



ECOLOGICAL MITIGATION AND ENHANCEMENT SCHEME

OAK ROAD, WREXHAM

REC REFERENCE: 1CO106365EC3R5

REPORT PREPARED FOR: CONRAD ENERGY LIMITED

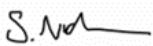
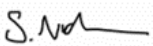
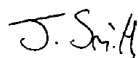
DATE: JUNE 2020



DELIVERING ENVIRONMENTAL AND RISK MANAGEMENT SOLUTIONS



QUALITY ASSURANCE

Issue/revision	Issue 1	Revision 2	Revision 3	Revision 4	Revision 5
Remarks	Draft for comments	Revised	Revised	Revised	Revised
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Project number	1CO106365EC3 R0	1CO106365EC3 R2	1CO106365EC3 R3	1CO106365EC3 R4	1CO106365EC3 R5

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EXECUTIVE SUMMARY

Site Address	Oak Road, Wrexham, LL13 9RG
Grid Reference	SJ38694951
Site Area	Approximately 0.3 hectares
Current Site Use	The site is currently unused, other than a single pylon located on site.
Adjacent Site Use	To the north and west is predominantly industrial units. Oak road runs along the southern boundary and a powerline runs along the eastern edge.
Conclusions and Recommendations	There are suitable habitats on site for protected species, and there are a number of protected species records within 1km of the site. However, the site has poor connectivity, it is completely enclosed by roads on three sides, and there is an industrial area to the north. As discussed with NRW's Senior Species Adviser, the site is currently well removed from existing great crested newt breeding ponds such that the likelihood of this species being present is extremely low, however the site provides a potential stepping stone for occasional dispersal between distant ponds within the existing industrial areas, whilst future enhancement measures within closer areas are such that potential for use by Great Crested Newt may increase in the future. As such, where surrounding habitats change such that the potential for Great Crested Newts at the site could be increased, ongoing management measures may require licensing, in which case a European Protected Species Conservation licence will be applied for through Natural Resource Wales if required. Overall, it is considered that the likelihood of protected species on site is low. Measures for ecological mitigation at the site have been provided which include: ▶ a designated ecological mitigation area which will be seeded with a native seed mix with a long-term management plan and site security; ▶ any vegetation removal will need to be undertaken outside of the bird breeding season; and, ▶ precautionary working methodology for reptiles and great crested newt; In order to enhance biodiversity on site, measures have been put forward which include hedgerow planting, and the installation of a large hibernacula.



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1. INTRODUCTION

1.1 Background

Resource and Environmental Consultants Ltd (REC) has been commissioned by Conrad Energy Limited, herein referred to as 'the Client', to prepare an Ecological Mitigation and Enhancement Scheme for the site at Oak Road, Wrexham, LL13 9RG (grid reference: SJ 3869 4951) to support the discharge of condition 6 of planning permission P/2018/0890 for the erection of 9.9 mW gas fired power station and associated infrastructure. The Site Location Plan is available as **Drawing 1** and the site proposals are available as **Drawing 2** (both appended).

A report has been prepared by REC Ltd (Ref: 1CO106365EC1R1, dated October 2018) which assessed the site of any ecological potential and provided mitigation measures as necessary. The report concluded that the site has poor connectivity, is completely enclosed by roads on three sides, and there is an industrial area to the north. Overall, it is considered that the likelihood of protected species on site is low. Recommendations for ecological mitigation were provided, which included:

- ▶ habitat retention within a designated ecological mitigation area with a long-term management plan;
- ▶ any vegetation removal will need to be undertaken outside of the bird breeding season to avoid any impacts upon nesting birds;
- ▶ precautionary working methodology for reptiles and great crested newt; and,
- ▶ the eradication of the Japanese knotweed prior to any works beginning.

The Council has since granted planning permission for the proposals with a number of conditions, of which condition 6 states that:

"No development shall commence until an ecological mitigation and enhancement scheme has been submitted to and approved in writing by the local planning authority. The scheme shall include for the one-way barrier fencing throughout the construction phase of the development and habitat creation and long-term management proposals. The scheme shall include detail of timescales for the implementation of the mitigation and enhancement measures. The development shall be carried out in accordance with the details as may be approved."

Previous versions of this document were prepared and submitted to The Council in relation to the discharge of Condition 6 (application reference: P/2019/0517) following which comments have been received from Natural Resources Wales (most recently dated 12 December 2019) setting out a requirements for further information to be included in order to facilitate the discharge of the condition. The concerns raised and associated approach have further been discussed with NRW's Senior Species Advisor in May 2020, following which this document has been further amended in order to address the remaining concerns raised and reflect the agreed position. This document will support in the discharge of condition 6.



1.2 Confidentiality

REC has prepared this report solely for the use of the Client and those parties with whom a warranty agreement has been executed, or with whom an assignment has been agreed. Should any third party wish to use or rely upon the contents of the report, written approval must be sought from REC. A charge may be levied against such approval.

1.3 Site Description

The site is currently an isolated piece of land situated south of an industrial site and north of Oak Road, Wrexham (**Drawing 1** - appended). There is a small area of amenity grassland and ornamental hedgerow bordering the site to the south east.

1.4 Development Proposals

The development proposals include the creation of a flexible power plant, which includes transformers and associated units (**Drawing 2** - appended). The permitted development will result in the loss of the remaining semi-improved grassland, ephemeral vegetation, ditch and scrub in order to facilitate the construction of the approved gas fired power station and associated infrastructure.

The Wrexham industrial estate (WIE), in which the site is located, includes a recognised network of wildlife habitats and species (including in particular forming an important site for great crested newt). As such, the WIE is the subject of specific policy requirements laid out in LPG 29 (LPG 29 – Employment Development and Nature Conservation). These require mitigation measures to be imposed with any development proposals.

1.5 Current Ecological Baseline

Previous ecological information in relation to the baseline position at the site is set out within the Preliminary Ecological Appraisal report (dated October 2018) that was submitted to inform the outline planning application (summarised at **Drawing 3.**).

In order to confirm the current situation and ensure the existing ecological information remains suitably up to date, a further walkover of the site was undertaken on 14th January 2020 by suitably qualified ecologist Sarah Nicholson (B.Sc., M.Sc., GradCIEEM). This follows previous vegetation removal during ongoing management of the site, in which the large scattered trees have been removed, with the logs and brash laid across the eastern boundary. Most of the tall ruderal vegetation had been removed leaving patches of bare ground with ephemeral vegetation and patches of grassland. The trees and scrub along the south eastern boundary had been retained at the time of the walkover and remained connected to scrub habitats in the east. The removal of the vegetation had exposed a ditch within the centre of the site. Updated photographs of the site are included in **Table 1.1.**



Table 1.1. Photographs of the current ecological conditions on site

Photograph of current habitats within the site	
	
	



2. ECOLOGICAL MITIGATION MEASURES

The following sections outline with required mitigation measures in respect of individual protected species and habitats in order to ensure they are suitably protected from any negative impacts associated with the permitted works during the construction phase of development.

2.1 Habitats

In line with Local Planning Guidance 29 (LPG29), the proposals include on-site mitigation through the retention of an area of land approximately 950 m² (**Drawing 2** - appended) which will be managed long term for biodiversity. This includes approximately 33% of the current land, however with the implementation of a long-term management plan (see below), it is considered that these measures will retain the ecological interest of the site. The habitats within the retained area will be retained outside of the proposed construction area, with suitable protective fencing installed in order to prevent encroachment of construction works into the retained habitats. Habitat creation and enhancement works will proceed in line with details set out below at **section 3**.

2.2 Bats

No potential roosting features were recorded on any of the trees on site. There were no other structures on site that had potential to support roosting bats and overall the site is deemed to have negligible potential for roosting bats. The site is also isolated, and lacked sufficient tree lines to provide foraging or commuting areas for bats. However, as hedgerow will be planted around the periphery of the site, as well as a retained area down the centre of the site, it is recommended that a sensitive lighting scheme is implemented during the constructional and operational phases of the development to safeguard any bats and other animals from light disturbance.

In line with new lighting recommendations from the Institute of Lighting Professionals and the Bat Conservation Trust, the following measures will be implemented:

- ▶ exterior lighting will not face towards retained habitat;
- ▶ lights will always be mounted on the horizontal, i.e. no upward tilt;
- ▶ any external security lighting will be set on motion-sensors and short (1min) timers; and,
- ▶ as a last resort, accessories such as baffles, hoods or louvres can be used to reduce light spill and direct it only to where it is needed.

2.3 Breeding Birds

All further vegetation removal will be undertaken outside of the bird breeding season (generally considered to be March to August, inclusive). Should these works be required within the breeding bird season, then an Ecological Clerk of Works (ECoW) will be required to check vegetation for active nests prior to works commencing. Any active nests will be retained *in situ* (with a sufficient buffer zone) until the young have fledged and are fully independent. If no breeding birds are identified on site, then no further mitigation measures will be required for breeding birds.





2.4 Great Crested Newt

The site is isolated by anthropogenic barriers including substantial hardstanding and existing industrial development and roads, and therefore, not linked to areas of suitable great crested newt habitat. The surrounding roads have high kerbs and drains which suggests that great crested newt will have restricted access to the site. Further, the site is currently well-separated (over 250m) from any existing Great Crested Newt breeding ponds. Nonetheless, as discussed with NRW officers, the vegetated habitats within the site provide a potential stepping stone for occasional dispersing individual great crested newts between distant offsite ponds within the wider existing industrially developed areas within Wrexham Industrial Estate, such that there is a low possibility that individual great crested newt could be present occasionally due to the suitable habitat. As discussed with the NRW Senior Species Officer (and in line with the previously permitted information), given the current distance and separation of the site from any existing great crested newt breeding ponds, it is clear that the site does provide breeding opportunities, nor represent a regularly-used or significant foraging resource, whilst the likelihood of individual great crested newts being present at any one time is low, such that on the basis of the current information, licensing is not considered to be required in relation to the current progression of the permitted development and associated habitat creation measures.

However, in view of the low likelihood of use by dispersing individuals a number of precautionary measures will be implemented in order to ensure this species is suitably safeguarded. In the unlikely event that any individual great crested newts are encountered within the site at any time, works would need to cease and the need for licensing re-assessed. Further, should the position in regard to the surrounding offsite habitats change, such that Great Crested Newts would be anticipated in closer proximity to the site (for instance, should new breeding ponds be provided as part of nearby offsite works south of Oak Road) future management measures within the site, including those specifically for nature conservation may need to be undertaken under a conservation licence obtained from NRW, and accordingly **a European Protected Species Conservation licence may be required from Natural Resource Wales** (including potentially in order to facilitate routine habitat management works), which would be applied for from NRW prior to the commencement of any such works.

Proposed mitigation measures are provided below in regard to great crested newt, including precautionary measures to be implemented during construction, along with specific triggers in relation to the potential need for a conservation licence to be obtained (see **section 3**).

Where possible, it is recommended that any works affecting vegetated habitats within the site (except where specifically identified to represent potential hibernating opportunities) are undertaken in the winter to avoid the active season for great crested newt (as well as the bird breeding season). Therefore, the following precautionary working methods will be implemented during the construction phase:

- ▶ the proposed development area will be searched beforehand (during the active season) by a suitably qualified ecologist to search and remove any suitable features such as logs, brash piles or rubble piles. Any encountered great crested newt will be captured, and moved into the



retained habitats (bordering grassland) by an ecologist, with the habitat piles removed by hand to ensure no suitable hibernacula remain within affected works areas;

- ▶ a one-way barrier fence will be erected, under supervision of an ECoW, around the boundary between the development areas and the retained/enhanced habitat areas and maintained for the duration of the construction phase to exclude newts from the works area;
- ▶ taller vegetation on the development site will be removed with hand tools (including chainsaws and brush cutters, for example) under the supervision of a suitably qualified ecologist, in a linear fashion (to around 150 mm) towards the retained habitats;
- ▶ upon completion of the strimming, the site will be further searched by an ecologist prior to ground disturbance, to ensure that the area is clear of any great crested newt; and,
- ▶ once the development area has been cleared of the sparse vegetation and any suitable features, the development will proceed.

A section of the site will be retained to provide continued habitat for great crested newt (**Drawing 2 – appended**). Details of proposed management measures and monitoring for the site in relation to great crested newt are provided within **Section 4**. The retained area will be subject to monitoring by an ecologist to ensure that suitable great crested habitat is provided long term.

2.5 Reptiles

There were a small number of historic records for adder within 1 km of the site boundary. Habitats on site are generally lacking in open basking areas, making it relatively unsuitable for adder. The site is also isolated by anthropogenic barriers, and therefore, not linked to areas of suitable reptile habitat. However, there is a low possibility that reptiles will be using the site due to the suitable habitat. Therefore, the following precautionary working methods will be implemented during the construction phase (in line with the recommendations for great crested newt):

- ▶ the proposed development area will be searched beforehand by a suitably qualified ecologist to search and remove any suitable features such as logs or rubble piles;
- ▶ a one-way barrier fence will be erected, under supervision of an ECoW, around the boundaries of the development with the retained area for the duration of the construction phase;
- ▶ any encountered reptiles will be captured, and moved into the retained habitats (bordering grassland) by an appropriately experienced ecologist;
- ▶ any tall vegetation on the development site to be affected will be removed with hand tools (including chainsaws and brush cutters, for example) under the supervision of a suitably qualified ecologist, (to a height of around 150 mm) in a linear, directional fashion towards the retained habitats;
- ▶ upon completion of the strimming, the site will be further searched by a suitably experienced ecologist, to ensure that the area is clear of any reptiles; and,
- ▶ once the development area has been cleared of the sparse vegetation and any suitable features, the development can proceed. (Should any delay to commencement occur following clearance, vegetation within affected areas should be maintained at short height to prevent potential for



recolonization, or otherwise further clearance/supervision in line with the above methodology take place prior to re-commencement of works).

2.6 Invasive Species

Japanese knotweed (*Fallopia japonica*) is present on site. Japanese knotweed removal or management will be undertaken prior to any works being undertaken on site within a 10 m buffer zone of the current known area of growth, as it would be highly likely that any groundworks would cause the spread of this species elsewhere. It is recommended that the area of Japanese knotweed is fully eradicated prior to any works commencing. A Biosecurity Risk Assessment will be produced to detail the control measures and eradication procedures which will remove the Japanese knotweed from site and prevent any new stands of invasive species colonising the site during the constructional and operational phases of the development. This will be achieved through the use of digging or chemical treatment.

2.7 Summary of Mitigation Measures

A summary of the proposed mitigation measures can be found in **Table 2.1**.

Table 2.1: Summary of mitigation measures.

Species/Habitat	Mitigation
Habitats	Retention of central area and precautionary mitigation for amphibians, reptiles, and breeding birds (see below).
Breeding birds	Removal of vegetation outside of the breeding bird season (breeding season generally considered to be March to August, inclusive). If vegetation will be removed within the nesting season, a breeding bird check by a suitably qualified ecologist is recommended prior to any works commencing.
Great crested newt	Precautionary approach to any site works or clearance. Installation of barrier fencing around the peripheries of the retained habitats. Supervised vegetation removal during the winter (with the exception of any features supporting potential for use as hibernacula, which should be removed by hand during the active season under direct supervision by a suitably qualified ecologist).
Reptiles	Installation of barrier fencing around the peripheries of the retained habitats (in line with great crested newt measures). Supervised vegetation removal during the winter by a suitably qualified ecologist.
Invasive species	Eradication prior to any works commencing.



3. ENHANCEMENT MEASURES

3.1 Objectives

The following measures will be undertaken to ensure that ecological enhancement measures are incorporated into the development proposals. This is in line with Planning Policy Wales (PPW) which states that developments should ensure *“that all reasonable steps are taken to safeguard or enhance the environment”*.

Ecological enhancement measures will be undertaken within the identified, retained ecological area and will include the creation of wildflower grassland, hedgerows and new hibernaculum.

3.2 Grassland

It is recommended that the mitigation area is seeded with a native wildflower mix at a sowing rate of 3g/sqm early autumn. Protective fencing will be provided around the periphery to prevent any disturbance during the establishment. The site will also be fully secured during the operational stage to prevent any access into the established mitigation area, with management measures undertaken as detailed below at **section 4**.

Suitable establishment of grassland areas to be confirmed and any failed areas to be re-seeded during the relevant defects period.

3.3 Hedgerows

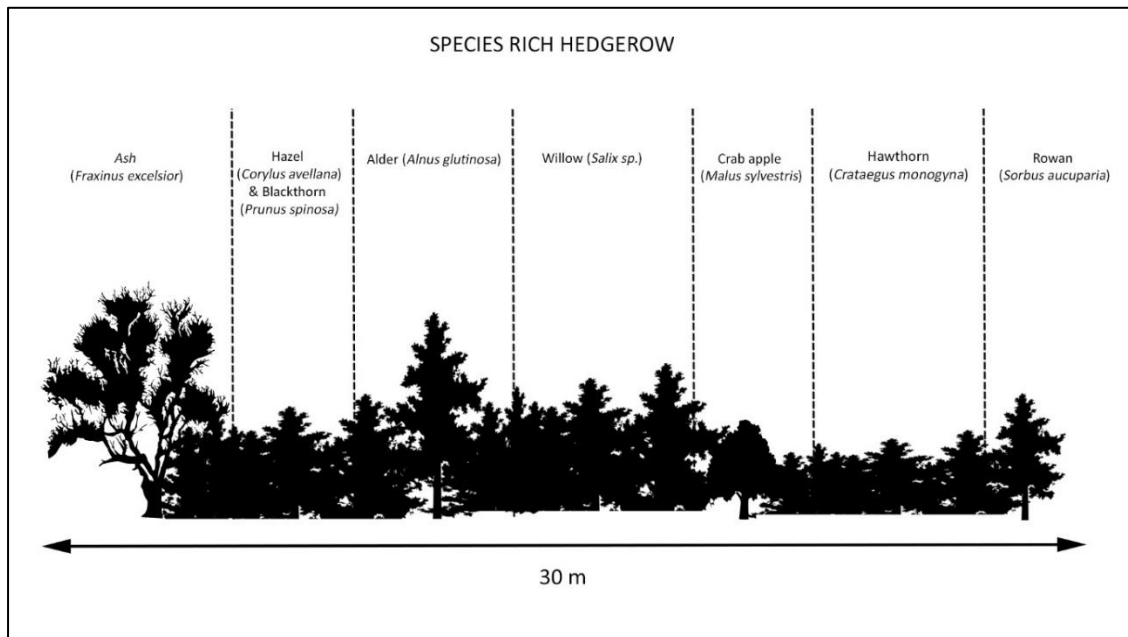
The areas to the immediate south east of the site comprises amenity grassland and heavily managed hedgerows. Native hedgerow planting (with a buffer zone) will be incorporated around the peripheries of the site to provide long term connectivity to the amenity areas to the south east of the site. The location of the planting is available at **Drawing 4** (appended). The hedgerow will be planted during the appropriate planting season upon completion of the proposed development in order to minimise potential disturbance. Suitable species described in **Figure 2.2** are deemed appropriate for the site, for their conservation qualities i.e. their ability to bear fruit as a food source of bird species and providing natural nesting sites for birds as the trees mature.

It is considered that with the implementation of these hedgerows, connectivity can be maintained on site with the surrounding amenity planting, notably to the habitat adjacent to the south eastern boundary of the site. This hedgerows will be managed long term to ensure maximum ecological benefit (see below).





Figure 2.2: Species rich hedgerow

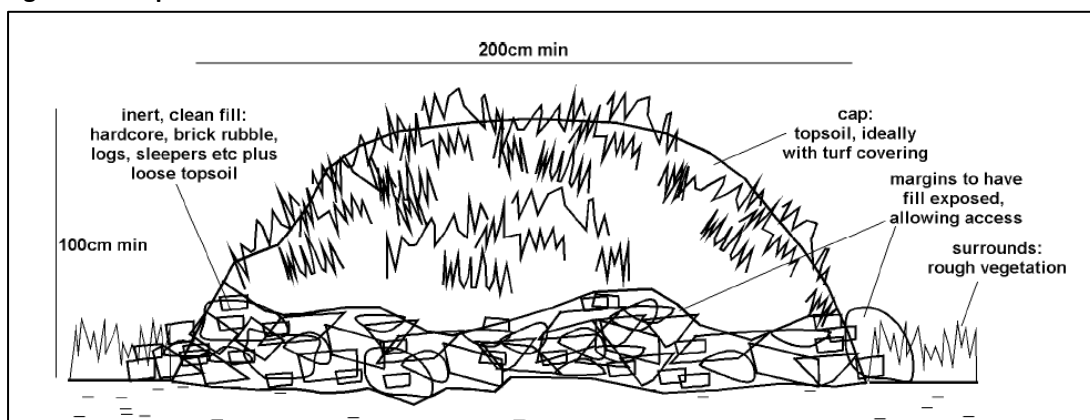


3.4 Hibernaculum

A new hibernaculum is proposed for creation within the proposed mitigation area. The hibernacula will be created in accordance with the following details (refer to **Figure 2.3.**):

- ▶ Minimum width of 2m
- ▶ Minimum height of 1m
- ▶ Constructed of a range of materials including bricks, logs, leaf litter, wood chippings and topsoil;
- ▶ Located within a sunny position in a vegetated area;
- ▶ Situated on well-drained soil, a shallow pit will be dug in which the materials will be placed inside;

Figure 2.3: Reptile hibernacula





4. MANAGEMENT AND MONITORING

4.1 Objectives

The overall objectives of the management measures to be undertaken are to ensure that suitable habitat for reptiles and amphibians is enhanced and maintained long term should they colonise the site, whilst maximising other biodiversity present. Therefore, the management prescriptions will aim to retain an open structure and prevent the site becoming 'scrubbed up' and dominated by denser vegetation, whilst denser corridors will be maintained around the boundaries and connecting with offsite habitats to provide cover and movement corridors.

Amphibians and reptiles occupy dynamic, successional habitats and their requirements may be met only in certain stages. Reptile habitats do not stay suitable without natural succession being interrupted in some way as habitats will become scrubbed up, and lose their openness which is generally favoured by reptiles. In the absence of natural factors, intervention in the form of management is necessary to maintain all successional stages of a habitat and the specialised wildlife that each support.

Specifically, the objectives of management for each new habitat type/feature are identified at **Table 4.1.:**

Table 4.1: Summary of individual management objectives.

Habitat / Feature	Management Objective
Grassland	▶ Maintain a healthy diverse, open grassland sward ▶ Limit growth of ruderal weeds or extensive scrub encroachment ▶ Ensure uncut, tussock areas remain at all times to benefit reptiles and amphibians ▶ Absence of exotic invasive weeds (e.g. Japanese Knotweed)
Hedgerows	▶ Maximise botanical diversity and include flowering and fruiting species to provide food sources for faunal species ▶ Maintain dense, healthy vegetated corridor for wildlife movement ▶ Absence of exotic invasive weeds (e.g. Japanese Knotweed)
Hibernaculum	▶ Ensure long term presence of available shelter for hibernating fauna including amphibians and reptiles

4.2 Responsibility for Management

A suitable landscape company will be employed and co-ordinated by Conrad Ltd. to undertake the required management in consultation with the appointed suitably qualified ecologist. No changes of tenure are anticipated; however, if the tenure should change it is anticipated that an appropriate covenant would be anticipated within the deeds identifying the requirement for management measures to be implemented in accordance with this statement (including obtaining any necessary licences in accordance with the above considerations).



Where licences are required/obtained, the appropriate implementation of licensed measures would represent a legal requirement and accordingly, provide further certainty that the measures will be put in place.

It is Conrad Ltd. responsibility to ensure that all contractors and ecologists are fully aware of the requirements of the licence and the management plan. A copy of the licence and management plan will be supplied where necessary and toolbox talks will be provided where management work is required. All works will be undertaken in accordance with current British Standards and Codes of Practice.

Records of management and monitoring will be the responsibility of Conrad Ltd. Records will include the results of monitoring, the management which has taken place, the location of any key constraints, and any new instructions as advised by the ecologist. A written record of all management measures undertaken, along with any issues and/or deviations from the specified measures and results of the required monitoring. The records will be made available to Wrexham County Borough Council and Natural Resources Wales annually in order to confirm compliance.

4.3 Biosecurity Risk Assessment

A Biosecurity Risk Assessment in relation to the permitted development and associated works has been provided separately (REC Document ref: 1CO106365EC4R2, dated September 2019) in line with planning condition 7.

4.4 Management Prescriptions

The following long term management measures will be followed to ensure the habitats are maintained to suitable standards, in particular aiming to maximise opportunities for reptiles and amphibians (including great crested newt) in the long term.

Grassland:

- ▶ To maintain a diverse vegetation structure, with denser tussocky grassland habitats and availability of long sward areas throughout the year to benefit amphibians/reptiles, cutting of no more than approximately 50% of the open grassland to take place area each year, with cutting undertaken rotationally on a 2-3year basis;
- ▶ Additional scrub control to be undertaken by hand pulling or cutting as required during October to February to prevent excessive encroachment (occasional scattered shrubs allowed to develop to provide additional variety);
- ▶ Where possible, cutting will be undertaken when reptiles/amphibians are least likely to be harmed generally between November-February, with areas around hibernacula in particular avoided in order to ensure suitable habitats remain during spring emergence and avoid potential disturbance.
- ▶ Arisings to be removed or placed in no more than 1-2 discrete piles at the margins for use by fauna





while minimising loss of grassland area; and,

- ▶ The application of fertilisers and/or pesticides will be avoided at all times, except where spot treatment of ruderal/invasive weeds requires the use of targeted pesticides in order to maximise ecological value.

Hedgerows:

- ▶ trim in January or February to avoid the destruction of birds' nests (present from March to August) and to allow any berry crop to be used by wintering birds (September to December); and,
- ▶ trim no more frequently than a two- or three-year rotation, with no more than 50% hedgerows cut during any single year to ensure that thick nesting cover is available every year, and to boost the berry crop that generally develops on second-year growth.

Hibernacula/Refugia:

- ▶ Maintenance on an *ad hoc* basis (at least annually) dependent on requirements informed by monitoring (see below). Where necessary, materials to be replaced/maintained in order to ensure suitable maintenance of opportunities.
- ▶ Up to 2 additional discrete brash/wood piles to be maintained at the margins of the grassland area, to be replenished as required with arisings from hedgerow management works.

4.5 Ecological Monitoring and Contingency Measures

The site will be visited during years 1, 2 and 5 following the completion of development (between April and September i.e. the main flowering period) by a suitably qualified ecologist to monitor and evaluate the current status of the habitats and provide any necessary recommendations to ensure that the site management objectives are being upheld.

All habitats on site will be assessed for their key performance indicators to determine whether the target objectives for each habitat are being met, with appropriate contingency measures in place where performance indicators are not met, as identified at **Table 4.2.**

In addition, as part of the monitoring visits by the suitably qualified ecologist, a brief review of nearby habitats/information in relation to great crested newt will be undertaken (where access is available) in order to establish any likely changes with regard to the potential presence of nearby suitable breeding habitats, with appropriate triggers for further consideration and contingency measures put in place should the position have changed, as identified at **Table 4.3.**

Table 4.2: Ecological monitoring performance indicators.

Habitat / Receptor	Performance Indicator / Consideration	Contingency Measures Where Performance Indicator not met
Grassland	▶ Grassland habitat to cover at least 75% of the ecological area, including grass species and forbs, with a target of at	▶ Additional overseeding or plug planting of individual species to increase diversity



	least 15 species per m² ▶ Not more than 20% coverage by ruderal species such as Stinging Nettle, Docks, Thistles ▶ Encroaching scattered scrub (excepting boundary hedgerows/corridors) to comprise not more than 20% area ▶ Presence of exotic invasive weed (e.g. Japanese Knotweed)	▶ Spot treatment of ruderal weeds if required. ▶ Removal of excessive scrub encroachment to maintain open habitats. ▶ Removal/treatment to prevent establishment/spread
Hedgerows	▶ Hedgerows to be maintained as continuous vegetated corridor lacking gaps ▶ Diversity of woody species maintained with at least 4 woody species present per 30m stretch. ▶ Presence of exotic invasive weed (e.g. Japanese Knotweed)	▶ Re-stock any gaps with native woody species: additional management measures (e.g. laying) to ensure dense corridor maintained. ▶ Supplementary planting to increase diversity. ▶ Removal/treatment to prevent establishment/spread if required
Hibernacula / refugia	▶ Single hibernaculum to be maintained in size and structure at least 2m diameter and 1m height with exposed logs/rocks and visible gaps to enable faunal species to access the internal areas ▶ At least 2x naturalised refugia (log piles/brush piles) to be present within the retained habitats	▶ Repair/replacement of eroded or removed features ▶ Creation/strengthening of existing features (within discrete areas) with new material (e.g. arisings taken from regular hedgerow management)

4.3: Great Crested Newt monitoring requirements and contingency measures.

Species	Monitoring requirement	Trigger for further consideration	Contingency Measures Where Performance Indicator not met
Great Crested Newt	▶ Monitoring of habitats within the site / review of records and management report ▶ Review of surrounding habitats within 250m	▶ GCN encountered at any time on the site ▶ Creation of new (suitable) pond identified within 250m of the site without significant barriers to GCN dispersal preventing access to the site	▶ All works to cease for further consideration of whether licensing is required. Works (including management works) only to proceed once any appropriate licensing obtained. ▶ Consideration of need for conservation licence in order to facilitate required management work to be undertaken by an appropriately qualified ecologist. Where changes in offsite GCN potential result in increased likelihood of GCN presence within the site, conservation licence may need to be obtained from NRW prior to further completion of relevant works.



4.6 Management Review

If required, the management plan will be amended in consultation with Natural Resource Wales and the Local Planning Authority.

The management plan will be subject to specific review every five years.

4.7 Other considerations raised by NRW

Specific comments received from NRW (dated 12 December 2020) include a number of further concerns in relation to contingency arrangements in order to address specific changes to the position at the site, which are considered individually, below:

“Given statements concerning tenure, what mechanisms are proposed to prevent the ecology area being subject to future planning applications”

Conrad Energy Ltd has committed to the creation and maintenance of the ecology area in line with the details set out, as required under the current planning application, compliance with which is required in order to address planning condition 6 of the current permission. Further, (in line with the current situation) any future planning applications would be subject to approval by The Council and would need to ensure compliance with extant planning policy and legislative requirements at that time (including in relation to ecological requirements). Notwithstanding the requirement for compliance under the existing planning condition, should the site be sold it is anticipated that, if required, an appropriately worded covenant could be included within the deeds in order to ensure future compliance with the required treatment of the ecology area.

“What happens in the event of surveillance/management contracts not being renewed” and “What happens if any identified parties cease trading”

Implementation of the required measures (in line with the requirements of planning condition 6) would revert to Conrad Energy Ltd (or subsequent landowner).

4.8 Compliance Audit

A compliance audit will be undertaken by a third party to ensure the ecological avoidance, mitigation and compensation scheme have been implemented in accordance with legislation, planning conditions, and this Mitigation and Enhancement Scheme.





5. REFERENCES

- ▶ Collins, J. (2016). Bat Surveys for Professional Ecologists: Good Practice Guidelines, 3rd edition. Bat Conservation Trust.
- ▶ Froglife (1999) Reptile survey: an introduction to planning, conducting and interpreting surveys for snake and lizard conservation. Froglife Advice Sheet 10. Froglife, Halesworth.
- ▶ Gent, T. And Gibson, S. (2003). Herpetofauna Workers' Manual. JNCC, Peterborough.
- ▶ Langton, T.E.S., Beckett, C.L., and Foster, J.P. (2001), Great Crested Newt Conservation Handbook, Froglife, Halesworth.

5.1 Internet Sources

- ▶ Google (2019) Google Satellite.
- ▶ Natural England (2019) MAGIC Map. URL <https://magic.defra.gov.uk/>
- ▶ QGIS Development Team (2019) QGIS Geographic Information System. Open Space Geospatial Foundation Project. URL <http://qgis.org>





Drawings

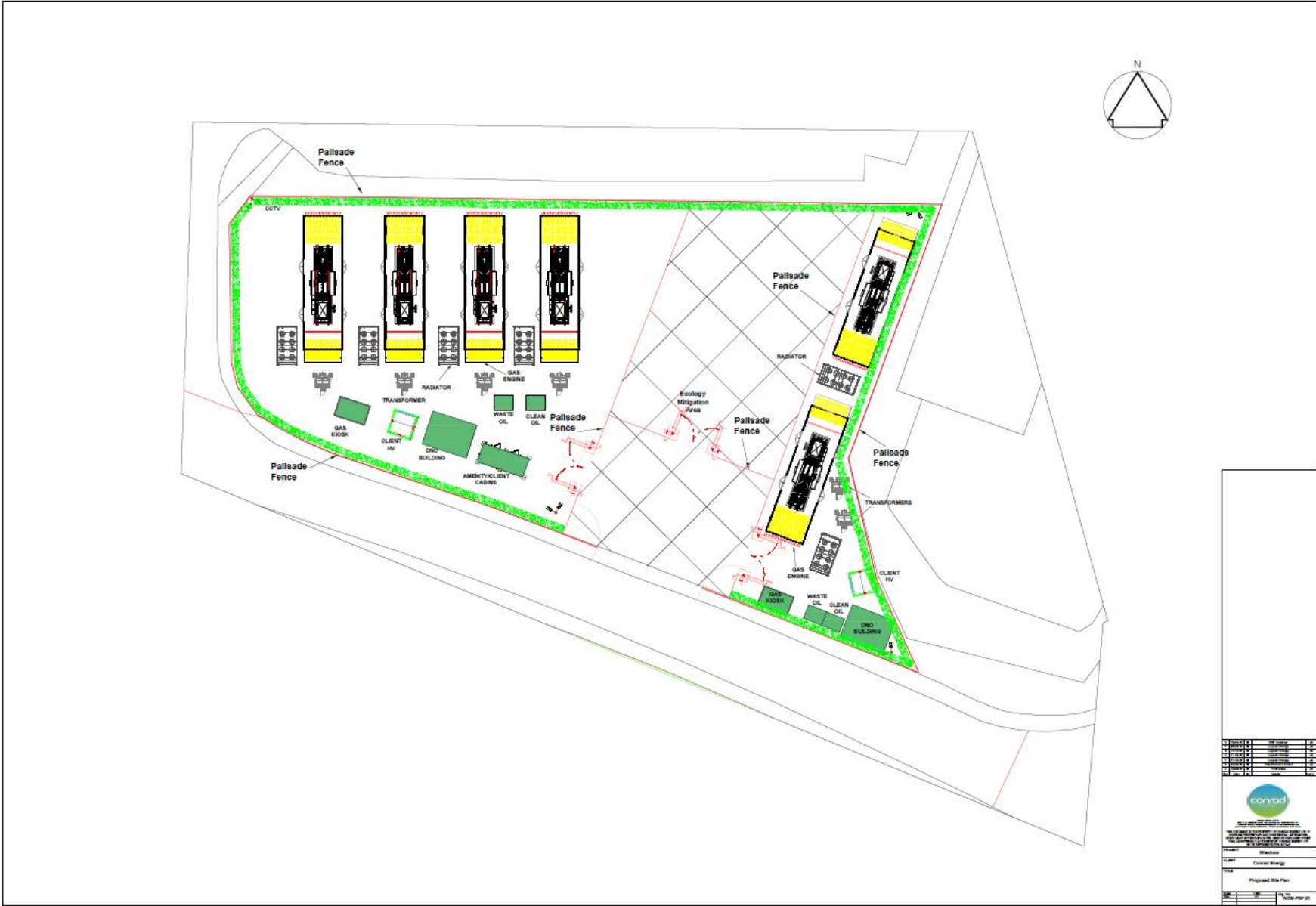
- ▶ Drawing 1 – Site Location Plan
- ▶ Drawing 2 – Site Proposals
- ▶ Drawing 3 – Extended Phase 1 Habitat Map and Retained Area
- ▶ Drawing 4 – Connectivity Map



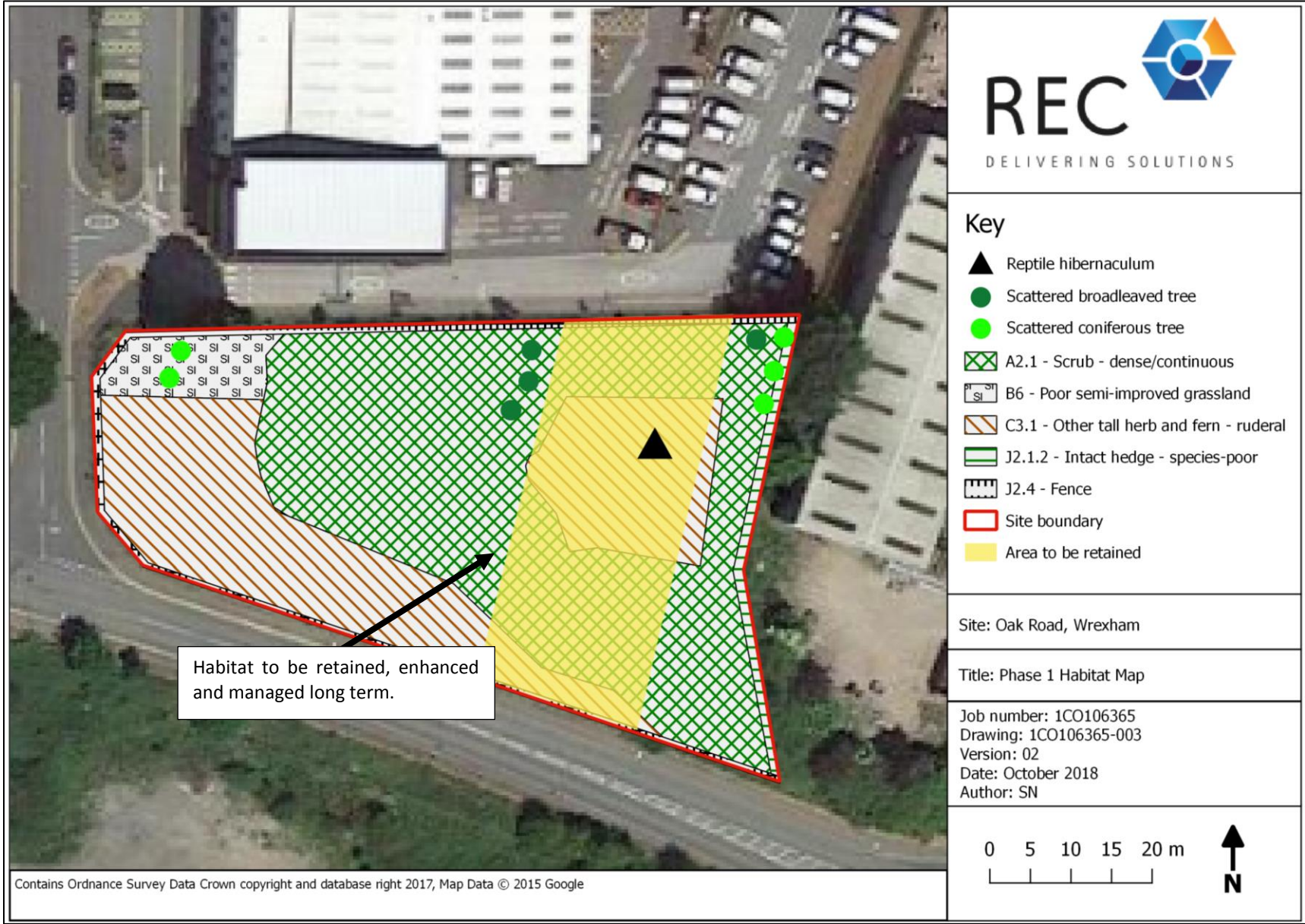
DRAWING 1 – Site Location Plan



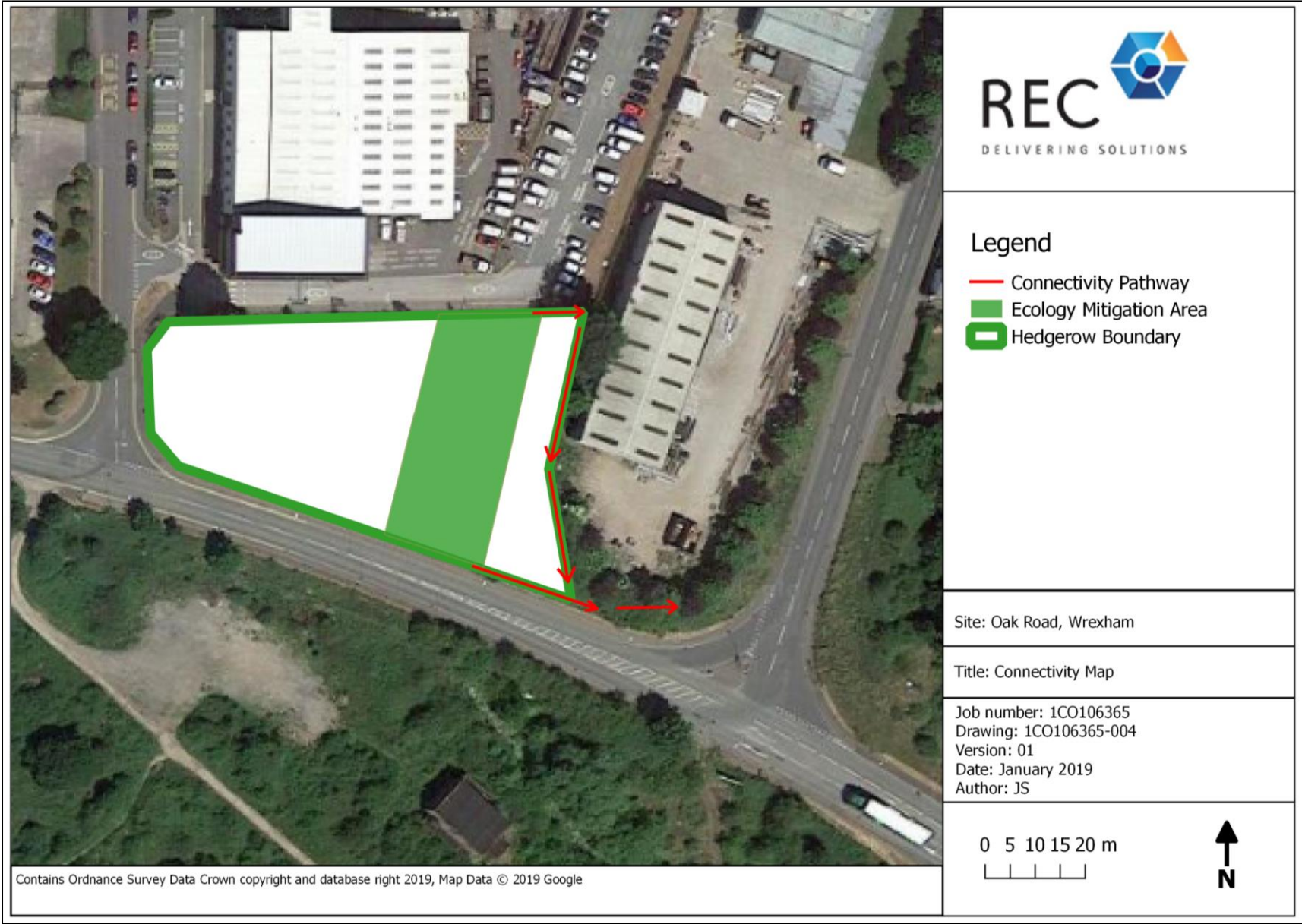
DRAWING 2 – Site Proposal



DRAWING 3 – Extended Phase 1 Habitat Map and Retention Area



DRAWING 4 – Connectivity Map





Appendices

- ▶ Appendix 1 – Protected Species Legislation





APPENDIX 1 – Protected Species Legislation

Legislation (England & Wales)	Relevant Species	Offence
European Protected Species (EPS): Protected under Schedule 2 of the Conservation of Habitats and Species Regulations 2017 (as amended). Schedule 5: Protected under the Wildlife and Countryside Act 1981 (as amended) in respect to section 9(4)(b) and (c) and (5) only.	▶ Bats, all species (<i>Rhinolophidae</i> & <i>Vespertilionidae</i> species) ▶ Great crested newt (<i>Triturus cristatus</i>)	▶ Deliberately captures, injures or kills any wild animal of an EPS, ▶ Deliberately disturbs wild animals of any such species (in particular any disturbance which is likely 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 to affect significantly the local distribution or abundance of the species to which they belong.), ▶ Deliberately takes or destroys the eggs of such an animal, or ▶ Damages or destroys a breeding site or resting place of such an animal, ▶ Possess, control, transport, sell or exchange, or offer for sale or exchange, any live or dead wild animal of a EPS, or any part of, or anything derived from a EPS, ▶ Intentionally or recklessly disturb a EPS while it is occupying a structure or place which it uses for shelter or protection; or ▶ Intentionally or recklessly obstruct access to any structure or place which any EPS uses for shelter or protection.
Schedule 5: Protected under section 9(5) of the Wildlife and Countryside Act 1981 (as amended).	▶ Adder (<i>Vipera berus</i>) ▶ Slow-worm (<i>Anguis Fragilis</i>) ▶ Grass snake (<i>Natrix natrix</i>)	▶ Intentionally kill or injure; ▶ Sell, offers or exposes for sale, or has in his possession or transports for the purpose of sale, any live or dead wild animal included in Schedule 5, or any part of, or anything derived from, such an animal; or ▶ Publishes or causes to be published any advertisement likely to be understood as conveying that he buys or sells, or intends to buy or sell, any of those things.
Wildlife and Countryside Act 1981 (as amended)	▶ All wild birds	▶ Kill, injure or take any wild bird; ▶ Take, damage or destroy the nest of any wild bird while it is being built or in use; ▶ Take or destroy the eggs of any wild bird; and, ▶ Possess or control any wild bird or egg unless obtained legally.



Schedule 1 of the Wildlife and Countryside Act 1981 (as amended)	▶ Barn owl (<i>Tyto alba</i>) ▶ Peregrine falcon (<i>Falco peregrinus</i>)	▶ Disturb any wild bird listed on Schedule 1 whilst it is building a nest or is in, on, or near a nest containing eggs or young; or ▶ Disturb the dependent young of any wild bird listed on Schedule 1.
Schedule 9 of the Wildlife and Countryside Act 1981 (as amended)	▶ Japanese knotweed (<i>Fallopia japonica</i>) ▶ Himalayan balsam (<i>Impatiens glandulifera</i>)	Invasive plants are listed on Schedule 9 (part 2, section 14) of the Wildlife and Countryside Act 1981 (as amended). This legislation makes it an offence to ' <i>plant or otherwise cause such species to grow</i> ' in the wild. This includes spreading of the species or transferring polluted ground material from one area to another.

Note. Information presented in this table is only a summary of the relevant legislation.

