

AnnS Jones

From: Sharon Holman
Sent: 19 June 2019 08:49
To: planning_admin
Subject: FW: P/2019/0291- Land off Abbey Road, Wrexham
Attachments: Land off Abbey rd 5 yr maintenance schedule CBA 18 06 19.pdf; McCarthy New 18 06 19.pdf

Importance: High

Civ – ‘add info web’ below and ‘amended plan web’ attached

Can I have paper copies for the file please?

Thanks
Sharon

From: Chris Davies [mailto:ChrisDavies@caulmert.com]
Sent: 18 June 2019 21:45
To: Sharon Holman
Cc: Mike McCarthy; Bob Dewey (bobdeweyplanning@gmail.com)
Subject: FW: P/2019/0291- Land off Abbey Road, Wrexham
Importance: High

Sharon

Further to our recent correspondence please see below our response to the comments raised by the tree and biodiversity officers in regard to the McCarthy site at Abbey Road Wrexham for your review and for inclusion within your determination of the planning condition.

“It is agreed that whilst enhancement planting within all available open space may be detrimental to aspects of the requested ecological management plan (EMP), it is still possible to provide a level of tree planting to the site frontage in the location between the newt mitigation fencing, Abbey Road and the adjacent existing fence without compromising the EMP.

This location within the site boundary is a reasonably sized area which can accommodate a substantial native tree planting scheme capable of providing multi-functional services upon maturity if planted and managed correctly. It is acknowledged that any such planting may require the introduction of imported soils; all planting is to be undertaken in accordance with BS8545:2014 ‘Trees: From nursery to independence in the landscape’.

The EMP was originally produced by Marches Ecology on behalf of WCBC in 2012. The EMP document is an integral part of the GCN licence. It provides management prescriptions not only for GCN but other valued ecological resources such as Grizzled and Dingy Skippers, locally scarce plants and species-rich neutral grassland. The mitigation area was also identified and set-up at this time.

Marches Ecology are also the current ecological advisor to M&L Investment Partners LLP on the Elm Point site. They are responsible for the implementation of all aspects of the Natural Resources Wales Great Crested Newt (GCN) ‘development’ licence, the Badger ‘disturbance’ licence, mitigation/ enhancement measures for other valued ecological resources and monitoring of the mitigation area. Monitoring of the mitigation area includes annual review of the management undertaken (in order to achieve the objectives of the EMP).

Based on the objectives of the EMP and the particular ecological resources that the mitigation area currently supports it is their (Marches Ecology’s) belief that tree planting within the suggested area would compromise the objectives of the EMP and would be detrimental to some of the valued ecological resources for which the mitigation

area is currently managed (in particular with regards to Grizzled and Dingy Skippers, locally scarce plants and species-rich neutral grassland). Their conclusion is based on the following:

- The EMP forms part of the GCN licence which is a legally binding document.
- The EMP, as stated above, was originally produced on behalf of WCBC, was agreed by WCBC and includes no such tree planting or its subsequent management.
- The area within which tree planting is proposed is part of the mitigation area which is provided for, and managed for the benefit of, GCNs.
- The proposed tree planting in this area would not be of any particular benefit to GCN and would conflict with the requirements of the EMP.
- As the tree planting was not included in the licence application/ EMP this would necessitate a licence amendment application.
- 'Substantial' tree planting and importing soil would require a licence amendment and those works would have to be implemented in accordance with licensed Reasonable Avoidance Measures.
- As the proposed tree planting is outside the existing newt exclusion fencing this would increase the potential risk to individual GCN.
- The mitigation area has been created specifically to provide ecologically valuable habitats that require a substrate of low-nutrient status (much of the area was created with limestone hardcore and subsoil).
- The importation of nutrient-rich topsoil may have locally detrimental impacts on this habitat. 'Substantial' tree planting, over time, would also add nutrients locally which is detrimental to the EMP
- The retained species-rich grassland to the immediate east of the proposed location for tree planting supports Grizzled and Dingy Skippers as well as locally scarce plants. Potential shading of this area should not be increased as it is detrimental to these species.

Further to the above, we would also note the following:

- The earth bund close to the Abbey Road frontage has previously been planted with native shrubs including *Rosa canina* agg. (Dog-rose) which is of value to Grizzled Skippers (it is one of the caterpillar food-plants). In time this band of shrubs will gain height and provide greater structure to the landscaping. Our landscaping proposal has been updated to reflect.
- There is substantial existing woodland to the North and Easterly borders of the site.

In view of the above site information (in regard to the existing boundaries and planting) and the advice which we have received from Marches Ecology, who, as noted, also provided accepted advice to WCBC to determine the current proposals in regard to the EMP for the site, we believe that in this instance, the proposed additional tree planting would be inappropriate and detrimental to the ecological resources supported by the mitigation area.

We would request that the comments in regard to our proposals be further reviewed by both (and in conjunction) the tree officer and the biodiversity officer with a view to accepting our submitted scheme and management plan (both attached) in regard to the landscape proposals and to the determination of the planning condition

In regard to the reference to amenity grass we can confirm that this was a typo error in the management plan. The management plan has been amended to alleviate the discrepancy and now aligns with the scheme drawing.

We have attached an updated landscape drawing and management plan to reflect our proposed scheme for your consideration.

We look forward to receiving your response

Regards

Chris

From: Sharon Holman [<mailto:Sharon.Holman@wrexham.gov.uk>]

Sent: Friday, June 7, 2019 10:07 AM

To: Chris Davies <ChrisDavies@caulmert.com>
Subject: RE: P/2019/0291- Land off Abbey Road, Wrexham

Thanks Chris,

I will extend the deadline until Friday 21 June 2019.

Kind regards
Sharon

From: Chris Davies [<mailto:ChrisDavies@caulmert.com>]
Sent: 07 June 2019 10:05
To: Sharon Holman; Bob Dewey (bobdeweyplanning@gmail.com)
Cc: Mike McCarthy
Subject: RE: P/2019/0291- Land off Abbey Road, Wrexham

Sharon

Thank you.

If possible we would request a 2 week extension to allow us time to obtain the required responses from all 3rd parties and to then amend the scheme as appropriate to provide an acceptable solution to all.

I trust this would be acceptable

Thanks

Chris

From: Sharon Holman [<mailto:Sharon.Holman@wrexham.gov.uk>]
Sent: Friday, June 7, 2019 8:14 AM
To: Chris Davies <ChrisDavies@caulmert.com>; Bob Dewey (bobdeweyplanning@gmail.com)
<bobdeweyplanning@gmail.com>
Cc: Mike McCarthy <mike.mccarthy@mccarthyhaulage.co.uk>
Subject: RE: P/2019/0291- Land off Abbey Road, Wrexham

Dear Chris,

I hope you don't mind if I go straight to the point. There is a statutory deadline for the determination for this application which is today (7 June 2019). In terms of extension, how much time are you requesting?

Thank you
Sharon

From: Chris Davies [<mailto:ChrisDavies@caulmert.com>]
Sent: 06 June 2019 22:56
To: Sharon Holman; Bob Dewey (bobdeweyplanning@gmail.com)
Cc: Mike McCarthy
Subject: RE: P/2019/0291- Land off Abbey Road, Wrexham

Dear Sharon

In regard to your e-mail below, I was unaware that there was a further deadline to respond to your latest e-mail and the information requested by yourself and the tree and biodiversity offices. Please accept my apologies for this.

I was on annual leave last week and only picked up your email (31st May 2019 – last Friday) upon my return to work this Tuesday. I note that the time to respond is under a week from your response? Please could you advise if there is a specific requirement / reason for the responses to be turned around in such a short time period?

In regard to the points raised in your e-mail and as an update I can advise the following:-

- Due to the sensitivity of the requests and the fact that they directly impact on statutory and legal requirements that we are obliged to follow in regard to the Great Crested Newt Licence I have been seeking advice from our Ecological advisors (Marches Ecology) and also from NRW to determine the most appropriate way to try to amend the proposals to meet the requirements
- I am currently awaiting responses and will chase again tomorrow

As such I would request, if possible, an extension to the determination date in order that we can fully determine the requirements of all parties and from a fully informed position prepare a scheme that meets the requirements of the Tree and Biodiversity officers whilst allowing us to meet our statutory and legal obligations under the GCN licence

Please could you review and confirm if this is possible and if so advise in regard to a new date for receipt of information

Many thanks and regards

Chris

From: Sharon Holman [<mailto:Sharon.Holman@wrexham.gov.uk>]

Sent: Thursday, June 6, 2019 3:43 PM

To: Bob Dewey (bobdeweyplanning@gmail.com) <bobdeweyplanning@gmail.com>; Chris Davies <ChrisDavies@caulmert.com>

Subject: FW: P/2019/0291- Land off Abbey Road, Wrexham

Dear Bob,

In the absence of receipt of an acceptable landscaping scheme, I am unable to approve your submission. The statutory deadline for determination of this application is tomorrow and I advise that I intend to determine the application accordingly.

Kind regards
Sharon

From: Sharon Holman

Sent: 31 May 2019 11:05

To: Chris Davies (Chrisdavies@caulmert.com)

Cc: Bob Dewey (bobdeweyplanning@gmail.com)

Subject: FW: P/2019/0291- Land off Abbey Road, Wrexham

Dear Chris,

Thank you again for your email and the additional information.

Following further discussion with the tree and biodiversity officers it is agreed that whilst enhancement planting within all available open space may be detrimental to aspects of the requested ecological management plan (EMP), it is still possible to provide a level of tree planting to the site frontage in the location between the newt mitigation fencing, Abbey Road and the adjacent existing fence without compromising the EMP.

This location within the site boundary is a reasonably sized area which can accommodate a substantial native tree planting scheme capable of providing multi-functional services upon maturity if planted and managed correctly. It is acknowledged that any such planting may require the introduction of imported soils; all planting is to be undertaken in accordance with BS8545:2014 'Trees: From nursery to independence in the landscape'.

The 5 Year Maintenance Plan will need to be amended accordingly.

Finally, it remains unclear where the amenity grassland is located, please show this area on the revised scheme.

Kind regards
Sharon

From: Chris Davies [<mailto:ChrisDavies@caulmert.com>]
Sent: 17 May 2019 13:00
To: Sharon Holman
Cc: Bob Dewey; Mike McCarthy
Subject: RE: FW: P/2019/0291- Land off Abbey Road, Wrexham

Sharon

By way of introduction, my name is Chris Davies and I am working with Mike McCarthy on the Abbey Road development. I note from your e-mail below that you have not received a response to your queries and I can only apologise for this – I had e-mailed Bob our response and asked him to respond to yourself however I am not sure if he has received it or not but it looks like either way it has not made its way to you.

As such please see below my comments in response to the items raised – apologies if the language is not aligned to planning terminology – hopefully it will make sense

Ref: McCarthy Development – P/2019/0291- Land off Abbey Road, Wrexham

In reviewing the issues raised we were somewhat confused as to the requirements and how we are to address and meet them as some directly contradict requirements, some with legal standing imposed upon us.

In order that we can update our submission as requested to meet the requirements of the Biodiversity and Tree Officers and to avoid a situation where we amend the proposals to meet these requirements but then have the issue of not meeting other conditions or requirements please could you confirm which of the following take precedence and how we are to address.

Biodiversity officer comments:

- The proposed *Prunus lauroceras* is unsympathetic to the area and should be replaced with a native shrub hedgerow consisting of a mix of native hawthorn, hazel, blackthorn or similar. We have specified *Prunus lauroceras* in response to landscape conditions in similar situations i.e. business park and industry. There is no problem to change this to a native hedgerow mix as suggested and we will amend the proposal as required.
- The specification of the strip of wild flower planting is required. For this we would propose Germinal Amenity's 'WFG4 Neutral Soils' mix. Please can you confirm that this would be acceptable. If so we will amend the proposal as required.
- Amenity grassland is mentioned on the management schedule but does not correspond to the submitted plan. We will amend as required.

Tree Officer comments:

- The submitted scheme shows no attempt to increase tree canopy cover or enhance biodiversity. The applicant is required to provide a planting scheme of native tree species of medium to large stature across the site with particular emphasis to the site frontage parallel with Abbey Road. The south and west boundary should be planted with staggered mixed, native hedgerow species to provide a level of green connectivity across the site, wildlife habitat and, to a limited extent, capture localised vehicle emissions.

In regard to the above comment, the areas of the site referred to have been left as existing to meet the requirements of the newt and butterfly mitigation management plan

In particular we note the following:-

- Most of the 'soft estate' within the site is included within the pre-existing ecological mitigation area. This area was established as part of the mitigation package delivered under Welsh Government/ Natural Resources Wales licence to mitigate for perceived impacts on the local Great Crested Newt population. The first iteration of this licence was granted in 2012 and was obtained at that time on behalf of WCBC.
- The licence application included an Ecological Management Plan (EMP) which covers management of the ecological mitigation area. The mitigation area continues to be managed in accordance with this EMP. As it forms part of the licence documentation this EMP has a legal standing.
- The EMP identifies Great Crested Newts as the feature of primary importance within the mitigation area. Secondary features include Grizzled and Dingy Skippers, species-rich neutral grassland and locally scarce plants. All of these secondary features are associated with the mosaic of ephemeral vegetation/ species-rich neutral grassland provided by much of the mitigation area.
- The planting of any trees in the mitigation area would conflict with many of the stated aims of the EMP. Planting of trees would give rise to a number of issues not least of which would be increased shading and localised enrichment of the substrate (the substrate has purposefully been kept nutrient-poor to benefit the secondary features mentioned above). As the road frontage is on the south side of the site planting trees here would be a particular concern with regards shading.
- The planting of trees/ hedges is likely to require the introduction of top soil material as nearly all of the mitigation area has been covered with concrete rubble/ limestone hard-core and sub-soil material.
- The planting of trees/ shrubs, etc across much of this site would be contrary to the objectives of the EMP. The site remains subject to an extant NRW Great Crested Newt licence.

The above points demonstrate a direct conflict to the requirements as suggested / noted by the tree officer – please could you clarify which requirement takes precedence and also please could you confirm that if we amend our proposals to meet which ever takes precedence that this will not be detrimental to the superseded requirement. Once confirmed we will amend our proposals accordingly.

- The submitted 5 Year maintenance plan will need to be amended to include the requirements of the above proposed amendments. We will amend the plan to align with the agreed approach following receipt of responses to the above.

Please could you review and if you require any further information please advise and I will provide. Please request direct from myself.

I trust the information provided meets your requirements and can be used as part of your determination – I look forward to hearing from you in due course

Regards

Chris



Chris Davies

Caulmert Limited

Director of Project Management

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From: Bob Dewey [<mailto:bobdeweyplanning@gmail.com>]

Sent: Friday, May 17, 2019 12:05 PM

To: Chris Davies <ChrisDavies@caulmert.com>; Mike McCarthy <mike.mccarthy@mccarthyhaulage.co.uk>

Subject: Fwd: FW: P/2019/0291- Land off Abbey Road, Wrexham

----- Forwarded message -----

From: Sharon Holman <Sharon.Holman@wrexham.gov.uk>

Date: Fri, 17 May 2019, 08:16

Subject: FW: P/2019/0291- Land off Abbey Road, Wrexham

To: Bob Dewey (bobdeweyplanning@gmail.com) <bobdeweyplanning@gmail.com>

Dear Bob,

In the absence of a response to my previous email (as below) I will be unable to support this application. I intend to determine this application on Monday 20 May 2019 and if you have any further information that you would like me to consider prior to determination, please submit this no later than by 12pm on that day.

Kind regards

Sharon

From: Sharon Holman
Sent: 03 May 2019 15:20
To: Bob Dewey (bobdeweyplanning@gmail.com)
Subject: P/2019/0291- Land off Abbey Road, Wrexham

Dear Bob,

Biodiversity officer comments:

- The proposed *Prunus lauroceras* is unsympathetic to the area and should be replaced with a native shrub hedgerow consisting of a mix of native hawthorn, hazel, blackthorn or similar.
- The specification of the strip of wild flower planting is required.
- Amenity grassland is mentioned on the management schedule but does not correspond the submitted plan.

Tree Officer comments:

- The submitted scheme shows no attempt to increase tree canopy cover or enhance biodiversity. The applicant is required to provide a planting scheme of native tree species of medium to large stature across the site with particular emphasis to the site frontage parallel with Abbey Road. The south and west boundary should be planted with staggered mixed, native hedgerow species to provide a level of green connectivity across the site, wildlife habitat and, to a limited extent, capture localised vehicle emissions.
- The submitted 5 Year maintenance plan will need to be amended to include the requirements of the above proposed amendments.

I should be grateful to receive the additional and amended details within 14 days of the date of this email.

Kind regards

Sharon

Sharon Holman



01978 298779

Wrexham County Borough Council, 16 Lord Street, Wrexham,

LL11 1LG

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