

**Ruabon, Wrexham**

Reserved Matters Application for  
Phase 1 Development

Ecology Report

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## Contents

|   |                                                                                   |    |
|---|-----------------------------------------------------------------------------------|----|
| 1 | Summary .....                                                                     | 2  |
| 2 | Introduction .....                                                                | 4  |
| 3 | Methods .....                                                                     | 6  |
| 4 | Results and Interpretation .....                                                  | 7  |
| 5 | Potential Impacts and Recommendations .....                                       | 12 |
| 6 | References .....                                                                  | 16 |
| 7 | Figures .....                                                                     | 17 |
| 8 | Photographs .....                                                                 | 18 |
|   | Appendix 1: Application Site Plan .....                                           | 19 |
|   | Appendix 2: Existing Site Plan (with phasing boundary) .....                      | 20 |
|   | Appendix 3: Proposed Phase 1 Masterplan .....                                     | 21 |
|   | Appendix 4: Phase 1 Landscape Layout .....                                        | 22 |
|   | Appendix 5: Summaries of Relevant Policy, Legislation and Other Instruments ..... | 23 |

# 1 Summary

- 1.1 BSG Ecology was commissioned by Pure Residential and Commercial Ltd in August 2020, to undertake a preliminary ecological appraisal of the consented development site at the south-west of the village of Ruabon.
- 1.2 The team for this project involved the following members of staff. Kirsty Kirkham (Director/Ecologist) is the project director for this project and is the technical reviewer of this report. Katy Stiles (Principal Ecologist) is the project manager who has prepared the scope of work and overseen the survey work and reporting requirements. Gemma Watkinson (Ecologist) completed the field survey work and provided technical input to the report. A summary of each BSG staff member's experience and their competence as a professional ecologist is provided at <http://www.bsg-ecology.com/index.php/people/>.
- 1.3 Phase 1 of the consented development covers approximately 8.7 hectares and includes the construction of a range of residential dwellings across the eastern part of the Site, with an access road crossing Phase 2 and connecting to Phase 3 of the development. The existing pond in the centre of the Site, the adjacent broadleaf woodland around the pond and existing grassland habitat and trees to the north of the southern boundary, will be retained within the development as part of the public open space. Additional public open space will be created in the south-east of the Site to include new ditches and wet grassland areas.
- 1.4 The following measures are recommended in relation to the proposed development and legally protected species:
- To avoid impacts on foraging and commuting bats, lighting within the development, post-completion, will be minimised and will be designed to ensure that light spillage into areas of suitable bat foraging habitat is prevented (i.e. woodland along the north-western boundary, the pond and surrounding habitat and the southern boundary habitats, and the newly created habitats within the public open space areas at the east of the Site), and light spillage onto the trees with potential to support roosting bats is also prevented.
  - It is recommended that the clearance of any bird nesting habitat where required, including tree thinning around the pond, and removal of scrub and grassland, is carried out between late-September and the end of January, in order to avoid the bird breeding season (generally between February and August, although this can vary). If the removal of the bird nesting habitat has to take place during the bird breeding season, then it is recommended that the habitats are surveyed for active bird nests by a suitably qualified ecologist before the proposed work is carried out. If active bird nests are present, then work would have to be delayed in the area/s affected until nesting activity ceases.
  - It is recommended that if there is a significant delay to the consented development (i.e. more than two years) that a further precautionary badger survey is undertaken, given the high mobility of this species, and to ensure that the status of badger is up to date to inform mitigation, as necessary. As a precaution it is recommended that the contractors remain vigilant for the presence of badgers on Site. No trenches are to be left uncovered overnight to avoid the risk of trapping/injuring badgers and other small mammals that may be using the Site. If this is not possible, then a ramp/slope should be provided within the trenches to provide a safe means of escape.
  - As a precaution, to avoid killing or injury of any common widespread reptile species that may be using areas of grassland or dense vegetation around the pond or on the Site boundaries that may be affected by landscaping works, it is recommended that a method statement is drawn up that details how grass snake will be safeguarded during these works. Any areas of grassland or dense vegetation clearance should ideally be timed to be undertaken during late summer /autumn (September /October) or early March if possible, to avoid the bird nesting season, and the period when reptiles are in hibernation. If this is not possible and/or significant areas of suitable habitat require removal/clearance then careful vegetation clearance will be undertaken under direct guidance from a suitably experienced ecologist.

- It is recommended that as a precaution, a pre-commencement Site walkover will be undertaken for Japanese knotweed to confirm likely absence from the Site. Should any areas still be found to support Japanese knotweed, then further specialist advice should be sought promptly and these areas should be avoided with a 10m buffer so that they are not disturbed during construction activities.

- 1.5 Provided that the above measures to avoid harm to protected species are implemented during the construction phase of the consented development, it is not considered likely that there will be any impacts on protected species as a result of the consented development.
- 1.6 The existing pond in the centre of the Site, the adjacent broadleaf woodland around the pond, and the southern boundary of the Site with a 10 metre buffer, will be retained as part of the development as public open space. The consented development will result in the loss of arable land, part of the marshy grassland vegetation at the south-west of the pond, and the tall ruderal and ephemeral vegetation habitats from the northern boundary of the Site. The consented development includes the creation of additional public open space habitats, which will create a green corridor between the pond and the eastern boundary of the Site. Wet grassland habitat will be created around the proposed ditches and SuDS features at the east of the development, which will compensate for those areas of marshy grassland to the south-west of the pond that will be lost as a result of the development of the Site.
- 1.7 The inclusion of native tree, shrub and hedgerow planting and the creation of native species-rich wildflower grassland within the new public open space and SuDS areas will provide enhanced foraging habitats for bats and birds within the Site. The landscaping proposals will also provide additional breeding opportunities for birds through the planting of suitable trees within areas of public open space. The detailed proposals therefore do not give rise to any ecological issues that might preclude the development proceeding.

## 2 Introduction

### Background to commission

- 2.1 BSG Ecology was commissioned by Pure Residential and Commercial Ltd in August 2020 to provide ecology support in relation to a proposed Reserved Matters Planning Application for Phase 1 of the consented development site at Ruabon (the Site) (Outline Planning Permission RUA P/2014/0021), the planning application boundary as shown in the Application Site Plan (Chapman Warren, 1995, see Appendix 1). An extended Phase 1 habitat survey was required in order to identify habitats and species that may be affected by the proposed development and to provide an ecological assessment of the Site to update the previous ecology surveys undertaken on Site by BSG Ecology in 2013.
- 2.2 BSG Ecology first became involved at this Site in 2013. An extended Phase 1 habitat survey was undertaken in January 2013 (BSG Ecology, 2013). In 2013, the habitats identified on Site comprised arable farmland, species-poor semi-improved grassland, semi-improved neutral grassland, scrub, marshy grassland, set-aside, a pond and broad-leaved woodland. Japanese knotweed *Fallopia japonica* was also recorded on Site. Further surveys were carried out in 2013 for great crested newt, reptiles, breeding birds, bat activity, butterflies and a botanical survey. Badger, great crested newt, reptiles or butterflies listed as Species of Principal Importance were not recorded on the Site. A range of breeding birds and four species of bat were recorded using the habitats on Site.
- 2.3 Subsequently, in order to inform the discharge of two ecology related conditions, Conditions 22 and 23 of the planning consent, granted on 2 October 2015 by Wrexham County Borough Council, a Habitat Creation and Management Plan and a Farmland Birds Habitat Creation and Management Plan were produced in 2017 (BSG Ecology, 2017).
- 2.4 Construction of the north-eastern part of the development has since been completed, where a supermarket, fuel station and store and associated car parking areas have now been constructed. As observed during our site visit on 18 August 2020, work has also begun on the removal of Japanese knotweed from the banks of the large pond in the centre of the Site.

### Description of project

- 2.5 Phase 1 of the consented development covers approximately 8.7 hectares (Calderpeel Architects, 2020; drawing no. 19126 (SU) 002 A, see Appendix 2) and includes the construction of a range of residential dwellings across the eastern part of the Site, with an access road crossing Phase 2 and connecting to Phase 3 of the development (Calderpeel Architects, 2020; drawing no. 19126 (PL) 030 H, see Appendix 3). The existing pond in the centre of the Site, the adjacent broadleaf woodland around the pond and existing grassland habitat and trees to the north of the southern boundary, will be retained within the development as part of the public open space. Additional public open space will be created in the south-east of the Site to include new ditches and wet grassland areas (Barnes Walker, 2020, drawing no. M3246-PA-02-V1, see Appendix 4).

### Site description

- 2.6 The consented development site is located to the south-west of the village of Ruabon near Wrexham, at central OS grid reference SJ 297 432. The A539 forms part of the northern boundary of the Site, a caravan park set within an area of parkland is located to the east, arable land is located to the south and broadleaved woodland and a small industrial park are located to the north and north-west respectively. A recently constructed supermarket, fuelling station and stores and associated car parking areas have been constructed adjacent to the north-east of the Site.
- 2.7 The Site comprises an arable field with a large pond, approximately 0.4 ha in size, within the centre of the Site, which is surrounded by trees and scrub (see Figure 1). Marking the southern boundary of the Site, there is a stone ha-ha and a ditch with scattered scrub and mature trees to the north of

the ha-ha wall. Along the northern boundary and within the Site, there is a semi-natural broad-leaved woodland present at the west, and tall ruderal vegetation is present within the Site at the east, along the northern boundary.

### **Aims of study**

- 2.8 The 2020 survey work and this report relate to the Reserved Matters Planning Application for Phase 1 of the proposed development.
- 2.9 This report details the methods and results of the survey undertaken to update the existing ecological baseline knowledge of the Site, highlighting any significant changes to the Site since the original ecology surveys were undertaken, and any habitat, invasive species and protected species constraints that need to be considered.
- 2.10 The report identifies measures to avoid, reduce (mitigate) and compensate for ecological impacts based on the findings of the survey work that will be required as part of Phase 1 of the development. It also includes recommendations for ecological enhancements on Site as part of the proposed landscaping proposals, where relevant, in order to achieve maximum biodiversity benefit within the development design in line with relevant Welsh planning policy and wildlife legislation, see Appendix 5.

### 3 Methods

#### Desk Study

- 3.1 An updated data search and formal desk study was not considered necessary and data were not obtained from the Local Record Centre. However, publically available information, available on Defra's Multi Agency Geographic Information for the Countryside internet-based database (<http://www.magic.gov.uk>, accessed 14 July 2020) was used to confirm the location and nature of any statutory designated sites of nature conservation interest within or close to the Site, and any granted European Protected Species licences within 2 km of the Site.

#### Field survey

- 3.2 A Phase 1 habitat survey of the Site was undertaken by Ecologist Gemma Watkinson ACIEEM on 18 August 2020. The weather conditions were sunny and warm, with 4/8 cloud cover and 20°C and a gentle breeze (2-3 Beaufort). The survey was undertaken with reference to JNCC guidelines for Phase 1 habitat survey (JNCC, 2010). This involved a Site walkover during which all habitats present were mapped, photographs taken and target notes (TN) made of areas of specific interest.
- 3.3 The survey was extended to make an assessment of the presence of, or potential for, protected or notable species to be associated with the habitats present on or nearby the Site, supported by information from the desk study. The trees within the Site were inspected from the ground, to assess their potential to support roosting bats. Searches were also made for evidence of badger *Meles meles* (such as setts, feeding remains, dung pits, hairs and tracks). The Site was assessed for its potential to support reptiles and amphibians, potential nesting habitats for breeding birds were identified and any incidental sightings of birds were noted.
- 3.4 The Site was also searched for the presence of invasive non-native plants such as Japanese knotweed *Fallopia japonica* and Himalayan balsam *Impatiens glandulifera*.

#### Limitations to methods

- 3.5 An updated data search and formal desk study was not considered necessary and has not been undertaken. There is considered to be sufficient information available from the previous ecology studies undertaken by BSG Ecology and the 2020 field survey to make a reasoned judgement in relation to the potential for protected species or habitats to be present and affected by the scheme.
- 3.6 The extended Phase 1 habitat survey was undertaken at an optimal time of year to enable characterisation of the habitat types present on Site and there are not considered to be any significant constraints to the survey.

## 4 Results and Interpretation

### Desk Study

- 4.1 A search of the MAGIC website identified no additional designated statutory designated sites within 2 km of the Site to those that were identified in the 2013 desk study. There were no granted European Protected Species licences within 2 km of the Site and the publically available information did not show any great crested newt records within 2 km of the Site.

### Habitats

- 4.2 The habitats within the Site were mapped during the Phase 1 habitat survey and are described below. The locations of the habitats are shown on the extended Phase 1 habitat survey results plan in Figure 1, which is presented in Section 7. The photographs referred to in the text below are presented in Section 8.
- 4.3 The Site comprises an arable field, with a large pond surrounded by broad-leaved woodland and scrub within the centre. Marking the southern boundary of the Site, there is a stone ha-ha and a ditch with scattered scrub and mature trees to the north of the ha-ha wall. Along the northern boundary and within the Site, there is a semi-natural broad-leaved woodland present at the west, and tall ruderal vegetation is present within the Site along the northern boundary, at the east.

### Arable

- 4.4 The majority of the Site is formed of arable land, which at the time of survey, has been seeded with a crop of perennial rye-grass *Lolium perenne* (Photograph 1). The sward had a height of approximately 30 cm.

### Poor semi-improved neutral grassland

- 4.5 The margins of the arable field comprise poor semi-improved neutral grassland (Photograph 2), with abundant false oat-grass *Arrhenatherum elatius*, cock's-foot *Dactylis glomerata*, wild oat *Avena fatua* and common nettle *Urtica dioica* and frequent Yorkshire-fog *Holcus lanatus*, creeping buttercup *Ranunculus repens*, common ragwort *Senecio jacobaea*, hogweed *Heracleum sphondylium*, dandelion *Taraxacum agg.*, redshank *Persicaria maculosa*, ribwort plantain *Plantago lanceolata*, prickly sow-thistle *Sonchus asper*, common sorrel *Rumex acetosa*, common mouse-ear *Cerastium fontanum*, creeping cinquefoil *Potentilla reptans*, and creeping thistle *Cirsium arvense* recorded. Other species recorded occasionally or rarely include fat hen *Chenopodium album*, groundsel *Senecio vulgaris*, red dead-nettle *Lamium purpureum*, dock species *Rumex* sp., common field speedwell *Veronica persica*, scented mayweed *Matricaria recutita*, burdock species *Arctium* sp., dove's-foot crane's-bill *Geranium molle*, spear thistle *Cirsium vulgare*, yarrow *Achillea millefolium*, Timothy *Phleum pratense*, fescue species *Festuca* sp., meadow vetchling *Lathyrus pratensis*, creeping bent *Agrostis stolonifera*, good-king-henry *Chenopodium bonus-henricus*, common knapweed *Centaurea nigra*, field horsetail *Equisetum arvense*, black horehound *Ballota nigra*, tufted vetch *Vicia cracca*, field pansy *Viola arvensis*, field forget-me-not *Myosotis arvensis*, common poppy *Papaver rhoeas*, soft brome *Bromus hordeaceus* and knotgrass *Polygonum aviculare*.
- 4.6 At the north of the Site, adjacent to the eastern boundary and to the west of the new Aldi store, there is a small area of semi-improved grassland that is considered to have been seeded (Photograph 3, Figure 1 Target Note 1). Species recorded include abundant creeping bent and Timothy, white clover, bird's-foot trefoil *Lotus corniculatus*, creeping buttercup, canary grass *Phalaris canariensis*, yellow rattle *Rhinanthus minor*, cornflower *Centaurea cyanus*, corncockle *Agrostemma githago*, selfheal *Prunella vulgaris*, hairy tare *Vicia hirsuta*, crested dog's-tail *Cynosaurus cristatus* and hawkweed species *Crepis* sp.

- 4.7 To the west of the broadleaved woodland in the centre of the Site, and north of the spoil mound there is a small triangle of semi-improved grassland which is dominated by common nettle, creeping thistle and great willowherb with common reed, bird's-foot trefoil, meadow vetchling and pendulous sedge *Carex pendula* also recorded (Photograph 4).
- 4.8 At the north of the scattered scrub to the west of the pond, the semi-improved grassland has some species more characteristic of marshy grassland, with soft rush *Juncus effusus*, tufted hair-grass *Deschampsia cespitosa*, compact rush *Juncus conglomeratus*, jointed rush *Juncus articulatus*, hard rush *Juncus inflexus*, pearlwort species *Sagina* sp., meadow foxtail *Alopecurus pratensis*, Yorkshire-fog, marsh thistle *Cirsium palustre* and fleabane *Pulicaria dysenterica* all recorded (Photograph 5).

#### **Dry ditch**

- 4.9 A dry ditch runs along the southern boundary of the Site, immediately adjacent to the north of the stone ha-ha (Photograph 6). Abundant common nettle, great willowherb and false oat-grass was recorded, with frequent cleavers *Galium aparine*, common ragwort, dock species, herb-Robert *Geranium robertianum* and occasional ash saplings, meadowsweet *Filipendula ulmaria*, tufted hair-grass, bittersweet *Solanum dulcamara*, and male fern *Dryopteris filix-mas*. Rosebay willowherb *Chamaerion angustifolium* is locally abundant at the south-eastern end.

#### **Marshy grassland**

- 4.10 To the south-west of the large pond in the centre of the Site (Figure 1, Target Note 2), there is an area of marshy grassland with abundant white clover *Trifolium repens*, creeping bent, creeping buttercup, jointed rush *Juncus articulatus*, great willowherb *Epilobium hirsutum* and locally abundant brooklime *Veronica beccabunga* and willow *Salix* sp. saplings. Red bartsia *Odontites vernus*, black-grass *Alopecurus myosuroides*, Yorkshire-fog, greater plantain *Plantago major*, rough meadow grass *Poa trivialis*, perforate St-John's wort *Hypericum perforatum*, water plantain *Alisma plantago-aquatica*, water forget-me-not *Myosotis scorpioides*, bulrush *Typha latifolia*, hard rush, soft-rush, common spike-rush *Eleocharis palustris* and tufted hair grass were all occasionally recorded (Photograph 7). There were some small areas of standing water within the marshy grassland habitat.

#### **Broadleaved woodland**

- 4.11 The margins of the large pond are dominated by broadleaved woodland (8) with patches of dense bramble scrub on the edges. The broadleaved woodland includes crack-willow *Salix fragilis*, willow species *Salix* sp., pedunculate oak *Quercus robur*, guelder rose *Viburnum opulus*, elder *Sambucus nigra*, turkey oak *Quercus cerris*, Norway maple *Acer platanoides*, silver birch *Betula pendula* and ash *Fraxinus excelsior*, with hazel *Corylus avellana*, hawthorn *Crataegus monogyna*, blackthorn *Prunus spinosa* and rose species in the understorey. The ground flora has abundant common nettle, common comfrey *Symphytum officinale*, bramble *Rubus fruticosus* agg., cleavers, great willowherb, creeping thistle, false oat-grass, wood avens *Geum urbanum*, with cock's-foot, cow parsley *Arrhenatherum elatius*, hedge woundwort *Stachys sylvatica*, ivy *Hedera helix*, ground-ivy *Glechoma hederacea* and lords-and-ladies *Arum maculatum* also recorded.
- 4.12 Vehicle ruts are present entering the woodland at the west of the pond, where access was recently used for the Japanese knotweed removal works.
- 4.13 There is broadleaved woodland on the northern and north-western boundaries of the Site, with a grass path that runs through the middle of the woodland (Photograph 9).

#### **Scrub**

- 4.14 Along the southern boundary of the Site there are areas of dense bramble scrub and scattered hawthorn and bramble scrub.

- 4.15 A triangle of gravel at the north of the Site has become colonised by silver birch, alder and willow saplings, approximately 2-3 m in height, with rosebay willowherb and other ephemeral and short perennial species recorded (Photograph 10).
- 4.16 The spoil mound to the west of the pond is dominated by bramble scrub with rosebay willowherb and other tall ruderal vegetation (Photograph 11).

#### **Standing water**

- 4.17 The large pond in the centre of the Site (Figure 1, Target Note 3) has limited aquatic vegetation with bulrush and duckweed *Lemna minor* recorded (Photograph 12). Work was being undertaken during the survey to remove the Japanese knotweed from the eastern banks of the waterbody. The southern end of the pond was highly shaded by the adjacent broadleaved woodland. Mallard, mute swan and moorhen were all noted using the waterbody.

#### **Flowing water**

- 4.18 A narrow stream flows into the north of the pond (Photograph 13). The trees and bankside vegetation has been removed from the eastern bank, as part of the Japanese knotweed removal works, leaving bare soil exposed. Bramble scrub dominates the western bank. Brooklime, common reed *Phragmites australis* and horsetail species *Equisetum* sp. were noted in the stream channel.

#### **Ephemeral/ short perennial vegetation**

- 4.19 Adjacent to the northern boundary, where the access road will be located, there is a small area of gravel where ephemeral and short perennial vegetation has started to colonise (, Photograph 14). The species recorded here are similar to those recorded on the field margins, but the vegetation cover is sparse.

#### **Tall ruderal**

- 4.20 Adjacent to the northern boundary of the Site, adjacent to where the new stores and car parking has been constructed, there is a bank of tall ruderal vegetation, with abundant wild oat, common poppy, redshank, fat hen, field pansy, oilseed rape, great willowherb and scented mayweed (Photograph 15).

### **Protected Species**

#### **Bats**

- 4.21 There are no buildings present on the Site. There are several mature trees identified as having suitable features with potential to support roosting bats. These trees are listed in Table 1 below, and their position marked on Figure 1.

**Table 1: Trees identified with potential to support roosting bats**

| Species  | Tree reference and Photo reference | Features with potential to support roosting bats                                                        |
|----------|------------------------------------|---------------------------------------------------------------------------------------------------------|
| Oak      | T1, Photograph 16.                 | Numerous cavities and splits. Large, dry trunk cavity.                                                  |
| Sycamore | G1                                 | A group of sycamore trees many of which have a dense covering of ivy which could support roosting bats. |
| Ash      | T2                                 | A cavity is present in the trunk. A limb has broken off, leaving an upward pointing split.              |

|     |    |                                                          |
|-----|----|----------------------------------------------------------|
| Ash | T3 | Splits are present and a cavity is present in the trunk. |
|-----|----|----------------------------------------------------------|

4.22 The broadleaved woodland habitats, pond and areas of semi-improved grassland all provide potential foraging resource for bats in the local area.

4.23 In the wider area, there are extensive areas of broadleaved woodland to the south and east of the Site, along the River Dee corridor that provides suitable foraging habitat.

### **Breeding birds**

4.24 The bird species that were recorded on Site during the survey are presented in Table 2 below.

**Table 2: Birds recorded during the Extended Phase 1 habitat survey**

| Common name   | Latin name                 | BOCC <sup>2</sup> | S7 <sup>1</sup> |
|---------------|----------------------------|-------------------|-----------------|
| House sparrow | <i>Passer domesticus</i>   | Red               | Yes             |
| Pheasant      | <i>Phasianus colchicus</i> | Green             | No              |
| Song thrush   | <i>Turdus philomelos</i>   | Red               | Yes             |
| Goldfinch     | <i>Carduelis carduelis</i> | Green             | No              |
| Swallow       | <i>Hirundo rustica</i>     | Green             | No              |
| Wood pigeon   | <i>Columba palumbus</i>    | Green             | No              |
| Moorhen       | <i>Gallinula chloropus</i> | Green             | No              |
| Mute swan     | <i>Cygnus olor</i>         | Amber             | No              |
| Mallard       | <i>Anas platyrhynchos</i>  | Amber             | No              |

4.25 **Key:**

1 Species of Principal Importance (Environment (Wales) Act 2016)

2 BOCC: birds of conservation Concern (Eaton et al, 2015)

Red species: significant population declines (>50%) and globally threatened species

Amber species: population declines (>25%); recovering from significant declines; UK holds significant population

Green species: no significant population trends, no IUCN categorisation.

4.26 Suitable habitats for nesting birds occur across the Site and include scrub, broadleaved woodland, scattered trees, the pond and the arable field with perennial rye-grass crop.

### **Badger**

4.27 There were no signs of badger recorded on Site during the survey. There are a number of mammal runs in the woodland at the north of the Site, and crossing into the dry ditch at the south-east of the Site from the arable field. However, these could be a result of humans walking through the woodland, and crossing from the adjacent caravan site.

### **Reptiles**

4.28 No reptiles were recorded during the BSG surveys in 2013, however a single grass snake was recorded in 2003 as part of ecological survey work carried out by WYG. It is considered that a small population of grass snake using the Site cannot be completely discounted, especially given that the habitats on Site have not changed significantly since the 2013 surveys were undertaken.

***Invasive species***

- 4.29 The 2013 surveys of the Site identified Japanese knotweed on the eastern bank of the large pond and stream at the north of the Site. During the 2020 survey, work was being undertaken by contractors to remove the Japanese knotweed from the Site. This species was not recorded in any additional locations on Site during the survey, and no other invasive species were recorded during the survey.

***Other protected species***

- 4.30 There have been no significant changes on Site since the previous surveys for great crested newt were undertaken. Publically available information also showed no records for great crested newt within 2 km of the Site. This species is still considered to be likely absent from the Site and no ecological mitigation or further survey work is considered necessary in relation to great crested newt. Surveys of Pond 1 in 2013 found that the Site supports other amphibian species; smooth newt, palmate newt, common frog, and common toad.

## 5 Potential Impacts and Recommendations

### Habitats

- 5.1 There have been no significant changes to the habitat types, extent or characteristics since the previous 2013 survey work. The following mitigation (including avoidance) and habitat creation or enhancement measures are committed to as part of the detailed design to inform the reserved matters application.
- 5.2 The consented Phase 1 development will result in the loss of arable land, part of the marshy grassland vegetation at the south-west of the pond, and the tall ruderal and ephemeral vegetation habitats from the northern boundary of the Site. The existing pond in the centre of the Site, the adjacent broadleaf woodland around the pond and existing grassland habitat and trees to the north of the southern boundary, will be retained within the development as part of the public open space. Additional public open space will be created in the south-east of the Site to include new ditches and marshy grassland areas (Barnes Walker, 2020, drawing no. M3246-PA-02-V1, see Appendix 4) which will form a green corridor between the pond and the eastern boundary of the Site.
- 5.3 The woodland habitat surrounding the pond will be selectively thinned as part of the landscaping works, but the three individual trees and the group of trees that have been identified as having potential to support roosting bats will all be retained within the consented development. The oak tree located to the south-east of the pond, with veteran/ancient tree characteristics, will be retained within the public open space area and will be protected from any built development in accordance with the Tree Protection Plan (Wharncliffe Trees and Woodland Consultancy, 2013).
- 5.4 None of the grassland on Site meets the grassland types that are listed as Priority Habitats under the provisions of the Environment (Wales) Act 2016. The arable farmland, marshy grassland and tall ruderal vegetation to be lost from the Site are not considered to be of significant intrinsic botanical interest; however these habitats are suitable for nesting bird species.
- 5.5 Marshy and wet meadow grassland will be created around the proposed ditches and swales that form part of the green corridor of public open space at the east of the Site (Barnes Walker, 2020, drawing no. M3246-PA-02-V1, see Appendix 4). These areas will be seeded with Emorsgate EM8<sup>1</sup>, a meadow mixture that is designed for seasonally wet soils that may flood for short periods. The new stream and ponds will also be sown with a pond edge mixture, Emorsgate EP1<sup>2</sup> containing suitable native wildflowers and grasses, and aquatic planting will comprise native, non-invasive marginal and aquatic plants. The creation of this habitat will compensate for the loss of the marshy grassland areas from the south-west of the Site and ensure no overall loss of these habitats.
- 5.6 In addition, the landscaping proposals include the use of native tree, shrub and hedgerow planting, and the grassland areas within the areas of public open space will be created and managed as species-rich wildflower meadows, with Emorsgate EM3<sup>3</sup>, special general purpose meadow mixture proposed. These habitats will be managed for their wildlife interest and an ecological management plan has been produced to provide guidance and management prescriptions to ensure the favourable management and security of these habitats (BSG Ecology, 2017). These new habitats will complement the retained habitats and provide important links both across and off the Site, and will provide enhanced foraging habitats for bats and birds within the Site.

### Protected species

- 5.7 There have been no significant changes on Site with regards protected species since the previous 2013 survey work. The following mitigation (including avoidance) and habitat creation or

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<sup>1</sup> <https://wildseed.co.uk/mixtures/view/9>

<sup>2</sup> <https://wildseed.co.uk/mixtures/view/13>

<sup>3</sup> <https://wildseed.co.uk/mixtures/view/4>

enhancement measures are committed to as part of the detailed design to inform the reserved matters application.

### **Bats**

- 5.8 All UK bats are European Protected Species (EPS) under the Conservation of Habitats and Species Regulations 2017 (as amended) and several are priority species under the provisions of the Environment (Wales) Act 2016. Bats are protected against disturbance, killing or injuring and their roosts are protected against obstruction, damage or destruction. Detailed planning policy and legislation information is presented in Appendix 5.

### **Roosting**

- 5.9 Three individual trees and a group of trees have been identified as having potential to support roosting bats. All of these trees will be retained within the consented development and, therefore, no direct impacts on roosting bats are anticipated.
- 5.10 The oak tree located to the south-east of the pond, with veteran/ancient tree characteristics, will be retained within the development and will be retained within the public open space area and protected from any built development in accordance with the Tree Protection Plan (Wharnccliffe Trees and Woodland Consultancy, 2013). It should also be protected during any thinning works carried out within the woodland surrounding the pond.

### **Foraging**

- 5.11 Four bat species have been recorded foraging and commuting within and across the Site during the surveys undertaken in 2013. In 2020, it was found that the habitats present on Site have not changed significantly since these surveys were undertaken, and the Site is considered to still provide foraging opportunities to support these species. The consented development of the Site will retain the majority of the habitat used by bats for foraging; however, it will result in the loss of some habitat features known to be used by bats (i.e. tall ruderal vegetation on the northern boundary of the Site).
- 5.12 The southern boundary of the Site and a 10 metre buffer will be retained as part of the development. Native tree, shrub and hedgerow planting to be included within the landscaping proposals and the creation of native species-rich wild flower grassland within the new public open space and SuDS areas will provide enhanced foraging habitat for bats within the Site which will compensate for the loss of small areas of bat foraging habitat. The woodland along the north-western boundary will be retained and the woodland, scrub and grassland associated with the pond will all be retained within the proposals.
- 5.13 Without mitigation, there is potential for lighting associated with the consented development to make areas of retained habitat less suitable for foraging bats. During the construction phase of the development there will be no night time working, so there is not anticipated to be any lighting impacts during the construction phase. Lighting within the development, post-completion, will be minimised and will be designed to ensure that light spillage into areas of suitable bat foraging habitat is prevented (i.e. woodland along the north-western boundary, the pond and surrounding habitat and the southern boundary, and the newly created habitats within the public open space areas), and light spillage onto the trees with potential to support roosting bats is also prevented.

### **Breeding birds**

- 5.14 All nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended), which makes it an offence to kill, injure or take any wild bird or take, damage or destroy its nest whilst in use or being built, or take or destroy its eggs.
- 5.15 Phase 1 of the development will result in the loss of some of the arable habitats, marshy grassland and the tall ruderal and ephemeral vegetation. Breeding bird surveys undertaken in 2013 found that the Site and the immediately surrounding habitats support a range of bird species typical of arable farmland, hedgerow, woodland and scrub habitats. These include ground nesting species such as

lapwing, skylark, snipe and mallard and farmland specialists such as linnet. All but mallard are Species of Principal Importance under the NERC Act 2006. Once developed, the Site will be unsuitable for these ground nesting species, and given the habitat requirements of these species it would not be possible to provide suitable compensation measures on Site. Off-site habitat has been recommended to compensate for the loss of breeding habitat for ground nesting species, particularly lapwing, to be provided within the land holding of Wynnstay Farming Company Limited on an area of suitable land that will be managed in the long-term for lapwing. A Farmland Birds Habitat Creation & Management Plan (BSG Ecology, 2017) has been prepared, which provides recommendations for suitable off-site habitats for ground nesting birds off-site.

- 5.16 The pond and the majority of its surrounding habitats, along with the woodland boundary features to the north and west of the Site will be retained, it is considered that there will be no significant habitat loss of habitat for breeding birds.
- 5.17 During construction, without mitigation, the Site will be subject to disturbance during construction which could affect nesting birds. It is therefore recommended that the clearance of any bird nesting habitat where required, including tree thinning around the pond, and removal of scrub and grassland, is carried out between late-September and the end of January, in order to avoid the bird breeding season (generally between February and August, although this can vary). If the removal of the bird nesting habitat has to take place during the bird breeding season, then it is recommended that the habitats are surveyed for active bird nests by a suitably qualified ecologist before the proposed work is carried out. If active bird nests are present, then work would have to be delayed in the area/s affected until nesting activity ceases. Please be aware that this can be a period of up to 6 weeks.
- 5.18 It is considered that the proposed development has the opportunity to provide additional breeding opportunities for birds through the planting of suitable nesting habitat within the areas of landscaping. Native tree species and native hedgerow planting will be included within the landscaping, along the Site boundary and within the public open space. In addition, the native shrub and tree planting within the public open space and the residential gardens will provide foraging opportunities for birds, with native broadleaved species including berry producing species such as rowan *Sorbus aucuparia*, crab apple *Malus sylvestris*, hawthorn *Crataegus monogyna* and blackthorn *Prunus spinosa*, to provide an additional food source for birds.

### **Badger**

- 5.19 In England, badgers and their setts are protected under Schedule 6 of the Wildlife and Countryside Act 1981 (as amended) and the Protection of Badgers Act 1992. It is not permitted to wilfully kill, injure, take, possess or cruelly ill-treat a badger, or to attempt to do so; or to intentionally or recklessly interfere with a sett
- 5.20 No evidence of badger was recorded on Site in 2013 or in the 2020 survey. Based on the current survey evidence, no adverse impacts on badger are anticipated as a result of the proposed works. However, as a precaution it is recommended that the contractors remain vigilant for the presence of badgers on Site. No trenches are to be left uncovered overnight to avoid the risk of trapping/injuring badgers and other small mammals that may be using the Site. If this is not possible, then a ramp/slope should be provided within the trenches to provide a safe means of escape.
- 5.21 Given the above, it is recommended that if there is a significant delay to the consented development (i.e. more than two years) that a further precautionary badger survey is undertaken given the high mobility of this species and to ensure that status of badger is up to date to inform mitigation, as necessary.

### **Reptiles**

- 5.22 All British reptiles are protected under the Wildlife and Countryside Act 1981 (as amended) against intentional killing or injury and against sale.

- 5.23 In 2020, it was found that the habitats present on Site have not changed significantly since surveys were undertaken in 2013 with regards to reptiles. The majority of habitat that is likely to be used by grass snake (around the pond and the Site boundaries) will be retained as part of the development proposals, although some landscaping works in these areas may be undertaken. The proposed habitat creation works (ditch, scrub and grassland creation in public open space areas) will provide additional suitable habitat for grass snake.
- 5.24 Without mitigation, there is the potential during the proposed landscaping works around the pond and Site boundaries for any grass snake that may be present to be killed and injured during the work. It is, therefore, proposed that prior to any works in these areas, a method statement is drawn up that details how grass snake will be safeguarded during these works. Any areas of grassland or dense vegetation clearance around the pond or Site boundaries should ideally be timed to be undertaken during late summer /autumn (September /October) or early March if possible, to avoid the bird nesting season, and the period when reptiles are in hibernation.. If this is not possible and/or significant areas of suitable habitat require removal/clearance then careful vegetation clearance will be undertaken under direct guidance from a suitably experienced ecologist.

#### ***Invasive species***

- 5.25 Japanese knotweed is listed in Schedule 9 (Part 2) of the Wildlife and Countryside Act 1981 (as amended), which makes it an offence to plant or cause this introduced invasive plant to grow in the wild, effectively making it illegal to spread this plant during development operations.
- 5.26 Japanese knotweed has previously been recorded on the Site adjacent to the pond (BSG Ecology, 2013), and this species was being removed by contractors during the survey. No other Schedule 9 plant species were recorded on or adjacent to the Site during the survey.
- 5.27 It is recommended that as a precaution, a pre-commencement Site walkover will be undertaken for Japanese knotweed to confirm likely absence from the Site. Should any areas still be found to support Japanese knotweed, then further specialist advice should be sought promptly and these areas should be avoided with a 10m buffer so that they are not disturbed during construction activities.

#### ***Other protected species***

- 5.28 Smooth newt, palmate newt, common frog and common toad are protected by Section 9(5) of the Wildlife and Countryside Act 1981 (as amended). This protects wild animals from sale, transporting or advertising for sale.
- 5.29 Common toad, common frog, palmate newt and smooth newt have been recorded on the Site. Pond 1, where the majority of these species have been recorded will be retained as part of the consented development; however, it is anticipated that the areas of open water associated with marshy grassland will be lost. Given the ephemeral nature of these flooded areas, it is considered unlikely that these species have the opportunity to breed successfully. As such the loss of these areas is not considered to be significant for amphibians. The development includes the creation of ditches and swales which will compensate for the loss of the marshy grassland habitat.
- 5.30 The Phase 1 development will also result in the loss of some suitable terrestrial habitat for amphibians; however suitable terrestrial habitat will be provided in the form of tree, hedgerow and scrub planting and the creation of species-rich wildflower grasslands.

## 6 References

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BSG Ecology (2013). Ruabon Business Park: Extended Phase 1 Habitat and Protected Species Survey Report. File reference: 6582\_R\_APPR\_06 02 2013.docx.

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BSG Ecology (2017). Ruabon Park, Wrexham: Farmland Birds Habitat Creation & Management Plan. File reference: 6582.01\_FBMP\_APPR\_02 02 2017.docx.

Calderpeel Architects (2020). Existing Site Plan (with phasing boundary). Drawing no. 19126 (SU) 002 A. Date: 08.09.20.

Calderpeel Architects (2020). Proposed Phase 1 Masterplan. Drawing no. 19126 (PL) 030 H. Date: 10.06.20.

Eaton, M. A. et al (2015). Birds of Conservation Concern 4: the red list for birds in the United Kingdom, Channel Islands and the Isle of Man.

JNCC (2010). *Handbook for Phase 1 habitat survey - a technique for environmental audit*. Joint Nature Conservation Committee, Peterborough.

*Natural Environment and Rural Communities Act 2006*. HMSO, London.

Wharncliffe Trees and Woodland Consultancy (2013). Ruabon Park Wrexham: Pre-development Arboicultural report.

## 7 Figures

(overleaf)

## 8      **Photographs**

(overleaf)

## **Appendix 1: Application Site Plan**

Chapman Warren (1995)

Drawing no. W.489:02/2

## **Appendix 2: Existing Site Plan (with phasing boundary)**

Calderpeel Architects (2020).

Drawing no. 19126 (SU) 002 A

## **Appendix 3: Proposed Phase 1 Masterplan**

Calderpeel Architects (2020).

Drawing no. 19126 (PL) 030 H

## **Appendix 4: Phase 1 Landscape Layout**

Barnes Walker (2020)

Drawing no. M3246-PA-02-V1

## Appendix 5: Summaries of Relevant Policy, Legislation and Other Instruments

This section briefly summarises the legislation, policy and related issues that are relevant to the main text of the report. The following text does not constitute legal or planning advice.

### Planning Policy Wales 10

#### 8.1 PPW 10 seeks to sustain and create places in which...

the role which landscapes, the historic environment, habitats and biodiversity, the characteristics of coastal, rural or urban environments play in contributing to Distinctive and Natural places are identified, understood, valued, protected and enhanced;

further fragmentation of habitats is avoided, wherever possible, and green networks, corridors and connecting habitat within developed areas is protected, and enhanced;

sites designated for their landscape or nature conservation importance are fully considered and their special characteristics and features protected and enhanced, whilst the network of sites should be recognised as being at the heart of improving the resilience of ecosystems;

#### 8.2 Paragraph 6.4.4 states that

“It is important that biodiversity and resilience considerations are taken into account at an early stage in both development plan preparation and when proposing or considering development proposals. [.....] All reasonable steps must be taken to maintain and enhance biodiversity and promote the resilience of ecosystems and these should be balanced with the wider economic and social needs of business and local communities. Where adverse effects on the environment cannot be avoided or mitigated, it will be necessary to refuse planning permission.”

#### 8.3 Paragraph 6.4.5 states that

“Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity. In doing so planning authorities must also take account of and promote the resilience of ecosystems.....

### TAN 5 Nature Conservation and Planning (Wales only)

#### 8.4 Technical Advice Note (TAN) 5 supplements Planning Policy Wales and provides advice about how the land use planning system in Wales ‘should contribute to protecting and enhancing biodiversity and geological conservation.’

#### 8.5 The TAN provides guidance to local planning authorities on: ‘the key principles of positive planning for nature conservation; nature conservation and Local Development Plans; nature conservation in development management procedures; development affecting protected internationally and nationally designated sites and habitats; and, development affecting protected and priority habitats and species.’

#### 8.6 In section 2.4 when deciding planning applications that may affect nature conservation, ‘local authorities should:

- contribute to the protection and improvement of the environment...seeking to avoid irreversible harmful effects on the natural environment;
- ensure that appropriate weight is attached to designated sites of international, national and local importance;

- protect wildlife and natural features in the wider environment, with appropriate weight attached to priority habitats and species in Biodiversity Action Plans;
- ensure that all material considerations are taken into account and decisions are informed by adequate information about the potential effects of a development on nature conservation;
- ensure that the range and population of protected species is sustained;
- adopt a stepwise approach to avoid harm to nature conservation, minimise unavoidable harm by mitigation measures, offset residual harm by compensation measures and look for new opportunities to enhance nature conservation; where there may be significant harmful effects local planning authorities will need to be satisfied that any reasonable alternative sites that would result in less or no harm have been fully considered.'

8.7 At section 3.3.2 regarding Local Development Plans policies the guidance states that a policy should be included in respect of the application of the precautionary principle.

8.8 Section 4 includes specific and detailed guidance, expanding on the principles set out in 2.4, in respect of the development control process including pre-application discussions, preparing planning applications, requests for further information and ecology in respect of Environmental Impact Assessment (EIA). The broad principles of development control requirements are set out as follows:

- 'adopting the five-point approach to decision-making – information, avoidance, mitigation, compensation and new benefits;
- ensuring that planning applications are submitted with adequate information, using early negotiation, checklists, requiring ecological surveys and appropriate consultation;
- securing necessary measures to protect, enhance, mitigate and compensate through planning conditions and obligation;
- carrying out effective planning enforcement; and
- identifying ways to build nature conservation into the design of new development.'

### **Environment (Wales) Act 2016**

8.9 The Environment (Wales) Act 2016 passed into law in March 2016. Part 1 of the Act sets out Wales' approach to planning and managing natural resources at a national and local level with a general purpose linked to statutory 'principles of sustainable management of natural resources' defined within the Act.

8.10 Section 6 of the Act places a duty on public authorities to '*seek to maintain and enhance biodiversity*' so far as it is consistent with the proper exercise of those functions. In so doing, public authorities must also seek to '*promote the resilience of ecosystems*'. The duty replaces the section 41 duty in the Natural Environment and Rural Communities Act 2006 in relation to Wales, and applies to those authorities that fell within the previous duty.

8.11 Public authorities will be required to report on the actions they are taking to improve biodiversity and promote ecosystem resilience. This is expanded on in sub-section (2):

8.12 In complying with subsection (1), a public authority must take account of the resilience of ecosystems, in particular the following aspects—

diversity between and within ecosystems;

the connections between and within ecosystems;

the scale of ecosystems;

the condition of ecosystems (including their structure and functioning);  
the adaptability of ecosystems.

- 8.13 Section 7 concerns biodiversity lists and the duty to take steps to maintain and enhance biodiversity. It replaces the duty in section 42 of the NERC Act 2006. The Welsh Ministers will publish, review and revise lists of living organisms and types of habitat in Wales, which they consider are of key significance to sustain and improve biodiversity in relation to Wales.
- 8.14 The Welsh Ministers must also take all reasonable steps to maintain and enhance the living organisms and types of habitat included in any list published under this section, and encourage others to take such steps.

#### **European protected species (Animals)**

- 8.15 The Conservation of Habitats and Species Regulations 2017 (as amended) consolidates various amendments that have been made to the original (1994) Regulations which transposed the EC Habitats Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora (Council Directive 92/43/EEC) into national law.
- 8.16 “European protected species” (EPS) of animal are those which are shown on Schedule 2 of the Conservation of Habitats and Species Regulations 2017 (as amended). They are subject to the provisions of Regulation 43 of those Regulations. All EPS are also protected under the Wildlife and Countryside Act 1981 (as amended). Taken together, these pieces of legislation make it an offence to:
- a. Intentionally or deliberately capture, injure or kill any wild animal included amongst these species
  - b. Possess or control any live or dead specimens or any part of, or anything derived from a these species
  - c. deliberately disturb wild animals of any such species
  - d. deliberately take or destroy the eggs of such an animal, or
  - e. intentionally, deliberately or recklessly damage or destroy a breeding site or resting place of such an animal, or obstruct access to such a place
- 8.17 For the purposes of paragraph (c), disturbance of animals includes in particular any disturbance which is likely—
- a. to impair their ability—
    - i. to survive, to breed or reproduce, or to rear or nurture their young, or
    - ii. in the case of animals of a hibernating or migratory species, to hibernate or migrate; or
  - b. to affect significantly the local distribution or abundance of the species to which they belong.
- 8.18 Although the law provides strict protection to these species, it also allows this protection to be set aside (derogated) through the issuing of licences. The licences in England are currently determined by Natural England (NE) for development works and by Natural Resources Wales in Wales. In accordance with the requirements of the Regulations (2017, as amended), a licence can only be issued where the following requirements are satisfied:
- a. The proposal is necessary ‘to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment’
  - b. ‘There is no satisfactory alternative’
  - c. The proposals ‘will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

**Definition of breeding sites and resting places**

- 8.19 Guidance for all European Protected Species of animal, including bats and great crested newt, regarding the definition of breeding and of breeding and resting places is provided by The European Council (EC) which has prepared specific guidance in respect of the interpretation of various Articles of the EC Habitats Directive.<sup>4</sup> Section II.3.4.b) provides definitions and examples of both breeding and resting places at paragraphs 57 and 59 respectively. This guidance states that 'The provision in Article 12(1)(d) [of the EC Habitats Directive] should therefore be understood as aiming to safeguard the ecological functionality of breeding sites and resting places.' Further the guidance states: 'It thus follows from Article 12(1)(d) that such breeding sites and resting places also need to be protected when they are not being used, but where there is a reasonably high probability that the species concerned will return to these sites and places. If for example a certain cave is used every year by a number of bats for hibernation (because the species has the habit of returning to the same winter roost every year), the functionality of this cave as a hibernating site should be protected in summer as well so that the bats can re-use it in winter. On the other hand, if a certain cave is used only occasionally for breeding or resting purposes, it is very likely that the site does not qualify as a breeding site or resting place.'

**Badger**

- 8.20 Badger is protected under the Protection of Badgers Act 1992. It is not permitted to wilfully kill, injure, take, possess or cruelly ill-treat a badger, or to attempt to do so; or to intentionally or recklessly interfere with a sett. Sett interference includes disturbing badgers whilst they are occupying a sett, as well as damaging or destroying a sett or obstructing access to it. A badger sett is defined in the legislation as "a structure or place, which displays signs indicating current use by a badger".
- 8.21 ODPM Circular 06/2005<sup>5</sup> provides further guidance on statutory obligations towards badger within the planning system. Of particular note is paragraph 124, which states that "The likelihood of disturbing a badger sett, or adversely affecting badgers' foraging territory, or links between them, or significantly increasing the likelihood of road or rail casualties amongst badger populations, are capable of being material considerations in planning decisions."
- 8.22 Natural England provides Standing Advice<sup>6</sup>, which is capable of being a material consideration in planning decisions. Natural England recommends mitigation to avoid impacts on badger setts, which includes maintaining or creating new foraging areas and maintaining or creating access (commuting routes) between setts and foraging/watering areas.

**Reptiles**

- 8.23 All native reptile species receive legal protection in Great Britain under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Viviparous lizard, slow-worm, grass snake and adder are protected against killing, injuring and unlicensed trade only. Sand lizard and smooth snake receive additional protection as "European Protected species" under the provisions of the Conservation of Habitats and Species Regulations 2017 (as amended) and are fully protected under the Wildlife and Countryside Act 1981 (as amended).
- 8.24 All six native species of reptile are included as 'species of principal importance' for the purpose of conserving biodiversity under Section 41 (England) of the NERC Act 2006 and Section 7 of the Environment (Wales) Act 2016.
- 8.25 Current Natural England Guidelines for Developers<sup>7</sup> states that 'where it is predictable that reptiles are likely to be killed or injured by activities such as site clearance, this could legally constitute

<sup>4</sup> Guidance document on the strict protection of animal species of Community interest under the Habitats Directive 92/43/EEC. (February 2007), EC.

<sup>5</sup> ODPM Circular 06/2005. *Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and their Impacts within the Planning System* (2005). HMSO Norwich.

<sup>6</sup> <http://www.naturalengland.org.uk/ourwork/planningdevelopment/spatialplanning/standingadvice/specieslinks.aspx>

<sup>7</sup> English Nature, 2004. *Reptiles: guidelines for developers*. English Nature, Peterborough. <https://webarchive.nationalarchives.gov.uk/20150303064706/http://publications.naturalengland.org.uk/publication/76006>

intentional killing or injuring.’ Further the guidance states: ‘Normally prohibited activities may not be illegal if ‘the act was the incidental result of a lawful operation and could not reasonably have been avoided’. Natural England ‘would expect reasonable avoidance to include measures such as altering development layouts to avoid key areas, as well as capture and exclusion of reptiles.’

8.26 The Natural England Guidelines for Developers state that ‘planning must incorporate two aims where reptiles are present:

- To protect reptiles from any harm that might arise during development work;
- To ensure that sufficient quality, quantity and connectivity of habitat is provided to accommodate the reptile population, either on-site or at an alternative site, with no net loss of local reptile conservation status.’