‘the Owner’s Land’ means that part of the Application Site shown edged in red and coloured blue on the Plan, being the freehold land registered under title number CYM781124

‘the Plan’ means the plan attached to this deed

‘the Travel Plan’ means the travel plan required by condition 12 of the Application

- 2.2 Words importing the masculine include the feminine and vice versa
- 2.3 Words importing the singular include the plural and vice versa
- 2.4 Words importing persons include companies and corporations and vice versa
- 2.5 Wherever there is more than one person named as a party and where more than one party undertakes an obligation all their obligations can be enforced against all of them jointly and against each individually
- 2.6 Any reference to a clause or schedule or plan is to one in or attached to this Unilateral Planning Obligation
- 2.7 In the absence of contrary provision any reference to a statute includes any statutory modification or re-enactment of it and every statutory instrument direction specification made or issued under the statute or deriving validity from it
- 2.8 References to any party to this Unilateral Planning Obligation shall include the successors in title to that party and to any deriving title through or under that party and in the case of the Council the successors to their respective functions as local highway authority and local planning authority
- 2.9 References to the Application Site include any part of it
- 2.10 If any provision is held to be illegal invalid or unenforceable the legality and enforceability of the remainder of this Unilateral Planning Obligation is to be unaffected

3. ENABLING PROVISIONS

This Unilateral Planning Obligation is made pursuant to Section 106 of the Act Section 111 of the Local Government Act 1972 and all other enabling powers

4. COMMENCEMENT AND DETERMINATION

- 4.1** This Unilateral Planning Obligation shall come into effect on the grant of planning permission for the Development
- 4.2** If the planning permission granted pursuant to the Application shall expire before the commencement of a material operation or shall at any time be revoked then this Unilateral Planning Obligation shall be determined and shall have no further effect
- 4.3** Nothing in this Unilateral Planning Obligation prohibits or limits the right to develop any part of the Owner's Land or the Application Site in accordance with a planning permission, other than one relating to the Development as specified in the Application, granted after the date of this Unilateral Planning Obligation whether or not pursuant to an appeal

5. COVENANTS WITH THE COUNCIL

The Owner covenants with the Council to comply with the obligations set out in Schedule 1

6. GENERAL

- 6.1** The Owner acknowledges and declares that:
 - a.** the obligations contained in this Unilateral Planning Obligation are planning obligations for the purpose of Section 106 of the Act in respect of the Owner's Land
 - b.** this Unilateral Planning Obligation constitutes a deed
 - c.** this Unilateral Planning Obligation is enforceable by the Council
 - d.** this Unilateral Planning Obligation does not nor is intended to confer a benefit on a third party within the meaning of the Contracts (Rights of Third Parties) Act 1999
 - e.** no person shall be liable for any breach of the covenants, restrictions or obligations contained in this Unilateral Planning Obligation after that person has parted with its interest in the Owner's Land or the part of it in respect of which the breach occurs but without prejudice to liability for any breach subsisting prior to parting with such interest
 - f.** this Unilateral Planning Obligation may be registered as a local land charge in the Register of Local Land Charges maintained by the Council in respect of the Owner's Land
 - g.** the Owner has the sole proprietary interest in the Owner's Land

IN WITNESS whereof the Owner has signed this instrument as a Deed the day and year first before written

SCHEDULE 1

Owner's Obligations

Ecological Mitigation / Landscape Areas / Travel Plan

- 1.** Prior to the Commencement Date the Owner shall:
 - 1.1** create, set up or bring into existence such corporate body or bodies as appropriate to fulfil the functions of the Managing Body or Bodies and thereafter to operate or procure the operation of the Managing Body or Bodies as necessary to secure the long term management of the Ecological Mitigation / Landscape Areas
 - 1.2** submit to the Council for approval details of the Managing Body or Bodies which is or are to undertake:
 - a.** the management and maintenance of the Ecological Mitigation / Landscape Areas pursuant to the Management Framework
 - b.** the implementation and ongoing management of the Travel Plan

and for the avoidance of doubt, these obligations shall not preclude the Owner from submitting details of an alternative Managing Body or Bodies to the Council for approval at any stage subject to the payment of the Council's reasonable costs in considering the same
- 3.** The Owner shall co-operate as necessary with all governmental, quasi-governmental or private agencies, charities or trusts with which relationships are required or recommended in the Management Framework and to enter into such relationships with those bodies either contractual or otherwise as are necessary as part of such co-operation
- 4.** The Owner shall lay out such monies necessary to procure (at the relevant times) the implementation by the Managing Body or Bodies of the Management Framework and the Travel Plan and shall ensure that the provisions of the Management Framework and the Travel Plan are observed and performed by the Managing Body or Bodies
- 5.** The Ecological Mitigation / Landscape Areas shall be managed in accordance with the Management Framework for a period of 25 years from the Commencement Date

APPENDIX F: Great Crested Newt Licence (Licence No. S088525/1)



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**



Noddir gan
Lywodraeth Cymru
Sponsored by
Welsh Government

Caroline Loven
Overlord c/o Net World Sports Ltd
Bryn Lane
Wrexham Industrial Estate
Wrexham
LL13 9UT

Licence No: **S088525/1**

Valid From: **10th September 2020**

Expiry: **31st December 2023**

THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017

Licence to capture and transport, disturb, and to damage or destroy a breeding site or resting place for preserving public health or public safety, or for other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment.

This licence, granted under Regulation 55(2) (e) of the Conservation of Habitats and Species Regulations 2017, by the Natural Resource Body for Wales otherwise known as Natural Resources Wales, hereby authorises the person named above, hereinafter referred to as the "licensee", their nominated ecologist Kerry Stead, their duly accredited agents Angela McEwan, Stephanie Griffiths, David Houghton, Anthony Carr, Annabel Holmes, Danielle Langton, Lee Greenhough, and their assistants to:

capture and transport,
disturb,
damage or destroy a breeding site or resting place of

Great Crested Newts (*Triturus cristatus*)

in accordance with the method statement referred to in Condition 3. whilst constructing a warehouse with surrounding mitigation at **Land South of Ridleywood Lane and East of Bryn Lane, Wrexham, LL13 9XW**.
Grid Reference: **SJ 3919 5076**.

The works noted above are licensed for the period **as stated above** and are granted subject to compliance with the conditions as specified. Activities required for monitoring purposes are granted subject to compliance with the conditions and period as specified in Condition 13. Anything done otherwise than in accordance with the terms of the licence may constitute an offence.

When undertaking any activity under this licence the most up to date guidance provided by the Welsh Government in relation to Covid-19 must be adhered to (see advice note in the notes section).

Signed for and on behalf of
Natural Resources Wales

Ffôn/Tel: 0300 065 4974/0300 065 4921

Ebost/Email: trwyddedrhywogaeth@cyfoethnaturiolcymru.gov.uk or specieslicence@naturalresourceswales.gov.uk
www.cyfoethnaturiolcymru.gov.uk www.naturalresourceswales.gov.uk

Cyfoeth Naturiol Cymru / Natural Resources Wales, Maes y Ffynnon, Penrhos Garnedd, Bangor, Gwynedd, LL57 2DW

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg

Correspondence welcomed in Welsh and English

CONDITIONS

Definitions

'NRW' is an abbreviation of the Natural Resources Body for Wales otherwise known as Natural Resources Wales

'EPS' is an abbreviation of European protected species

'Licence application' refers to the application form, method statement and any other supporting documents (where applicable).

2. Nothing shall be carried out under this licence on a National Nature Reserve or Site of Special Scientific Interest (SSSI) except with the prior written permission from NRW's Regional Office in the area in which the National Nature Reserve or SSSI is situated.
3. All the work carried out under this licence will be undertaken in accordance with:
 - **the method statement:** EPS Development License Method Statement – Version 8304.003 V1.0 – dated 18th August 2020,
 - **the licence application:** dated 18th August 2020 and,
 - **associated documents and drawings.**
4. A suitably experienced licensed ecologist will be appointed and retained during the lifetime of this licence to provide on-site advice.
5. Prior to the start and throughout the duration of any works on site, all site workers will be inducted by the amphibian specialist. This induction will cover the legal status of amphibians, the method of working, and action to be taken if one or more amphibians are encountered.
7. If evidence of protected species **not** listed on this licence is found, all work will cease and will not recommence until the ecologist named on the licence application (or NRW if the ecologist is not available) has advised that the work may continue under the existing licence, or if an amended licence is required, until the licensee applies for and receives an amended licence.
10. Prior to the start of works a biosecurity risk assessment containing appropriate measures will be submitted to and approved by NRW. Implementation shall be in accordance with the approved scheme.
11. Within four weeks after the expiry of this licence the Licensee shall submit to NRW details of the activities and operations undertaken by virtue of this licence on the official report form. Evidence to demonstrate how the work has complied with the method statement, including photographs of mitigation, will be included in the end of licence report form.
13. Monitoring using the methodology identified in Section F.2 of the method statements shall be carried out annually until 2048. Monitoring reports shall be completed on the official NRW Monitoring Report Form and submitted to NRW by **31st October 2028, 31st October 2033, 31st October 2038, 31st October 2043 and 31st October 2048**. A monitoring review shall be submitted to the satisfaction of NRW by **31st December 2045**. Surveillance shall be in accordance with the methodologies contained within the online Wales GCN Monitoring Scheme.
18. Liaison meetings will be held between the licensee and your local NRW species officer at 12 monthly intervals commencing December 2020, unless otherwise agreed.
24. A copy of all ecological compliance audits shall be submitted to NRW by **31st December 2023**.
51. Pitfall traps may only be used on nights when the dusk air temperature exceeds 5°C and must remain sealed when the dusk air temperature is below **5°C**. Pitfall traps must contain moss or hay to provide shelter for caught animals. Traps left set overnight must be emptied by 10 a.m. the following morning, every day during the trapping programme.
52. Any pitfall traps left open during the day must incorporate measures to avoid distressing any species caught. Traps must be emptied at least once every 24 hours.
53. All newts will be released within 1 hour of removal from traps.

54. A daily log of all newts caught must be kept and made available to NRW at 48 hours notice.
55. Should any newts be removed, different species of newts and different age bands of newts must be transported in separate containers.
58. Unless otherwise agreed, amphibian fencing must be inspected every 24 hours and any repairs completed within 24 hours. A fence inspection log must be kept and made available to NRW at 48 hours' notice.
100. A scheme shall be submitted to the satisfaction of NRW that identifies measures that will enable regulatory bodies, or individuals or bodies authorised by relevant regulatory bodies, to, in the event of lack of or inappropriate surveillance and/or management, to carry out any remediation management works and/ or surveillance at no reasonable cost to the public body by **31st December 2023**.
101. A copy of the management agreement specified in Section F.4.1 of the submitted method statement shall be submitted to NRW by **31st December 2023**.
200. While engaged in activities under this licence the Licensee, their nominated ecologist or any accredited agents shall carry a copy of the licence and must produce it to any police constable or employee of NRW, or other person authorised in writing by NRW, on demand.
201. If during the course of the works it becomes necessary to change the methodology from that submitted to the NRW as part of the licence application, all work will stop until the changes have been agreed with NRW and/or an amended licence has been received.
202. The activities hereby licensed are restricted to the Licensee, nominated ecologist, accredited agents and assistants as specified on this licence (see Condition 206).
203. No accredited agent of the Licensee or nominated ecologist shall act under this licence unless they are in possession of a letter appointing them as the duly accredited agent of the licensee for the purpose of this licence. The accredited agent shall carry with them the said letter and a copy of this licence and shall produce them to any police constable or employee of NRW, or other person authorised in writing by the NRW, on demand.
204. Any assistants employed under this licence, whether employed to operate machinery or give advice, shall remain under the personal supervision of the Licensee, nominated ecologist or any accredited agent at all times.
205. The nominated ecologist must assume full responsibility for the conduct of any assistants and accredited agents employed under this licence.
206. The activities and operations hereby covered are restricted to only those specified on this licence.
207. Any disturbance to animals shall be kept to the absolute minimum required, so animals are not prevented from normal feeding or rest, nor disturbed during breeding or hibernation; unless permission has been granted by NRW to do otherwise. All reasonable steps must be taken to prevent accidental injury to any protected species. Equipment must be of a kind and used in a way which will avoid distress or injury.
208. Unless specified otherwise this licence does not authorise the intentional killing, taking or injuring of any protected species.
209. Possession of this licence confers no rights of entry onto land. This includes open access land, where permission is required to undertake any activity under this licence. Permission to enter land or premises must be obtained from the owner or occupier. Failure to seek permission will invalidate your licence and may result in offences being committed. NRW will not accept responsibility for failure or omission by Licensees to fulfil this obligation and will consider

immediate revocation of a licence if complaints from owners or occupiers on these grounds are received.

210. If any European protected species (EPS) are incidentally captured or killed as a result of exercising this licence then NRW's Species Licensing team will be immediately advised on specieslicence@naturalresourceswales.gov.uk.
211. The Licensee shall advise NRW if there are any changes in their circumstances where such changes could invalidate this licence.
212. In all cases, any conditions listed above override or supersede the provisions of the submitted method statement.

NOTES

Advice Note – Impact of Covid-19

NRW recognises that the Covid 19 pandemic may affect project implementation including timescales and milestone dates. Please inform the Species Permitting Team at specieslicence@naturalresourceswales.gov.uk of any changes to the programme of works or if you require amended timescales to discharge conditions. In addition, NRW licences are being extended when there is assurance this will not impact on the favourable conservation status of the species concerned. This is because of the current government restrictions on working practices due to the covid-19 pandemic. Additional conditions may have been added to this licence to enable works to continue without the need for administrative amendments to this licence when restrictions are removed.

- N1. This licence authorises acts that would otherwise be an offence under The Conservation of Habitats and Species Regulations 2017. Failure to act within the purposes of this licence or failure to comply with the terms and conditions may mean that the licence cannot be relied upon and an offence is committed. Furthermore, under regulation 60 of the Conservation of Habitats and Species Regulations 2017 it is an offence to contravene or fail to comply with any condition of a licence issued on or after 21 August 2007. The maximum penalty upon summary conviction for an offence under the Regulations is a level 5 fine (£5000) and/or a six-month custodial sentence.
- N3. This licence may be modified or revoked at any time by NRW.
- N4. Nothing in this licence confers any exemption from any legal provision contained in any Act, other than the Act(s) under which this licence is issued. Where appropriate a licence should be obtained from the Home Office to fulfil the requirements of the Animals (Scientific Procedures) Act 1986.
- N5. The Licensee may be accompanied by the owner or occupier of the land on which this licence is exercised. In such circumstances, it will be the responsibility of the Licensee to ensure that no additional disturbance is caused.
- N6. The personal information on this licence will be kept and used by us in accordance with the General Data Protection Regulation (GDPR). We may discuss licence content with selected third parties. Other than stated above, we will not make the personal data on this licence available to third parties unless there is an overriding public interest. The GDPR gives you the right to know what data we hold about you, how we use it, to which third parties it is disclosed, and that it is accurate. To exercise this right please contact the Data Protection Officer at NRW.
- N7. You agree to complete a licence report with details of required biodiversity records collected in association with this licence. We have your permission to store, copy, use, and release or publish any biodiversity records associated with the issue of this licence. Where our policy on public access to data states that the information is sensitive, publication and access will be restricted in

accordance with both the Environmental Information Regulations (2004) and our guidance on access to data on sensitive biodiversity features. We may share the biodiversity records supplied with conservation organisations selected by us. Where our policy on public access to data states that the information is sensitive any such release will be under restrictive licence conditions in accordance with our guidance on access to data on sensitive biodiversity features. Please note that an inadequate return will prejudice future licence applications.

- N8. Biodiversity records associated with the issue of this licence must be as reliable and accurate possible and collected with all necessary permissions.
- N9. We acknowledge that biological records collected in relation to this licence, unless collected under a contract (with alternate provisions relating to Intellectual Property Rights) for us or a Third Party, remain the intellectual property of the licence holder. In all cases we will seek to acknowledge intellectual property and not use any biological records collected under licence beyond the purposes stated above.
- N10. **A biosecurity risk assessment should be prepared to evaluate potential risks at each site and relevant biosecurity precautions should be addressed according to the habitats and species present. The following notes should help to inform your working procedure and links to further information can be found below.**

On sites with freshwater, the transfer of amphibian and fish diseases as well as invasive non-native species should be minimised by undertaking cleaning and disinfection of equipment. All debris, plant fragments and mud should first be scrubbed off footwear and rinsed with water. Disinfection should comprise soaking in a bleach solution (1 measure of household bleach to 9 measures of water) for 15 minutes or using Virkon solution (1mg/ml) for 1 minute. Fabrics can be washed on a 40° C cycle (with detergent, ensuring sufficient rinsing). Nets should be boiled for 10 minutes or, if the fabric allows, disinfected with spray bleach and rinsed thoroughly. Rinse with clean water and if possible, allow drying before next use. Keep field gear (e.g. traps, net frames, buckets) inside plastic bags during transit and storage to reduce the likelihood of transmitting diseases. All used disinfectants should be disposed of appropriately. Sites considered to be 'infected' should be surveyed/visited last during any programme of work.

To minimise the risk of spreading *Phytophthora* when visiting heathland or woodland sites, scrub all visible soil and debris from footwear using water, spray with Propeller and leave until it has evaporated. Vehicle access along tracks should be kept to a minimum and mud should be cleaned from car wheels, wheel arches and foot wells of cars. This should be repeated at each site visited.

Phytophthora disease control sites should be avoided if at all possible. Propeller can be obtained from Evans Chemical Supplies, 18B Barncoose Industrial Estate, Pool, Redruth, Cornwall, Tel. 01209 213643.

Biosecurity advice on ash dieback disease, *Chalara*, can be found at

<http://www.forestry.gov.uk/forestry/infod-6abl5v>

More information on *Phytophthora* can be found at

<http://www.fera.defra.gov.uk/plants/plantHealth/pestsDiseases/phytophthora/>

Amphibian workers should read the ARG-UK advice note 4: amphibian disease precautions – a guide for UK field workers (<http://www.arguk.org/advice-and-guidance/view-category>)

Information and advice on invasive non native species can be found at

<https://secure.fera.defra.gov.uk/nonnativespecies/home/index.cfm>

- N11. These derogations are granted on the basis that NRW are satisfied that:
- the proposed actions are for a purpose specified in regulation 55(2)(e) of The Conservation of Habitats and Species Regulations 2017;
 - there is no satisfactory alternative;
 - the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.



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