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Quality Assurance

Survey/ Assessment Work Schedule		
Survey/Assessment Type	Surveyors	Date
Extended Phase 1 Habitat Survey	Max Ellson	01/12/17
Preliminary (bat) Roost Assessment (Trees)	Max Ellson	01/12/17
Potential Roost Feature Inspection	Stan Irwin & [TBC]	Xx/12/17

Review Schedule				
Issue	Date	Author	Reviewed by	Approved by
DRAFT	13/12/17	Max Ellson	Tom Knight	Tom Knight
1.0	xx/12/17	Max Ellson & Stan Irwin	Tom Knight	Tom Knight

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The evaluation and assessment provided in this report is specific to the iteration of the proposal detailed in *Section 1*. It would no longer be valid should the layout be changed in anyway, should the report be used for a different proposal at the same site or should it be used a maximum of 12 months after the date of issue.

CONTENTS

1	INTRODUCTION.....	4
1.1	PROJECT BACKGROUND	4
1.2	THE PROPOSAL	4
1.3	PLANNING POLICY	5
1.4	LEGISLATION	8
2	METHODOLOGY.....	10
2.1	FIELD SURVEY	10
2.2	SURVEY CONSTRAINTS.....	11
3	BASELINE ECOLOGICAL CONDITIONS	13
3.1	HABITATS AND FLORA.....	13
3.2	SPECIES/ SPECIES GROUPS.....	15
4	EVALUATION, POTENTIAL IMPACTS AND RECOMMENDATIONS	18
4.1	INTRODUCTION.....	18
4.2	EVALUATION, POTENTIAL IMPACTS AND RECOMMENDATIONS.....	18
5	TARGET NOTES	22
6	REFERENCES.....	32
7	DATA.....	33
8	APPENDIX 1 – SPECIES-SPECIFIC LEGISLATION	35

Figure 1 – Extended Phase 1 Habitat Survey & Preliminary Bat Roost Assessment (Trees)

1 INTRODUCTION

1.1 Project Background

1.1.1 Marches Ecology was commissioned by Interserve Construction Ltd to undertake an Ecological Appraisal of land at Wrexham Magistrates Court, Wrexham (Approximate Grid Ref: SJ 337 505). This Ecological Appraisal comprised the following:

- an Extended Phase 1 Habitat Survey;
- a Preliminary (bat) Roost Assessment (PRA) of trees; and
- a Potential Roost Feature (PRF) inspection of a small number of trees and a pedestrian footbridge [TBC].

1.1.2 This report is provided as supporting information to a planning application to Wrexham County Borough Council (WCBC) for a proposed new Custody Block/ hard-landscaping (for example including car parking provision) at the site. It has three principal aims:

- to provide an initial appraisal of the ecological value of the site and local ecological resource;
- to detail further surveys that may be required; and
- to identify potential development constraints relating to ecology and outline potential mitigation/ enhancement measures where possible.

1.1.3 This report was produced by Max Ellson of Marches Ecology. Max Ellson is an ecologist with over sixteen years of consultancy experience and has undertaken Extended Phase 1 Habitat Surveys and PRAs of trees on a wide range of sites. His relevant academic qualifications and professional memberships are as follows:

- Chartered Environmentalist (Society for the Environment).
- Full Member of the Chartered Institute of Ecology and Environmental Management (CIEEM).
- MSc Vegetation Survey and Assessment.
- BSc (Hons) Environmental Biology.

1.1.4 The PRF inspection and associated reporting were led by Stan Irwin of the Tyrer Partnership.

1.2 The Proposal

1.2.1 The proposal concerns the construction of a new custody block within the grounds of the Magistrates Court. It is illustrated on a series of Ministry of Justice/ Mace plans including the following:

- A plan entitled 'Wrexham Magistrate Court Custody Block – Site Location Plan Proposed', drawing no. 3409-MAC-ZZ-00-DR-A-0005 rev 01, dated 26/06/17.
- A plan entitled 'Wrexham Magistrate Court Custody Block – Ground Floor & Site Plan Proposed', drawing no. 3409-MAC-ZZ-00-DR-A-0006 rev 01, dated 26/06/17.

1.2.2 These two plans include the following additional elements: a new access point on the eastern boundary (to join the adjacent A5152), new parking provision (including for staff and public, with a potential extension also indicated), and security fencing. An existing enclosed pedestrian footbridge which connects the Magistrates Court to the adjacent police station will be demolished [TBC].

1.2.3 It is understood that proposals shown on the plans which are outside the 'property boundary line' do not form part of the planning application and have therefore not been considered in this report. No further detailed information regarding the proposed development has been provided.

1.3 Planning Policy

Introduction

1.3.1 This section provides a brief summary of key national and local planning policies. It is not a comprehensive review of all such planning policy, the intention being to identify those considered to be of most relevance to ecology and provide context for the proposal.

Wales

Planning Policy Wales

1.3.2 Planning Policy Wales (PPW) sets out national land use planning policies (Welsh Government 2016). Chapter 5 is of particular relevance and is entitled 'Conserving and Improving Natural Heritage and the Coast'. With specific reference to development proposals the following key statements are made:

- *'Biodiversity and landscape considerations must be taken into account in determining individual applications and contributing to the implementation of specific projects. The effect of a development proposal on the wildlife or landscape of any area can be a material consideration'.*
- *'When considering any development proposal... local planning authorities should consider environmental impact, so as to avoid, wherever possible, adverse effects on the environment'.*

1.3.3 Chapter 5 further covers statutory designations, protected species and specific habitats/ areas. National policy statements are listed at the end of the Chapter and cross-referenced to paragraphs.

Technical Advice Note 5

1.3.4 PPW is supplemented by a series of Technical Advice Notes (TAN). TAN 5 covers 'Nature Conservation and Planning' (Welsh Government 2009). It provides advice to local planning authorities on how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation. It includes chapters covering the key principles of planning for nature conservation; the preparation and review of development plans; nature conservation in development control procedures; the conservation of internationally and nationally designated sites, habitats and local sites; and the conservation of protected and priority habitats and species.

- 1.3.5 In paragraph 2.4 it states that '*...when deciding planning applications that may affect nature conservation, local planning authorities should:*
- *pay particular attention to the principles of sustainable development, including respect for environmental limits, applying the precautionary principle, using scientific knowledge to aid decision making and taking account of the full range of costs and benefits in a long term perspective (PPW 2.2.1¹);*
 - *contribute to the protection and improvement of the environment, so as to improve the quality of life and protect local and global ecosystems, seeking to avoid irreversible harmful effects on the natural environment (PPW 2.3.2);*
 - *promote the conservation and enhancement of statutorily designated areas and undeveloped coast (PPW 2.3.2);*
 - *ensure that appropriate weight is attached to designated sites of international, national and local importance (PPW 5.3.2);*
 - *protect wildlife and natural features in the wider environment, with appropriate weight attached to priority habitats and species in Biodiversity Action Plans (PPW 5.2);*
 - *ensure that all material considerations are taken into account and decisions are informed by adequate information about the potential effects of development on nature conservation (PPW paragraphs 5.5.1 and 5.5.2);*
 - *ensure that the range and population of protected species is sustained (PPW 5.2.3, 5.5.11 and 5.5.12);*
 - *adopt a step-wise 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 (PPW 5.2.2, 5.2.7 and 5.5.2).*

Wrexham

- 1.3.6 Local planning authorities will consider biodiversity/ nature conservation issues in accordance with adopted policies and plans. The following are considered of particular relevance to the proposal.

Wrexham Unitary Development Plan

- 1.3.7 The Wrexham Unitary Development Plan (UDP) was adopted in February 2005. It will be replaced (currently scheduled for adoption in 2018) by the Local Development Plan. The UDP '*...provides a framework for local decision making and the reconciliation of development and conservation interests...*'.

Relevant strategic and general development policies include:

- *Policy PS2. Development must not materially detrimentally affect countryside, landscape/townscape character, open space, or the quality of the natural environment.*
- *Policy PS11. Encouragement will be given to proposals which improve the biodiversity value of sites and to the establishment of local nature reserves where the nature conservation and landscape interest of the land will be protected and enhanced.*

¹ References to the relevant part of PPW.

- *Policy GDP1f). Ensure the safety and amenity of the public and safeguard the environment from the adverse effects of pollution of water, land or air, hazards from industry and quarrying, and associated noise, odour or vibration arising from development.*
- *Policy GDP1h). Safeguard sites and areas of nature conservation and wildlife interest, and to provide new habitats where there is an unavoidable loss of existing habitats and areas of wildlife interest.*

Section 5 of the UDP concerns 'Environment and Conservation'. The relevant policies listed are as follows:

- *Policy EC4. Development proposals should provide for the conservation and management of hedgerows, trees, orchards, woodland, wildlife and other natural landscape and water features, and include new planting in order to enhance the character of the landscape and townscape. Development which results in the loss or significant damage to valuable trees, important hedgerows or ancient woodland sites will not be permitted.*
- *Policy EC6. Development either within or close to sites of biodiversity interest will only be permitted where it can be clearly demonstrated that the need for the development outweighs the need to safeguard the intrinsic nature conservation value of the site. Where such development is permitted, damage should be kept to a minimum, and compensatory measures should be provided. Measures to improve the biodiversity value of sites and enhance their natural conservation interest and landscape quality including the establishment of local nature reserves, will be supported.*
- *Policy EC13. Development which would result in an unacceptable adverse impact on the water environment due to additional surface water run-off will not be permitted.*

Local Planning Guidance

1.3.8 Wrexham County Borough Council (WCBC) has produced a series of supplementary planning guidance documents which set out detailed advice on the way in which Development Plan policies will be applied. Supplementary planning guidance is a material consideration in the determination of planning applications for development. The following Local Planning Guidance (LPG) notes are of particular relevance:

- **LPG 17 Trees and Development.** Adopted September 2000, Updated December 2012. Provides further advice in relation to UDP policy EC4.
- **LPG 32 Biodiversity and Development.** Adopted March 2011. Provides further advice in relation to UDP policies PS2, PS11, EC4 and EC6. Of particular importance, it details the requirements for ecological survey and reporting.

1.3.9 The Wrexham Biodiversity Action Plan (WBAP) is also listed as supplementary planning guidance on the WCBC website. However, this reference is out-of-date, the WBAP has been archived and is no longer available.

1.4 Legislation

Introduction

- 1.4.1 This sub-section provides a brief summary of key legislation relevant to ecology/ nature conservation and the proposal. It should not be considered a comprehensive review and is not meant to be so. It is provided here for information only and is not intended to replace specialised legal advice. It does not replace the text of the legislation, but summarises the salient points. Further information on how this legislation affects the protection of particular species of potential relevance to this proposal is provided in *Appendix 1*.

The Conservation of Habitats and Species Regulations 2017 (The Regulations)

- 1.4.2 Transposes the *EC Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora 1992* into UK law. The Regulations provide for the protection of sites in the UK that support habitats and species of European importance (e.g. Special Protection Areas (SPAs) and Special Areas of Conservation (SACs)). The Regulations also provide full protection for certain species which are frequently referred to as European Protected Species (EPS). EPS of potential relevance to the site include are limited to bats.

The Wildlife and Countryside Act 1981, as amended (WCA)

- 1.4.3 The WCA strengthened protection for nature conservation sites of at least national importance, and provides varying levels of protection for a number of species within the UK. This protection may include prohibition of some or all of: killing, injuring, disturbing, taking, sale/barter or possession of species and also protection of breeding/ sheltering places. The following species/ species groups receive some level of protection under the WCA and are of relevance to the proposal; bats and birds. The WCA also prohibits the spread of certain non-native invasive species (e.g. Cotoneaster).

The Countryside and Rights of Way Act 2000 (The CRoW Act)

- 1.4.4 The CRoW Act includes legislation in relation to the Biodiversity Action Plan; more stringent management, protection and consenting measures for SSSIs; greater penalties for wildlife crime; and greater protection for species listed in the WCA. Some of this legislation was superseded by the NERC Act.

The Natural Environment and Rural Communities Act 2006 (The NERC Act)

- 1.4.5 *Sections 40 to 42* of the NERC Act replace *Section 74* of the CRoW Act. *Section 40* of the NERC Act extends to all public authorities (including local planning authorities) the existing *Section 74* duty to have regard to biodiversity as far as is consistent with the proper exercise of their functions. In addition, *Sections 41* (England) and *42* (Wales) provide a list of species and habitats of principal importance for conservation of biological diversity. Government has a statutory duty to promote steps “to further the conservation” of habitats and species listed in *Sections 41* and *42*.

Environment (Wales) Act 2016

- 1.4.6 The Environment Act enhances and replaces the current NERC Act (*Section 40*) duty to require all public authorities, when carrying out their functions in Wales, to seek to ‘maintain and enhance biodiversity’ where it is within the proper exercise of their functions. In doing so, public authorities must also seek to ‘promote the resilience of ecosystems’. *Section 7* of the Environment Act provides a list of the living organisms and habitats of principal

importance for the purpose of maintaining and enhancing biodiversity in Wales. This list replaces that previously provided in *Section 42* of the NERC Act.

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2 METHODOLOGY

2.1 Field Survey

Extended Phase 1 Habitat Survey

- 2.1.1 The Extended Phase 1 Habitat Survey was carried out on 01st December 2017 by Max Ellson of Marches Ecology. The Extended Phase 1 Habitat plan is provided as *Figure 1*. The survey focussed on 'property boundary line' as indicated on drawing no. 3409-MAC-ZZ-00-DR-A-0006. This is henceforth referred to as the 'survey site'; refer to *Figure 1*. Immediately adjacent habitat was considered where appropriate and viewed from the survey site boundary where possible. The weather during the survey was sunny and cold.
- 2.1.2 The standard initial habitat survey method is Phase 1 Habitat Survey. It involves identifying areas or features of particular interest either in terms of their botanical interest, and/or habitat potential for protected or other notable species.
- 2.1.3 The Phase 1 Habitat Survey has been adapted in this instance as an 'extended' Phase 1 Habitat Survey, where more information has been obtained to inform site assessment. The methods used centre on the Phase 1 Habitat Survey approach (JNCC 2010) as extended for use in Environmental Impact Assessment (Institute of Environmental Assessment 1995). Extended Phase 1 Habitat Survey is necessarily a more holistic approach than Phase 1 Habitat Survey and provides an understanding of habitat use by faunal groups (IEEM 2005). This involves the following elements:
- Habitat mapping using a set of standard colour codes to indicate habitat types on a Phase 1 Habitat map.
 - Description of features of ecological or nature conservation interest in notes relating to numbered locations on the Phase 1 Habitat map, called target notes. Target notes are recorded for habitat and features of possible botanical interest and features relating to animals including protected/ notable vertebrates that are likely to occur in the region and within the survey site. Evidence of activity was noted when encountered. The Target Notes are provided in *Section 5* and shown on *Figure 1*.
- 2.1.4 In addition to the habitat map and target notes, a plant species list was compiled (provided in *Table 2, Section 7*). Plant nomenclature in this report follows Stace (2010). Although December is outside the accepted survey period for Extended Phase 1 Habitat Surveys, it is unrealistic to suppose that walk-through surveys can generate completely exhaustive species lists at any time of year. It is considered that the list in this report indicates the character of the vegetation and the ecological value of the area inspected.
- 2.1.5 Further information describing the assessment conducted during the Extended Phase 1 Habitat Survey for particular species is provided briefly below:
- Badger. Areas within the survey site that might be used by Badger (*Meles meles*) for foraging and sett building were assessed. Incidental foraging signs, tree scratching, paths, latrines and setts were recorded if found (Harris *et al.*, 1989).

- Bats. The potential value of the habitat for roosting/ foraging/ commuting was assessed in accordance with *Table 4.1* provided in Collins (2016). Also refer to text on PRA/ PRF inspection below.
- Great Crested Newt. The quality of terrestrial habitat for Great Crested Newts (*Triturus cristatus*) was assessed.
- Reptiles. A qualitative assessment of the habitat for reptiles was undertaken. The survey involved identifying potential basking areas, hibernation sites and foraging habitat. English Nature (2004) provides further information on the distribution and ecology of the four widespread species. Habitat requirements differ between species but are summarised in Edgar *et al.* (2010).
- Birds. The habitat within the survey site was assessed for its potential value for breeding birds based on guidance provided in e.g. JNCC (2004b).

Preliminary Roost Assessment

- 2.1.6 The PRA was carried out on 01st December 2017 by Max Ellson of Marches Ecology. The survey was undertaken of all trees which are located within the survey site associated with the Extended Phase 1 Habitat Survey, as well as one located immediately adjacent (that at *Target Note 19*, as instructed by the client).
- 2.1.7 The survey followed the guidance for a Preliminary 'ground level' Roost Assessment of trees in accordance with best practice guidelines (Collins 2016). The exterior of each tree subject to the PRA was inspected from ground level to identify the presence of any features that bats could use for roosting – Potential Roost Features (PRF), as well as any evidence of the actual presence of bats, e.g. droppings and or staining below a PRF. This assessment was recorded as Target Notes which are provided in Evidence of activity was noted when encountered. The Target Notes are provided in *Section 5* and shown on *Figure 1*. The categorisation of roosting potential follows that provided in *Table 4.1, p35* (Collins 2016). The trees were inspected with the aid of a high-powered torch where necessary and close-focussing binoculars.
- 2.1.8 Preliminary ground level assessments of trees are best carried out in winter (approximately December to March) when the foliage is absent; as such this survey was undertaken during the optimum time period.

Potential Roost Feature Inspection

- 2.1.9 [To be updated further to PRF inspection]

2.2 Survey Constraints

- 2.2.1 The following may be considered survey constraints:

Extended Phase 1 Habitat Survey

- December is outside the accepted period for undertaking an Extended Phase 1 Habitat Survey. However, considering the character of the habitat present this constraint is not considered to be significant.
- Some of the boundaries of the survey site are not physically marked.

- No background data search has been undertaken to inform the survey and this report. This approach was agreed as acceptable with Emma Broad (WCBC, Ecology and Biodiversity Officer) (via an email dated 07th December 2017).

PRA

- It was difficult to view all parts of some of the trees from all sides, either due to their location (for example adjacent to buildings or access boundaries) and/ or the low angle of the winter sun.
- No background data search has been undertaken (refer above).

PRF Inspection

- [To be updated further to PRF inspection]

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3 BASELINE ECOLOGICAL CONDITIONS

3.1 Habitats and Flora

Context

- 3.1.1 The survey site extends to approximately 0.5 hectares. It is located in Wrexham town centre. It is dominated by the Wrexham Magistrates Court building with peripheral areas supporting amenity grassland and hard-standing/ bare earth. A single small bed of introduced shrubs is present. The northern boundary of the survey site is formed either by fencing or a low retaining wall which separates it from the adjacent police station land. The remaining boundaries are undefined. To the west are located existing buildings with associated small areas of amenity grassland/ beds of introduced shrubs/ trees and also a large public car park. A zone of amenity grassland with trees is located to the immediate south, separating the survey site from the Waterworld Swimming complex. The A5152 is located to the immediate east, with amenity grassland characterising adjacent land to the north and south of the survey site.

Site Description

Introduction

- 3.1.2 The Extended Phase 1 Habitat map is provided as *Figure 1*. The Target Notes (no's 1, 3-18 and 20 for the survey site, and 2 and 19 for adjacent land) are provided in *Section 5*/ shown on *Figure 1*.

Trees

- 3.1.3 Eleven (mostly semi-mature/ mature) trees are located within the survey site (*Target Notes 9-18 and Target Note 20*). These trees include 3 No. *Acer pseudoplatanus* (Sycamore), 6 No. *Betula pendula* (Silver Birch) and 2 No. *Tilia x europaea* (Lime). A mature *Aesculus hippocastanum* (Horse-chestnut) is located immediately adjacent to the survey site at *Target Note 19*. Trees are further considered below with regards bats.

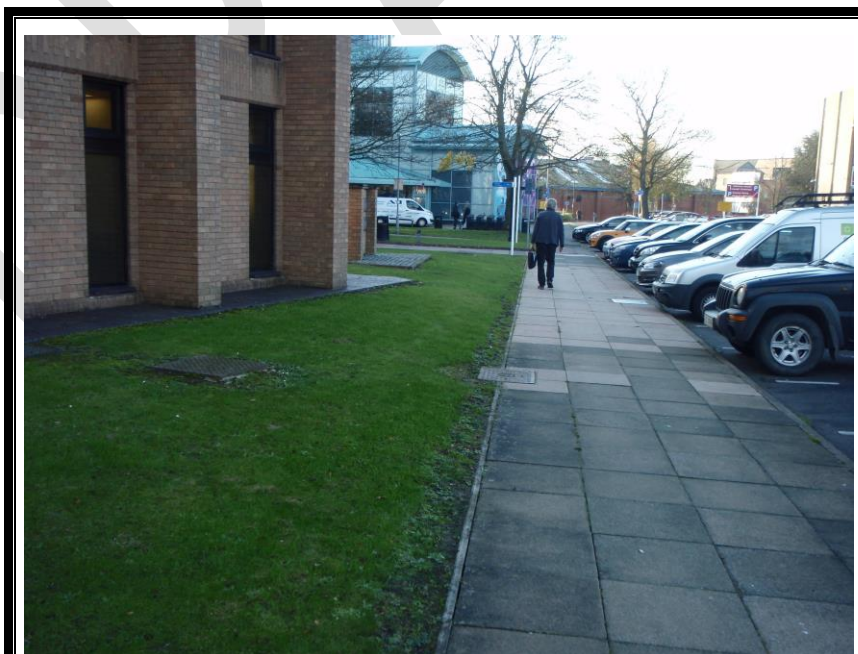
Grassland

- 3.1.4 Amenity grassland characterises much of the survey site (*Target Notes 5 and 8*). That at *Target Note 5* comprises the largest individual stand of amenity grassland within the survey site, and includes short, steep banks at the eastern and (partly) southern edges. It appears to be frequently mown, with the sward mostly being to 0.05 m height, frequently shorter – the banks however support a longer sward to 0.1 m. The sward is dominated by grasses, which are in turn dominated by *Lolium perenne* (Perennial Rye-grass), with other species at lower levels of abundance such as occasional/ locally frequent *Dactylis glomerata* (Cock's-foot) and occasional *Poa annua* (Annual Meadow-grass), *Festuca rubra* (Red Fescue), and *Agrostis capillaris* (Common Bent). A range of typical grassland forbs/ tall-herbs are scattered throughout such as frequent/ locally abundant *Bellis perennis* (Daisy), *Plantago lanceolata* (Ribwort Plantain), *Veronica persica* (Common Field-speedwell) and *Stellaria media* (Common Chickweed), frequent *Trifolium repens* (White Clover), occasional/ locally frequent *Achillea millefolium* (Yarrow) and *Cerastium fontanum* (Common Mouse-ear), occasional *Ranunculus repens* (Creeping Buttercup), and lesser amounts of a small number

of other species including *Centaurea nigra* (Common Knapweed) (located on the easterly bank only).



Amenity grassland at Target Note 5. Photo taken next to small building at Target Note 1 looking approximately south.



Amenity grassland at Target Note 8. Photo taken next to raised bed at Target Note 4 looking approximately south.

- 3.1.5 *Target Note 8* comprises the remainder of the amenity grassland resource within the survey site which is located at the edges of the Magistrates Court building. It appears more frequently utilised and subsequently more worn/ with more ruderal species than the resource described at *Target Note 5*.

Other Habitats

- 3.1.6 Other habitats/ features within the survey site are limited to the following:

- built structures at *Target Notes 1* (a very small gas facility), 6 (the Magistrates Court building) and 7 (an enclosed pedestrian footbridge);
- a small bed of ornamental planting/ introduced shrubs at *Target Note 3*; and
- a very small raised flower bed at *Target Note 4*; and
- hard-standing/ bare earth.

The built structures are further considered below with regards bats.

Immediately Adjacent Habitats

- 3.1.7 Part of an immediately adjacent building that connects to the pedestrian footbridge is described at *Target Note 7a*. An immediately adjacent mature shrub is described at *Target Note 2*.

3.2 Species/ Species Groups

Introduction

- 3.2.1 Due to the urban/ central town location of the survey site, and the character of the habitats present, the following species/ species groups have been scoped out and will not be considered further in this report: Badger, Great Crested Newt and reptiles.

Bats

- 3.2.2 Twelve trees were subject to the PRA, the Target Notes for which are provided in *Section 5*; *Table 1* below provides a summary.

Table 1 – PRA Summary

Target Note	Species	Roost Potential	Target Note	Species	Roost Potential
9	Sycamore	Negligible	15	Lime	Negligible
10	Silver Birch	Negligible	16	Sycamore	Low at most, probably negligible
11	Silver Birch	Negligible	17	Sycamore	Moderate
12	Silver Birch	Negligible	18	Lime	Low
13	Silver Birch	Negligible	19	Horse-chestnut	Low
14	Silver Birch	Negligible	20	Silver Birch	Negligible

- 3.2.3 In accordance with Collins (2016) 'A tree of sufficient size and age to contain PRFs but with none seen from the ground or features seen with only very limited roosting potential' has been assigned to the 'low roost potential' category (for example *Target Note 16*).
- 3.2.4 One tree (*Target Note 17*) has been categorised as of moderate roost potential. Two trees (*Target Notes 18 and 19*) have been categorised as of low roost potential. In addition, one tree at *Target Note 16* has been categorised as low roost potential at most, probably negligible. The remaining eight trees (*Target Notes 9-15 and 20*) have been categorised as of negligible roost potential.
- 3.2.5 Built structures within the survey site are located at *Target Notes 1, 6 and 7*. At *Target Note 1* there is a small brick walled/ flat-roofed structure, approximately 2.5 m high, by 2.5 x 1.5 m; it appears to be a small gas supply shelter. It provides negligible bat roost potential. The Wrexham Magistrates Court building is described at *Target Note 6*. This is constructed of brick walls/ with associated tall windows and a metal box-roof structure. It was not assessed in detail but appears to be in good condition; it provides negligible bat roost potential.



- 3.2.6 At *Target Note 7* there is a raised enclosed pedestrian footbridge which connects Wrexham Magistrates Court to the adjacent police station (*Target Note 7a*). It partly rests on a 'plant room' building, otherwise it is suspended on pillars; the underside of the bridge is approximately 2 m above ground level. It is constructed of brick with a concrete base and a flat roof (not visible). The structure appears to be in good condition, including where the bridge 'ties-in' to the buildings at both ends. Features of bat roost potential are limited to a small number of single brick vents located at the base of the bridge on both sides (7 no. on the eastern side and 3 no. on the western side). Each brick vent comprises 5 no. square holes of approximately 0.02 m x 0.02 m; it is unknown if these vents lead into a cavity wall and if so the dimensions of any such structure. The bridge provides low bat roost potential

at most. The 'plant room' building is flat-roofed and in good condition and provides negligible bat roost potential.



- 3.2.7 Outside of the survey site at *Target Note 7a* part of the police station building connects with the footbridge. At this location it is a flat-roofed/ concrete clad structure which provides negligible bat roost potential.
- 3.2.8 The survey site is located in an urban environment characterised by built-over land with locally frequent trees and stands of amenity grassland/ shrub plantings. The amenity grassland which dominates the vegetation within the survey site is unlikely to provide any particular foraging resources for bats. Potential foraging features are largely limited to the tree resource, and possibly around existing buildings. The site is likely to be lit during hours of darkness which is likely to reduce its overall potential value for foraging/ commuting bats. There is no distinct commuting resource provided by the habitats within/ immediately adjacent to the survey site.
- 3.2.9 Taking the urban location, the paucity of habitats and the small overall size into account, the habitat resource is assessed as being of low potential value for commuting/ foraging bats in accordance with Collins (2016).

Birds

- 3.2.10 Opportunities for nesting birds within the survey site are restricted to trees, buildings and the small stand of ornamental planting.

4 EVALUATION, POTENTIAL IMPACTS AND RECOMMENDATIONS

4.1 Introduction

4.1.1 Brief details regarding the proposal are provided in *Section 1.2*. An assessment of ecological issues based on the information provided is detailed below and considers:

- further survey requirements; and
- potential development constraints and associated avoidance/ mitigation requirements.

These are dealt with in turn for habitats and flora, and specific species groups in the section below.

4.1.2 No further detailed information regarding the proposed development has been provided. In the absence of such information potential impacts have been considered with reference to the plans/ information provided only.

4.2 Evaluation, Potential Impacts and Recommendations

Habitats

4.2.1 Review of drawing no. 3409-MAC-ZZ-00-DR-A-0006 rev 01 indicates that the proposed custody block/ associated works footprint and immediately adjacent area includes the following habitat resources/ features:

- Individual (mostly semi-mature/ mature) trees at *Target Notes 9-20* inclusive;
- Amenity grassland at *Target Note 5*;
- Built structures at *Target Notes 1, 6 and 7/ 7a*; and
- Hard-standing/ bare-earth.

The habitats outside the custody block/ associated works footprint (unless immediately adjacent to it) have not been assessed here as it is assumed that they would not be impacted by the proposal.

4.2.2 With the exception of semi-mature/ mature trees, all of the habitats/ features listed above are considered to be of no more than site value².

4.2.3 Large/ mature trees are not specifically recognised as a 'priority habitat' listed on *Section 7* of the *Environment (Wales) Act 2016*. However at least several of the trees at *Target Notes 9-20* inclusive may be of considerable age (for example those at *Target Notes 16-19* inclusive) and as a group they provide both habitat structure and form an important part of the local urban landscape. In addition, they are likely to be of general wildlife value. These trees are considered to be of local value.

4.2.4 No further survey of the habitat within the survey site is currently considered necessary to support the application.

² CIEEM (2016) recommends the use of geographical context as a frame of reference for identifying the importance (value) of ecological features. The frame of reference has the following categories: International/ European - National - Regional - Metropolitan/County/Vice-county/ other local-authority wide area - Local. Within this report Local is defined as relating to district or parish; less than local refers to features of value at a Site level.

- 4.2.5 Review of drawing no. 3409-MAC-ZZ-00-DR-A-0006 rev 01 indicates that direct impacts associated with the proposal would be limited to the following habitats/ features:
- Eight (mostly semi-mature/ mature) trees at *Target Notes 11-18* inclusive (which are to be felled);
 - One mature tree at *Target Note 19* (which is to be pruned [TBC]);
 - Amenity grassland at *Target Note 5*; and
 - The pedestrian footbridge at *Target Note 7* (to be demolished [TBC]).
- 4.2.6 The loss of the eight trees at *Target Notes 11-18*, particularly those at *Target Notes 16, 17 and 18*, will result in a permanent impact to a feature of local value. This can be considered a significant adverse effect at a local level. Where possible the scheme should seek to retain these trees in situ. Where this is not possible, replacement trees should be planted elsewhere within the applicant's land-holding or on immediately adjacent land (subject to land-owner consent). These should be as large as possible whereby individual select standard (10-12 cm girth and at least 3 m high) specimens³ should be planted. Any planting should utilise native species of certified British origin and local provenance (Local Seed Zone 403⁴). All planting undertaken should be in accordance with *BS 8545:2014 –Trees: from nursery to independence in the landscape. Recommendations*⁵. The species to be utilised and locations to be planted should be discussed and agreed with the WCBC Tree Officer. [Review/ refer to Arb report as required]
- 4.2.7 In addition to the above, it is recommended that the adjacent/ retained trees at *Target Notes 9, 10, 19 and 20* are protected during the construction phase; this fencing should conform with Local Planning Guidance Note 17⁶ as well as '*BS 5837:2012 Trees in Relation to Design, Demolition and Construction. Recommendations*'. In addition, general best practice measures should be implemented during the construction to avoid any indirect impacts (e.g. dust, diffuse and water-borne pollution, etc.) on retained/ adjacent habitat. A suitable temporary protective fence (e.g. heras) should be installed along the boundaries of the construction site prior to the start of any preparatory or construction works. This fence should remain in-situ until the completion of the construction. No access/ storage of materials/ construction work, etc. should be allowed beyond this fence.
- 4.2.8 Technical Advice Note 5: Nature Conservation and Planning (Welsh Assembly Government 2009) seeks development to achieve net biodiversity gain. As such as part of the scheme it is proposed that retained amenity grassland within the survey site is enhanced with native wildflower plug plants⁷. Such plants should be of minimum British native, but ideally of local, provenance. Further to their establishment (for which guidance should be sought from the supplier) this resource should be subject to frequent management as a lawn (to a minimum height of 0.04 m), with ideally a period of cessation in the summer months (approximately

³ In accordance with *BS 3936 – Nursery stock specification for trees and shrubs*.

⁴ [http://www.forestry.gov.uk/pdf/FRMGuidelinesRoPmap.pdf/\\$FILE/FRMGuidelinesRoPmap.pdf](http://www.forestry.gov.uk/pdf/FRMGuidelinesRoPmap.pdf/$FILE/FRMGuidelinesRoPmap.pdf)

⁵ <http://shop.bsigroup.com/ProductDetail/?pid=000000000030219672>

⁶ http://www.wrexham.gov.uk/english/planning_portal/lpg_notes/lpg17.htm

⁷ An example of a national supplier can be found at: <https://www.wildflowerlawnsandmeadows.com/shop/low-flowering-lawn-plant-plug-collection/>, although it is suggested that where possible a local supplier with plug plants of local provenance should be sought.

from June for a period of 4-8 weeks) in order to provide a flowering lawn⁸. After each cut the clippings should be removed.

Flora

- 4.2.9 No species of plant listed in categories (above Least Concern) in the most recent Vascular Plant Red Data List for Wales (Dines 2008) and no plants of local importance (as described in Williams (2014)) were recorded from the survey site. No species of plant listed on Schedule 9 of the *Wildlife & Countryside Act 1981* (as amended) was recorded from the survey site. No further survey of the flora within the survey site and no specific mitigation measures are currently considered necessary.

Fauna

Bats

- 4.2.10 [To be confirmed further to PRF inspection of trees and bridge]
- 4.2.11 The habitat resource provided by the survey site has been assessed as being of low value for foraging/ commuting bats. The proposal will result in the loss of eight of the eleven on site trees which may provide much of the foraging potential afforded by the site [to be added to as required further to results of PRF inspection]. The planting of replacement select standard trees (as detailed above) would assist in off-setting this perceived impact in the medium-/ long-term.
- 4.2.12 Artificial lighting can have an adverse effect on bats (The Bat Conservation Trust 2014). No information has been provided on proposed lighting for the proposal however if required this should follow guidance provided by The Bat Conservation Trust (2014) and Institution of Lighting Engineers (2011). Retained/ planted trees in particular should be kept as dark as possible.

Birds

- 4.2.13 The proposal would require the removal of eight of the eleven on site trees which provide potential bird nesting habitat. An additional tree located adjacent to the survey site (*Target Note 19*) may be subject to pruning [TBC]. The pedestrian footbridge at *Target Note 7* (to be demolished [TBC]) is likely to provide negligible opportunities. Loss of this potential bird nesting habitat is concluded to be not significant at a local level. As such no further survey for birds is deemed necessary (other than a pre-work check should work be undertaken during the nesting season as detailed below).
- 4.2.14 The destruction of any bird nests that are in use is illegal. The simplest option to avoid issues arising from the presence of nesting birds is to schedule work that affects nesting habitat (e.g. felling/ pruning of trees/ demolition of built structures) outside the nesting period (March to August inclusive). Such work also should seek to ensure that, as far as is possible, all areas within the footprint of the proposed works remain unattractive to breeding birds for the duration of the work. Should any occupied nests be found during the construction phase, a buffer zone (determined on the basis of the species concerned and the location of the nest in the context of the surrounding vegetation, but no less than 5 m) would be retained until it can be ascertained that the chicks have left the nest. The buffer

⁸ If *Primula veris* (Cowslip) is included in the plug plant mix, mowing should also be suspended in spring to allow flowering.

zone will be appropriately fenced and signed. The temporary protective fencing as detailed above will protect habitat beyond the zone of influence that does support nesting birds.

- 4.2.15 If it is not possible to fell/ prune trees and or demolish built structures outside the nesting season all such areas should be checked by a suitably qualified ecologist prior to commencement of works. If any active nests are found at this time a buffer zone as detailed above would be provided.
- 4.2.16 The proposed provision of replacement trees (as detailed above) will largely off-set the perceived impact on nesting birds in the medium-/ long-term. However, to further offset the habitat loss/ provide an enhancement, five bird-boxes will be installed in appropriate locations on retained trees within the applicant's land-holding/ on immediately adjacent land (subject to land-owner consent). These will comprise 5 no. 1B Schwegler nest-boxes⁹. These nest-boxes should be installed either by, or under the direction of, a suitably qualified ecologist to ensure correct installation; they should be maintained annually.

⁹ For example <https://www.nhbs.com/1b-schwegler-nest-box>

5 TARGET NOTES

Extended Phase 1 Habitat Survey

Target Note 1. A small brick walled/ flat-roofed structure, approximately 2.5 m high, by 2.5 x 1.5 m. It appears to be a small gas supply shelter. The brick walls are in good condition. The flat roof is constructed of felt with metal barge boards to 0.05 m. One of the sides of the structure comprises a slatted wooden doorway, which is partly defunct providing potential internal access. The inside of the structure can be viewed and comprises plastered walls/ ceiling. This structure provides negligible bat roost potential.

Target Note 2. [Outside the survey site]. A mature multi-stemmed shrub to approximately 6 m in height which overhangs the survey site. An old birds nest is located in the canopy.

Target Note 3. An ornamental planting bed with shrubs to approximately 1.5 m in height, dominated by *Berberis* sp. (a Barberry) with lesser amounts of *Hypericum androsaemum* (Tutsan). There are no plants in the field layer which has been covered with wood chippings.

Target Note 4. A small raised flower bed, constructed of brick walls to approximately 0.75 m in height. A mixture of perennial ornamental plants and grasses have been established. This was not species-listed.

Target Note 5. Amenity grassland. This comprises the largest individual stand of amenity grassland within the survey site, and includes short, steep banks at the eastern and (partly) southern edges. It appears to be frequently mown, with the sward mostly being to 0.05 m height, frequently shorter – the banks however support a longer sward to 0.1 m. Occasionally dense leaf litter prevents detailed assessment. The sward is dominated by grasses, which are in turn dominated by *Lolium perenne* (Perennial Rye-grass), with other species at lower levels of abundance such as occasional/ locally frequent *Dactylis glomerata* (Cock's-foot) and occasional *Poa annua* (Annual Meadow-grass), *Festuca rubra* (Red Fescue), and *Agrostis capillaris* (Common Bent). A range of typical grassland forbs/ tall-herbs are scattered throughout such as frequent/ locally abundant *Bellis perennis* (Daisy), *Plantago lanceolata* (Ribwort Plantain), *Veronica persica* (Common Field-speedwell) and *Stellaria media* (Common Chickweed), frequent *Trifolium repens* (White Clover), occasional/ locally frequent *Achillea millefolium* (Yarrow) and *Cerastium fontanum* (Common Mouse-ear), occasional *Ranunculus repens* (Creeping Buttercup), and lesser amounts of *Geranium molle* (Dove's-foot Crane's-bill), *Centaurea nigra* (Common Knapweed) (located on the easterly bank only), *Taraxacum* sect. *Ruderalia* (Common Dandelion), *Senecio jacobaea* (Common Ragwort), *Hypochaeris radicata* (Cat's-ear), *Senecio vulgaris* (Groundsel) and *Rumex obtusifolius* (Broad-leaved Dock).

Target Note 6. Wrexham Magistrates Court. This is constructed of brick walls/ with associated tall windows and a metal box-roof structure. It was not assessed in detail but appears to be in good condition; it provides negligible bat roost potential.

Target Note 7. A raised enclosed pedestrian footbridge which connects Wrexham Magistrates Court to the adjacent police station (*Target Note 7a*). It partly rests on a 'plant room' building, otherwise it is suspended on pillars; the underside of the bridge is approximately 2 m above ground level. It is constructed of brick with a concrete base and a flat roof (not visible). The structure appears to be in good condition, including where the bridge 'ties-in' to the buildings at both ends. Features of bat roost potential are limited to a small number of single brick vents located at the base of the bridge on both sides (7 no. on the eastern side and 3 no. on the western side). Each brick vent comprises 5 no. square holes of approximately 0.02 m x 0.02 m; it is unknown if these vents lead into a cavity wall and if so the dimensions of any such structure. The bridge provides low bat roost potential at most. The 'plant room' building is flat-roofed and in good condition and provides negligible bat roost potential.

Target Note 7a. [Outside the survey site]. Part of the police station building connects with the footbridge outside of the survey site. At this location it is a flat-roofed/ concrete clad structure which provides negligible bat roost potential.

Target Note 8. Amenity grassland. This target note describes the remainder of the amenity grassland resource within the survey site which is located at the edges of the Magistrates Court building. It appears to be frequently mown, with the sward mostly being to 0.05 m height, frequently shorter. Occasionally dense leaf litter prevents detailed assessment. It appears more frequently utilised and subsequently more worn/ with more ruderal species than the resource described at *Target Note 5*. The sward is dominated by grasses, which are in turn dominated by Perennial Rye-grass, with other species at lower levels of abundance such as occasional Cock's-foot, Annual Meadow-grass and Red Fescue, and lesser amounts of *Holcus lanatus* (Yorkshire-fog). Bryophytes are locally abundant. A range of typical grassland forbs/ tall-herbs are scattered throughout such as frequent/ locally abundant Daisy, occasional/ locally frequent Dove's-foot Crane's-bill, Ribwort Plantain, Common Field-speedwell, White Clover, *Cardamine hirsuta* (Hairy Bitter-cress) and Common Dandelion, occasional Common Mouse-ear, Groundsel, *Sagina* cf. *procumbens* (Procumbent Pearlwort), and *Arabidopsis thaliana* (Thale Cress) and Creeping Buttercup, and lesser amounts of *Anagallis arvensis* (Scarlet Pimpernel), Common Ragwort, Cat's-ear, *Juncus bufonius* (Toad Rush) and *Prunella vulgaris* (Selfheal).

Preliminary Roost Assessment (Trees)

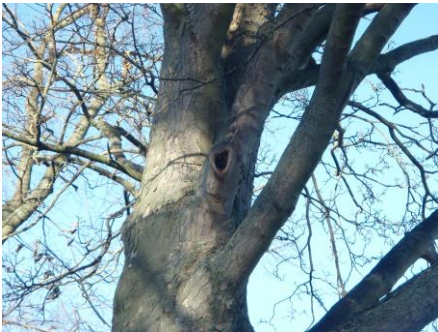
Target Note	Grid Ref.	Approx. dbh ¹⁰	Species	Description/ Photos
9	SJ33785 50573 (+/- 3 m)	0.3 m	<i>Acer pseudoplatanus</i> (Sycamore)	A semi-mature tree with two stems. Largely appears to be in good condition with occasional minor dead branches in the canopy. No PRFs visible. Negligible roost potential. 
10	SJ33789 50579 (+/- 4 m)	0.35 m	<i>Betula pendula</i> (Silver Birch)	A mature tree with a single stem. Largely appears to be in good condition with occasional minor dead branches in the canopy. Has been pruned at lower levels in the past. No PRFs visible. Negligible roost potential.

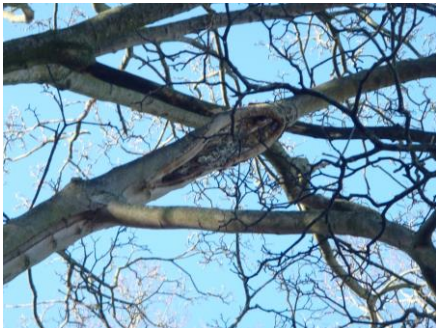
¹⁰ Diameter at breast height.

Target Note	Grid Ref.	Approx. dbh ¹⁰	Species	Description/ Photos
				
11	SJ33787 50587 (+/- 4 m)	0.3 m	Silver Birch	A semi-mature/ mature tree with a single stem. Largely appears to be in good condition with occasional minor dead branches in the canopy. Has been pruned at lower levels in the past. A shallow pruning scar at approximately 1.75 m high on the south side of the tree was fully investigated from ground level. No PRFs visible. Negligible roost potential. 
12	SJ33796 50593 (+/- 3 m)	0.25 m	Silver Birch	As Target Note 10. No PRFs visible. Negligible roost potential.

Target Note	Grid Ref.	Approx. dbh ¹⁰	Species	Description/ Photos
				
13	SJ33793 50591 (+/- 3 m)	0.35 m	Silver Birch	As <i>Target Note 10</i> . No PRFs visible. Negligible roost potential. 
14	SJ33800 50597 (+/- 3 m)	0.35 m	Silver Birch	As <i>Target Note 10</i> . No PRFs visible. Negligible roost potential. 

Target Note	Grid Ref.	Approx. dbh ¹⁰	Species	Description/ Photos
15	SJ33805 50594 (+/- 3 m)	0.3 m	<i>Tilia x europaea</i> (Lime)	A young tree with a single stem. Largely appears to be in good condition. No PRFs visible. Negligible roost potential. 
16	SJ33797 50607 (+/- 3 m)	0.5-6 m	Sycamore	A large mature specimen tree with a single stem. Largely appears to be in good condition with occasional minor dead branches in the canopy. Lower branches have been pruned in the past and some higher up. Minor bark flaking evident but not significant. No PRFs visible, but tree is of a sufficient size to contain PRF's. Low roost potential at most, probably negligible. 
17	SJ33795 50618 (+/- 3 m)	0.8 m	Sycamore	A large mature specimen tree with a single stem. Lower branches have been pruned in past and some higher up.

Target Note	Grid Ref.	Approx. dbh ¹⁰	Species	Description/ Photos
				 5 PRF's visible: 1) Rot hole approximately 0.05 m in diameter at old pruning scar. On north side of tree at a height of approximately 6 m. Appears to be shallow but as angled upwards detailed assessment from ground not possible. Upwards angle may however make it more exposed and therefore reduce its potential.  2) Rot hole approximately 0.01 m x 0.05 m at old pruning scar. At base of 5th highest branch, on the south-east side of the tree, at a height of approximately 8 m high. Appears to be shallow but detailed assessment from ground not possible.  3) Rot hole approximately 0.05 m in diameter at old pruning scar. Approximately 3 m along 4th highest branch, on the south-east side at a height of approximately 10 m. The branch is small (approximately 0.15 m diameter) which

Target Note	Grid Ref.	Approx. dbh ¹⁰	Species	Description/ Photos
				limits the potential. Also appears to be shallow but detailed assessment from ground not possible.  4) Rot hole approximately 0.1 m x 0.05 m at old pruning scar. Approximately 4 m high on main trunk (north-east). Crescent shaped. Appears at least 0.05 m to 0.1 m deep when assessed from ground level but may be deeper.  5) Longitudinal scar on branch (with diameter of approximately 0.15 m to 0.2 m). 2nd highest branch on north side at a height of approximately 9 m. The scar is approximately 0.5 m long and 0.1 m wide. From ground level it mostly appears shallow but there are possible entry points into the branch.  In addition, minor bark flaking evident but not significant. Moderate roost potential.
18	SJ33789 50622 (+/- 3 m)	0.6 m	Lime	A large mature specimen tree with three main stems. It largely appears to be in good condition with occasional minor dead branches in the canopy. Lower branches have been pruned in the past: a small number of shallow holes are located near the base of the tree at old pruning scars – these were fully investigated from ground level and were found to be only a few cm's deep. An old nest is located in the canopy. Direct viewing of the northern side of the tree was somewhat

Target Note	Grid Ref.	Approx. dbh ¹⁰	Species	Description/ Photos
				difficult due to the location of a fence/ the survey site boundary.  1 PRF visible: 1) Short stump/ remains of an old branch on northern side of the north-east stem (at a height of approximately 8 m). Detailed assessment from ground not possible: it is unclear if there is any cavity/ rot hole etc associated with this feature.  Low roost potential.
19	SJ33762 50633 (+/- 3 m)	1.0 m	<i>Aesculus hippocastanum</i> (Horse-chestnut)	[Outside survey site, no direct access – Grid ref. taken from immediately adjacent fence-line]. A large mature specimen tree with three main stems. It largely appears to be in good condition with occasional minor dead branches in the canopy. Lower branches have been pruned in the past. Direct viewing of the northern side of the tree was somewhat difficult due to its location outside of the survey site.

Target Note	Grid Ref.	Approx. dbh ¹⁰	Species	Description/ Photos
				 2 PRF's visible: 1) Potential cavity approximately 0.2 m in diameter on eastern side of main stem (at an approximate height of 3 m). Angled upwards which may make it more exposed and therefore reduce its potential.  2) Very small hole in old pruning scar (less than 0.05 m in diameter) on eastern side of the southern stem (at an approximate height of 10 m).  In addition, minor bark flaking evident but not significant. Low roost potential.
20	SJ33739 50620 (+/- 3 m)	0.3 m	Silver Birch	A semi-mature/ mature tree with a single stem. Largely appears to be in good condition with occasional minor young dead branches in the canopy. No PRFs visible. Negligible roost potential.

Target Note	Grid Ref.	Approx. dbh ¹⁰	Species	Description/ Photos
				

6 REFERENCES

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7 DATA

Table 2 – Vascular plant species recorded within the survey site during the Extended Phase 1 Habitat Survey

Plant species
<i>Acer pseudoplatanus</i> (Sycamore)
<i>Berberis</i> sp. (a Barberry)
<i>Betula pendula</i> (Silver Birch)
<i>Buddleja davidii</i> (Butterfly-bush)
<i>Fraxinus excelsior</i> (Ash)
<i>Hypericum androsaemum</i> (Tutsan)
<i>Tilia x europaea</i> (Lime)
<i>Achillea millefolium</i> (Yarrow)
<i>Agrostis capillaris</i> (Common Bent)
<i>Anagallis arvensis</i> (Scarlet Pimpernel)
<i>Arabidopsis thaliana</i> (Thale Cress)
<i>Bellis perennis</i> (Daisy)
<i>Cardamine hirsuta</i> (Hairy Bitter-cress)
<i>Centaurea nigra</i> (Common Knapweed)
<i>Cerastium fontanum</i> (Common Mouse-ear)
<i>Cirsium arvense</i> (Creeping thistle)
<i>Dactylis glomerata</i> (Cock's-foot)
<i>Epilobium montanum</i> (Broad-leaved Willowherb)
<i>Festuca rubra</i> (Red Fescue)
<i>Galium aparine</i> (Cleavers)
<i>Geranium molle</i> (Dove's-foot Crane's-bill)
<i>Holcus lanatus</i> (Yorkshire-fog)
<i>Hypochaeris radicata</i> (Cat's-ear)
<i>Juncus bufonius</i> (Toad Rush)
<i>Lolium perenne</i> (Perennial rye-grass)
<i>Plantago lanceolata</i> (Ribwort Plantain)
<i>Poa annua</i> (Annual Meadow-grass)
<i>Prunella vulgaris</i> (Selfheal)
<i>Ranunculus repens</i> (Creeping Buttercup)

Plant species*Rubus fruticosus* agg. (Bramble)*Rumex obtusifolius* (Broad-leaved Dock)*Sagina* cf. *procumbens* (Procumbent Pearlwort)*Senecio jacobaea* (Common Ragwort)*Senecio vulgaris* (Groundsel)*Stellaria media* (Common Chickweed)*Taraxacum* sect. *Ruderalia* (Common Dandelion)*Trifolium repens* (White Clover)*Veronica persica* (Common Field-speedwell)

8 APPENDIX 1 – SPECIES-SPECIFIC LEGISLATION

8.1 Introduction

8.1.1 The species-specific legislation below is presented here due either to the actual or suspected/ possible presence of each species on the site or within the zone of influence and is therefore considered to be relevant for this study.

8.1.2 This sub-section provides a brief summary of key relevant species legislation. It should not be considered a comprehensive review and is not meant to be so. It is provided here for information only and is not intended to replace specialised legal advice. It does not replace the text of the legislation, but summarises the salient points.

8.2 Bats

8.2.1 All species of British bat are listed on *Schedule 5* of the *Wildlife and Countryside Act 1981* (as amended), and receive full protection under *Section 9*. They are also listed as European Protected Species on *Schedule 2* of *The Conservation of Habitats and Species Regulations 2017* which gives them full protection under *Regulation 40(1)*. Protection was extended by the *Countryside and Rights of Way Act 2000* (the *CRoW Act 2000*).

8.2.2 Under the above legislation it is an offence to intentionally or recklessly:

- kill, injure or take an individual of such a species;
- possess any part of such species either alive or dead;
- damage, destroy or obstruct access to any place or structure used by such species for shelter, rest, protection or breeding;
- disturb such a species whilst using any place of shelter or protection; or
- sell or attempt to sell any such species.

8.2.3 Several species of bat are included on *Section 7* of the *Environment Act 2016*.

8.2.4 All species of British bat are also protected under *Schedule 6* of the *Wildlife and Countryside Act 1981* (as amended). This protection relates specifically to trapping and direct pursuit of the species.

8.3 Birds

8.3.1 All species of bird are protected under *Section 1* of the *Wildlife and Countryside Act 1981* (as amended). The protection was extended by the *CRoW Act 2000*.

8.3.2 The legislation makes it an offence to intentionally or recklessly:

- kill, injure or take any wild bird;
- take, damage or destroy the nest of any wild bird while that nest is in use or being built; or
- take or destroy an egg of any wild bird.

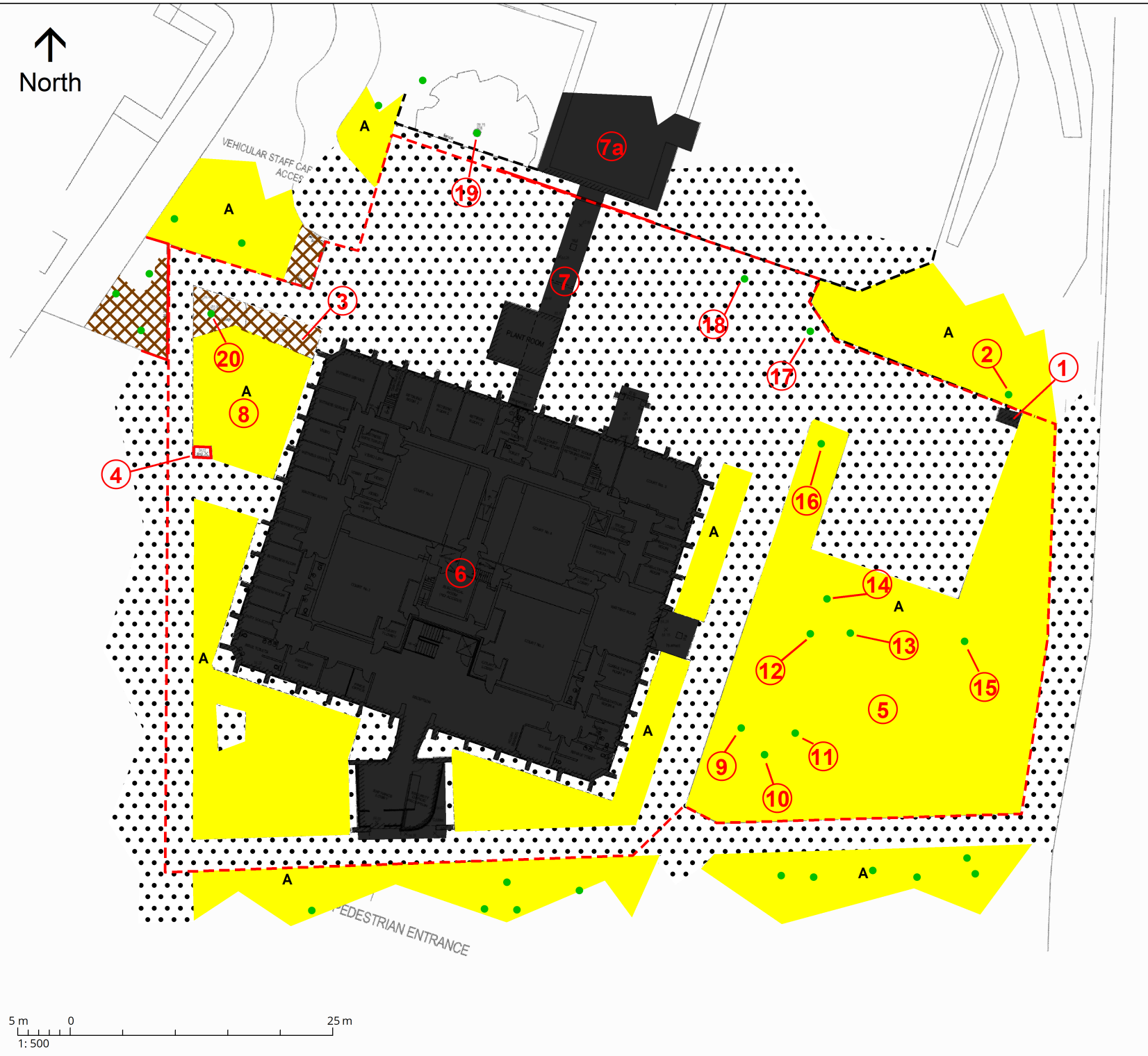
8.3.3 Certain species of bird are listed on *Schedule 1* of the *Wildlife and Countryside Act 1981* (as amended) and receive protection under *Sections 1(4)* and *1(5)* of the Act. The legislation confers special penalties where the above mentioned offences are committed for any such bird and also make it an offence to intentionally or recklessly:

- disturb any such bird, whilst building its nest or it is in or near a nest containing dependant young; or
- disturb the dependant young of such a bird.

8.3.4 Section 7 of the *Environment Act 2016* includes several birds.

DRAFT

↑
North



Individual broad-leaved tree



Amenity grassland



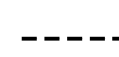
Introduced shrub



Building



Hard-standing/ bare ground



Fence



Wall



Survey site boundary



Target Note

C356 Proposed Wrexham Magistrates Court Custody Block, Wrexham - Ecological Appraisal

Figure 1 - Extended Phase 1 Habitat Survey & Preliminary Bat Roost Assessment (Trees)

Date: 13/12/2017

marches ecology

www.marchesecology.co.uk

5 m 0 25 m
1: 500