

Ecological Impact Assessment **at**

North Road, Ponciau,

Wrexham LL14 1HF

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1. Summary

The purpose of the report is to assess the potential ecological impacts of a proposed development at North Road, Ponciau, Wrexham and advise on any mitigation measures to comply with local planning policy and government legislation.

The proposed scheme entails the construction of 10 dwellings with associated parking, access and gardens.

The land was examined to establish the presence of or evidence of use by protected species of animals. A visual inspection was carried out to assess the potential or actual use of the site by bats, great crested newts (GCN), badgers, dormice and birds.

Impacts during the development should be low with respect to birds and bats provided that no bird nests are constructed or occupied while work is taking place.

If birds are building nests or any are occupied at any stage of the development work in that area must stop until the young have left the nest.

Trees should not be felled between the beginning of March and the end of September to avoid destruction of nests.

No rare or threatened species of plants or animals were found on site or near the site.

Tree planting, bird and bat boxes are recommended as compensation and enhancement.

2. Introduction

Susan Worsfold BSc (Hons) ACIEEM is an experienced wildlife surveyor, licensed bat worker and voluntary bat roost visitor. Registration number CLS0895 2015-12555-CLS-CLS (CL15 Bat Roost Visitor Level 1) and registration number CLS 0895 2015-12556-CLS-CLS (CL18 Bat Survey Level 2) (Natural England) and 72725:OTH:CSAB:2016 (Natural Resources Wales);

Licensed great crested newt worker, registration number 2016-19947-CLS-CLS (NE) and 72936-OTH-SA:2016 (NRW)

This report was commissioned by Phil Hughes Consultant Ltd.

The area of the site, at North Road, Ponciau, Wrexham, is approximately 0.5 ha of silver birch dominated scrub.

The proposed scheme entails the construction of 10 dwellings with associated parking, access and gardens. The purpose of the report is to identify and address any significant ecological effects which are likely to occur as a result of the proposed development. This is necessary to comply with local planning policy and government legislation and avoid any offence being committed. Also, to describe any compensation, mitigation and enhancement measures which should be taken.

3. Methodology

3.1. Scope of the Assessment

The report incorporates an extended phase 1 habitat survey, while also searching for use or potential use by any rare, threatened, endemic and non-native invasive species which might be associated with such a site in accordance with:

The Conservation of Habitats and Species Regulations 2017 and listed in:

Schedule 2. European protected species of animals

Schedule 5. European protected species of plants

The protection of Badgers Act 1992

Protected species which might be associated with such a site include bats, owls and other breeding birds. The area around the site might be used by badgers, dormice, amphibians and reptiles, and might contain protected plant species.

3.2. Desk Study

Magic Maps was consulted for the presence of designated sites and protected habitats. A data search had been commissioned for an adjacent site in 2019 and this has been reproduced here.

3.3. Field Survey

The site was examined to establish the presence of any protected species or habitats, and for evidence of use by protected species of animals. Trees were assessed for suitability for use by bats. The site and surrounding habitat was examined for signs of use by other protected species. Maps of the site and surrounding environment were examined to identify any nearby waterbodies suitable for use by great crested newts within an influencing distance of the site. The variety of plant species was mapped according to the convention of Phase 1 habitat surveys as described by the JNCC (2010). Photographs were taken of all relevant areas.

The visual assessment of the site was carried out in accordance with CIEEM guidelines (CIEEM 2017) on 14th October 2020 by Susan Worsfold BSc (Hons) ACIEEM.

4. Baseline Ecological Conditions/Results

4.1 Designated Sites

The nearest designated site is Johnstown Newt Sites, (Site of Special Scientific Interest and Special Area of Conservation) 700 m south.

4.2 Habitats

The site is on the outskirts of a village 4 km north west of the nearest town of Wrexham. The approximate area of the land to be affected is 0.5 ha. It is dominated by silver birch, approximately 10 years old. The trees are nearly all relatively young, self-seeded trees which have limited value as habitat. None of the trees possessed any potential bat roost features. A full species list follows.

Adjacent land: There is a school playing field to the north and an area of scrub immediately to the south. The remaining immediately surrounding area is residential. There are small areas of deciduous woodland 100 m north east and others within 500m. There are no rivers within 500 m. There are few hedgerows near the site. There is a small garden pond 60 m south east. The nearest large pond is 280m south east. There are no other ponds apparent within 500 m.

4.3 Species and Species Groups

Plants: Species found on site:

(*Acer pseudoplatanus*) Sycamore
(*Achillea millefolium*) Yarrow
(*Alchemilla mollis*) Lady's mantle
(*Betula pendula*) Silver birch
(*Buddleia* sp.) Buddleia
(*Cirsium vulgare*) Spear thistle
(*Convolvulus arvensis*) Bindweed
(*Cotoneaster* spp.) Cotoneaster
(*Crataegus monogyna*) Hawthorn
(*Cytisus scoparius*) Broom
(*Digitalis purpurea*) Foxglove
(*Epilobium hirsutum*) Great willowherb
(*Geranium* sp.) Cranesbill
(*Heracleum sphondylium*) Common hogweed
(*Jacobaea vulgaris*) Ragwort
(*Plantago* sp.) Plantain
(*Ranunculus repens*) Creeping buttercup
(*Rosa* sp.) Rose
(*Rubus fruticosus*) Bramble
(*Rumex* sp.) Dock
(*Salix* sp.) Willow (- grey or goat willow or a hybrid)
(*Sonchus* spp.) Sow thistle
(*Symphoricarpos* sp.) Snowberry
(*Ulex* sp.) Gorse
(*Urtica dioica*) Common nettle
(*Vicia* sp.) Vetch

Birds

The trees could provide food and shelter for birds and also nesting potential.

Bats

The site is suitable for use by foraging and commuting bats.

Badgers

There were no badger setts, tracks or latrines found on the site or within 30 m of the site.

Dormice

No evidence of use by dormice was found and the site was not favourable for use by them

Reptiles and Amphibians

None seen during the survey. The nearby pond may be suitable for use by GCN.

No rare or threatened species of plants were found on site or near the site.

No species of conservation value or Schedule 9 species were seen on site.

5. Description of the Development

The proposed scheme entails the clearance of scrub and young birch trees and the construction of 10 dwellings with associated parking, access and gardens.

6. Assessment of Effects and Mitigation Measures

Designated Sites:

It is not considered that the development will have any significant impact on any nearby designated sites due to the small scale of the development and distance from the sites.

Habitats:

No priority habitat is affected by the proposal. None of the trees possessed any potential bat roost features. Vegetation clearance should take place from the centre of the site, working outwards slowly to give any wildlife such as hedgehogs, voles and mice a chance to escape to the surrounding areas. Ideally the willow tree would be retained.

Species:

Amphibians and Reptiles

There was a pond 60 metres away which is suitable for use by GCN and there are records of GCN nearby.

Therefore reasonable avoidance measures should be taken and during the development, as follows.

Vegetation removal should be done with care and by the most non-destructive method possible.

Any vegetation on site should be kept below 10 cm. Vegetation removal will begin in the centre of the site and continue to the outer edges so that any animals present are able to move away. Piles of brash and rubble should be removed carefully by hand. This should be supervised by a licensed ecologist.

All trenches should be inspected carefully before infilling, and any animals carefully removed and removed from the area to a place of safety.

Building materials should be stored clear of the ground (say, on pallets) so as to avoid crushing any animals which might seek refuge under them, when the materials are lifted.

Any open pipework will be capped overnight. All open trenches and pipework should be inspected at the start of each working day to ensure no animal is trapped.

Birds

The impacts which the proposed work might have on birds should be small, providing that no nests are occupied or being built at the time the work is done.

Trees should not be pruned between March and October to avoid potential destruction of nests.

If birds should gain access to the new buildings, and begin building nests during the work, then the work in that area must stop until the young have left the nests.

Bats

The site is suitable for use by foraging and commuting bats.

A lighting plan should be designed in accordance with the BCT and ILP Guidance Note 8 Bats and Artificial Lighting: <https://www.theilp.org.uk/documents/guidance-note-8-bats-and-artificial-lighting/>

Residual Effects

The loss of low quality habitat without mitigation may have an effect on future foraging and commuting for some species. This can be offset by compensatory planting as described in section 7.

7. Compensation

Four native wildlife friendly trees/shrubs to be planted e.g. bird cherry (*Prunus padus*), wild cherry (*Prunus avium*), crab apple (*Malus sylvestris*), rowan (*Sorbus aucuparia*), hazel (*Corylus avellana*), *Amelanchier laevis*, spindle (*Euonymus europaeus*), alder buckthorn (*Frangula alnus*), strawberry tree (*Arbutus unedo*) holly (*Ilex aquifolium*) or hawthorn (*Crataegus monogyna*).

8. Enhancement Recommendations (See annex 13.5).

Bats: A bat box e.g. Schwegler 1FF to be fitted externally to four of the new buildings. Further information is given in the bat box information pack available at <http://www.bats.org.uk/index.php>.

Birds: One woodcrete nests suitable for small birds such as robin, blackbird, tit species and sparrow to be incorporated into four of the new buildings at the northeast side. Artificial swallow nest to be fitted inside four garages/sheds/outbuildings.

House Sparrow Terrace - Wooden (or woodcrete) nest box with 3 sub-divisions to support 3 nesting pairs. To be placed under the eaves of buildings or incorporated into walls. Entrance holes: 32mm diameter. Dimensions: H310 x W370 x D185mm. Also suitable for tits, redstarts and spotted flycatchers. Place at least 2 m from the ground.

Swallow nest - H110mm x W250mm x D140mm. The nest should be placed inside an enclosed outbuilding/garage or shed, porch or garage leaving a distance of at least 6cm between the top of the nest and the ceiling. There must be access for the birds through an open window or sky-light.

9. Ecological Constraints

None identified.

10. Monitoring

None considered necessary.

11. Conclusions

If the recommended mitigation, compensation and enhancement measures are taken the overall ecological impacts of the proposed development should be low regarding most species.

12. Bibliography

Bat Conservation Trust available at: <http://www.bats.org.uk>

CIEEM (2017) *Guidelines on Ecological Report Writing*. Winchester: Chartered Institute of Ecology and Environmental Management

Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora available at: jncc.defra.gov.uk

Gent A.H, Gibson S.D (eds) (1998) *Herpetofauna Workers' Manual*. Peterborough: Joint Nature Conservation Committee

Google Maps available at: <https://maps.google.com/maps>

Great crested newts: surveys and mitigation for development projects available at: <https://www.gov.uk/great-crested-newts-surveys-and-mitigation-for-development-projects>

JNCC, (2010), *Handbook for Phase 1 habitat survey - a technique for environmental audit*, ISBN 0 86139 636 7

Magic Maps available at: <http://magic.defra.gov.uk>

The National Vegetation Classification available at: jncc.defra.gov.uk

Langton, T., Beckett, C., Foster, J. (2001) *Great Crested Newt Conservation Handbook*. Halesworth: Froglife

Natural Resources Wales available at: <https://naturalresources.wales/?lang=en>

Oldham R.S., Keeble J., Swan M.J.S. & Jeffcote M. (2000) Evaluating the suitability of habitat for the Great Crested Newt (*Triturus cristatus*) *Herpetological Journal* 10 (4), 143-155.

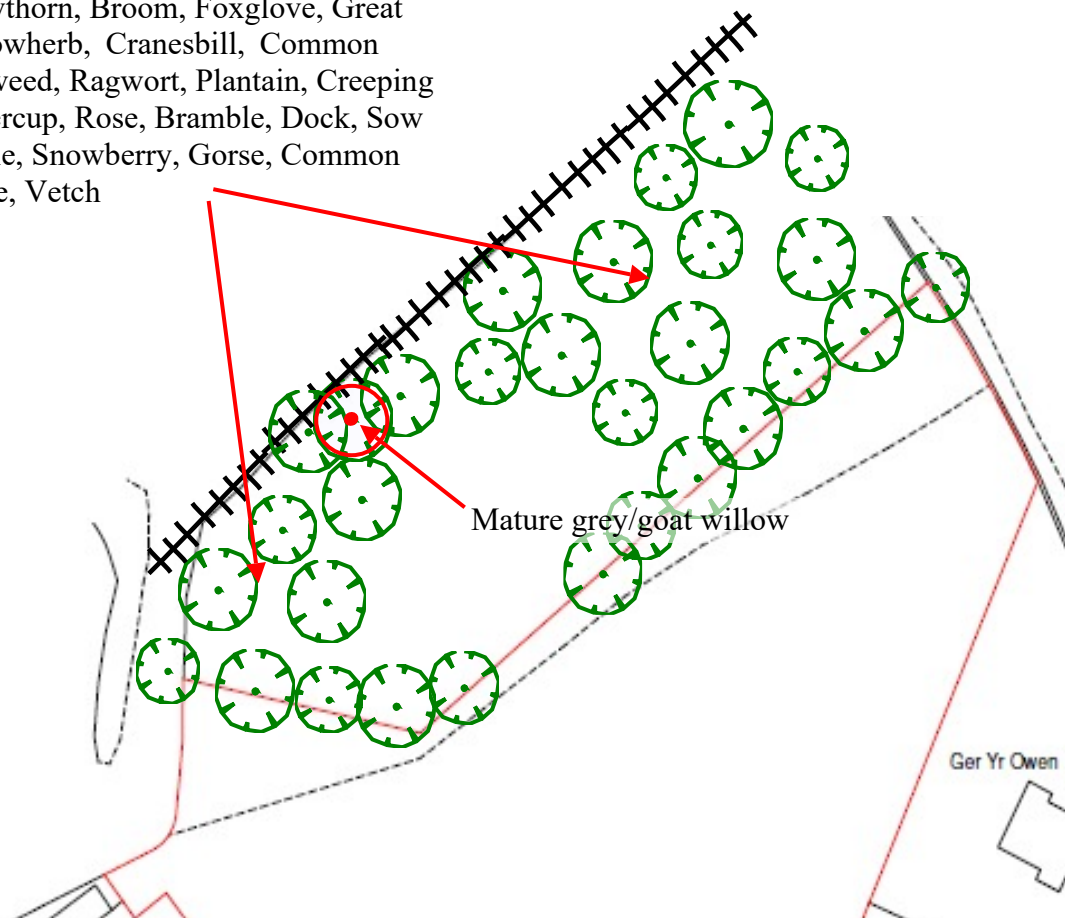
Wrexham Council Planning Portal available at: <http://planning.wrexham.gov.uk/Planning/lg/GFPlanningSearch.page>

UK BAP Priority Habitats available at: jncc.defra.gov.uk

Wildlife and Habitat Conservation available at: <https://www.gov.uk/topic/environmental-management/wildlife-habitat-conservation>

Appendix 13.1: Survey Diagram

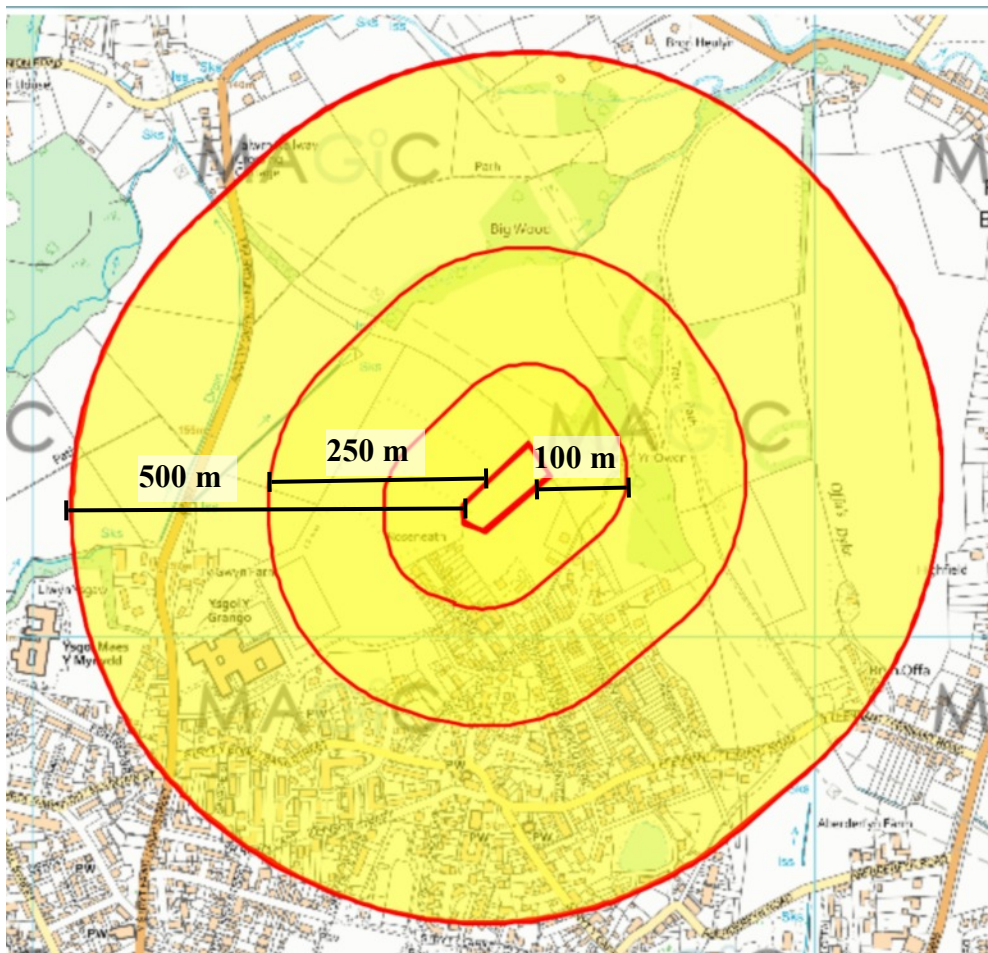
Birch, Sycamore, Yarrow, Lady's
mantle, Silver birch, Buddleia
Spear thistle, Bindweed, Cotoneaster,
Hawthorn, Broom, Foxglove, Great
willowherb, Cranesbill, Common
hogweed, Ragwort, Plantain, Creeping
buttercup, Rose, Bramble, Dock, Sow
thistle, Snowberry, Gorse, Common
nettle, Vetch



Appendix 13.2: OS Location Map



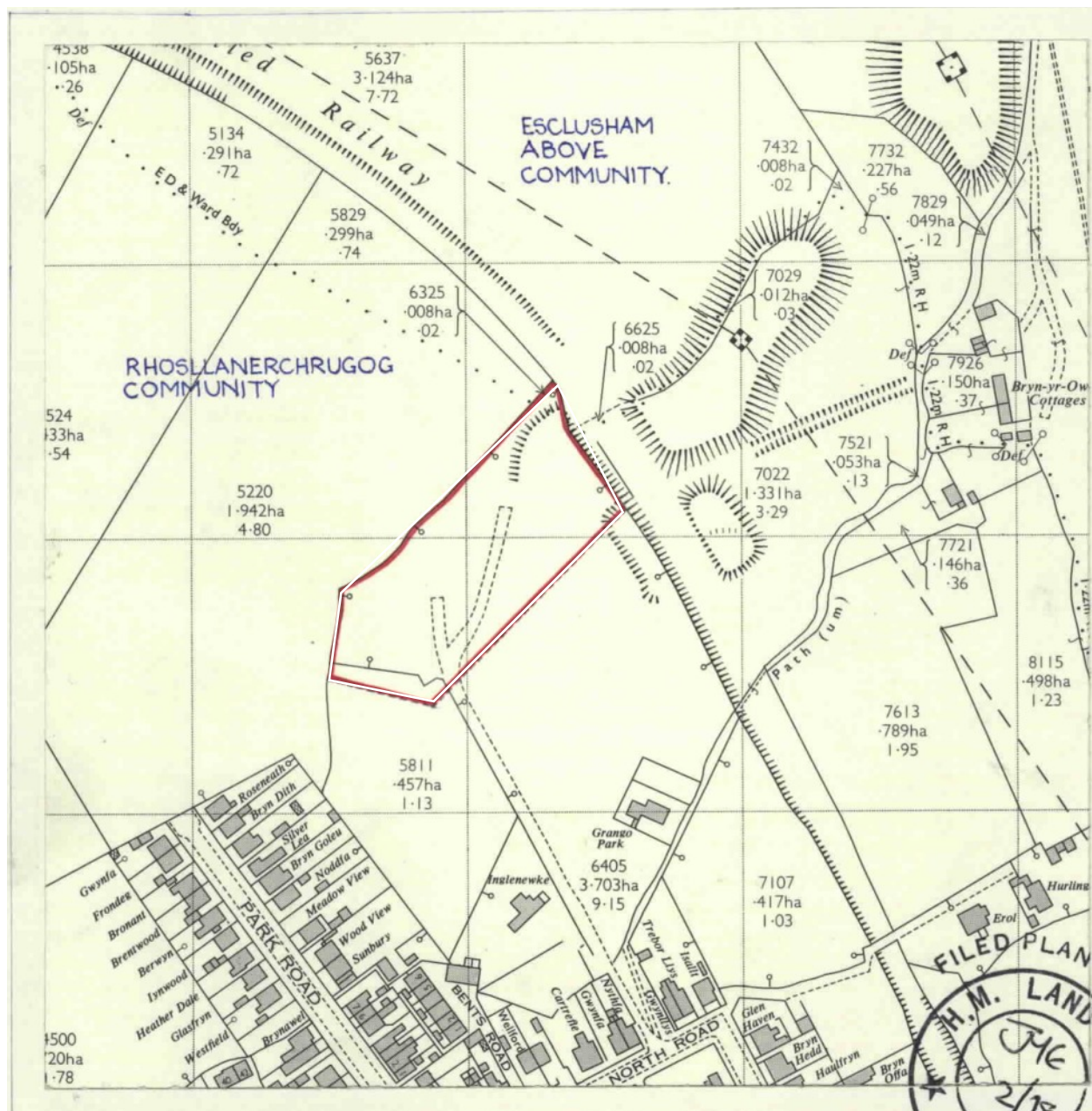
Appendix 13.3: Map Showing Zones of Influence for Great Crested Newts



Appendix 13.4: Aerial Photograph



Appendix 13.5: Location and existing Site Plan



Appendix 13.6: Photographs of the Site

South west edge of site from the south



South east edge of site from the south



Existing access at southern edge of site



North east section



West section from the west



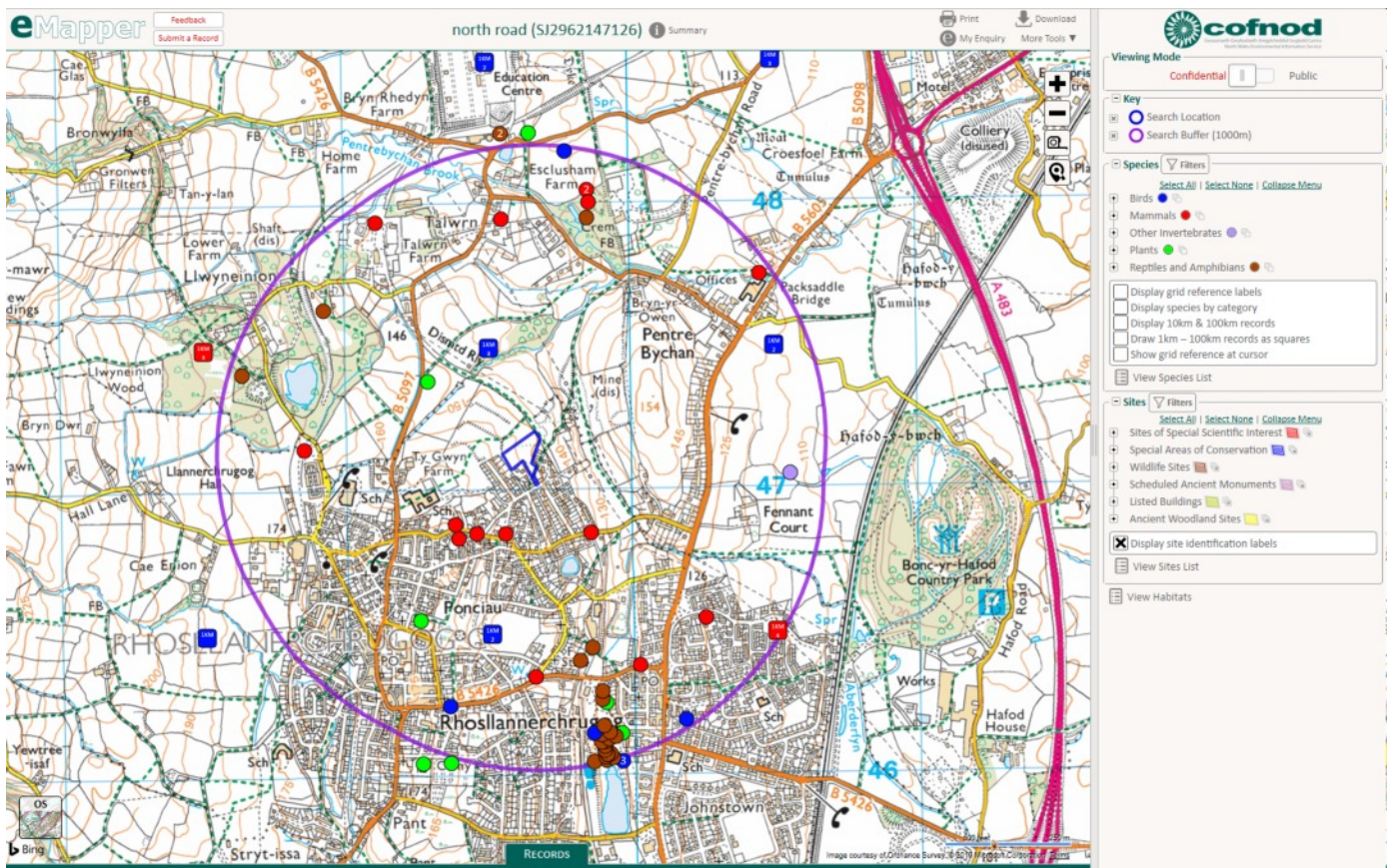
South east section



Appendix 13.6: Photographs of the Site



Appendix 13.7: Data Search (2019)



Appendix 13.8: Legislation Relating to Birds

All wild birds, their nests and eggs are protected. It is an offence to intentionally:

kill, injure or take any wild bird,

take, damage or destroy the nest of a Golden Eagle, White-tailed Eagle or Osprey (even if disused),

take, damage or destroy the nest of any wild bird whilst it is in use or being built,

take, damage or destroy an egg or any wild bird,

possess any live or dead wild bird or the egg of any wild bird, or any derivative

Many rare birds are listed on Schedule 1, which makes it an offence to intentionally or recklessly:

disturb a Schedule 1 bird while it is building a nest or is in, on or near a nest containing eggs or young; or

disturb dependent young of such a bird

Natural Resources Wales (NRW) issues licences for specific purposes, so that you can undertake legitimate work without breaking the law. See 'Bird licensing' for more information.

Appendix 13.9: Legislation Relating to Bats

All species of bats in the UK are European Protected Species (EPS). It is against the law to damage or destroy a bat's breeding site or resting place (known as a roost), or deliberately to capture, kill, injure or disturb a bat

Bats are the only mammals which can fly. They are warm blooded, they suckle their babies and are intelligent, social animals. British bats feed only on insects, of which they consume vast numbers to sustain their energetic lifestyles. A pipistrelle bat can eat up to 3000 midges in a single night!

We have 12 species of bat breeding in Wales. Many of these have suffered severe declines, not just in Britain but throughout Europe.

All British bat species are protected under the Conservation of Habitats and Species Regulations 2017, known as the 'Habitats Regulations'. Bats have a unique relationship with humans, sometimes sharing our homes for part of the year. For this reason, Natural Resources Wales (NRW) deals with many hundreds of bat enquiries each year from householders.

Under the Habitats Regulations, it is an offence if you:

deliberately capture, injure or kill any wild animal of an EPS
deliberately disturb wild animals of any such species
damage or destroy a breeding site or resting place of such an animal
Disturbance includes, but is not limited to, any disturbance which is likely:

1. to impair their ability –
to survive, to breed or reproduce, or to rear or nurture their young, or
in the case of animals of a hibernating or migratory species, to hibernate or migrate; or
2. to affect significantly the local distribution or abundance of the species to which they belong.

Defra and the Welsh Government will publish a joint guidance document on the interpretation of the offences relating to disturbance, and to damage and destruction of breeding sites and resting places.

There are other offences relating to possession, transport and sale.

NRW issues licences under Regulation 55 of the Habitats Regulations to allow you to work within the law.

If you are a householder and have concerns about bats at your property (other than queries related to planning applications or a development), contact the NRW Enquiry Line for advice, telephone 0300 065 3000

Appendix 13.10: Legislation Relating to Great Crested Newts

Wales is home to six amphibian species. They need fresh water in which to lay their eggs or spawn and enough suitable habitat nearby to spend the rest of their year. They have declined in recent decades as ponds have disappeared or become polluted or acidified. Pond restoration and creation (even in gardens) is a great help to amphibian conservation.

All amphibian species spend a large part of their year foraging on dry land, and they need sheltered places to hibernate. Hedgerows and other areas of semi-natural habitat are vital for their survival.

UK legislation:

The most common species are protected from sale under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). They are:

Common frog, *Rana temporaria*

Common toad, *Bufo bufo*

Palmate newt, *Triturus helveticus*

Smooth / common newt, *Triturus vulgaris*

The legislation protects them from being sold or offered for sale to protect them from exploitation in the pet trade or laboratory use.

European legislation:

Our rarest amphibians are protected under the Conservation of Habitats and Species Regulations 2017 (known as ‘the Habitats Regulations’). The Habitats Regulations lists the following amphibian European Protected Species (EPS):

great crested (or warty) newt, *Triturus cristatus*

natterjack toad, *Bufo calamita*

Under the Habitats Regulations, it is an offence if you:

deliberately capture, injure or kill any wild animal of an EPS,

deliberately disturb wild animals of any such species,

deliberately take or destroy the eggs of such an animal, or

damage or destroy a breeding site or resting place of such an animal

Disturbance is defined as that which is likely to impair the ability to survive, breed, reproduce, or nurture young, or to hibernate or migrate.

There are other offences relating to possession, transport and sale. See ‘Possession and Sale of Protected Species’ for more information.

The great crested newt and natterjack toad also receive protection under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) from the following:

disturbing whilst occupying a place of shelter or protection,

obstructing access to a place of shelter or protection,

sale / offering for sale

Licensing for activities involving European Protected Species:

In certain circumstances Natural Resources Wales may issue licences for activities involving European protected species, that would otherwise be offences.