

Title	Proposed Development at Elm Point, Abbey Road, Wrexham Industrial Estate, Wrexham – Ecology Statement
Client	M&L Investment Partners LLP
Date of Statement	25th October 2017
Author	Tom Knight

1 Introduction

Background

- 1.1 Marches Ecology was commissioned by M&L Investment Partners LLP (henceforth referred to as 'M&L') to produce an Ecology Statement for a proposed development at Elm Point, Abbey Road, Wrexham Industrial Estate, Wrexham (OS Grid Ref. SJ 385 504). The development would occupy approximately the northern third of Elm Point (see attached plan), adjacent to the premises occupied by Clwyd Compounders Ltd (Clwydian Group Ltd henceforth referred to as 'Clwydian'). This Statement is provided as supporting information to a planning application. It provides a brief summary of ecological mitigation measures completed to date on the wider Elm Point site along with management and monitoring to be undertaken in the future.
- 1.2 Marches Ecology has been involved with the wider site since 2011 at which time it was owned by Wrexham County Borough Council (WCBC) and was occupied by a number of small industrial premises. These buildings were demolished and the site subsequently sold. The southern two-thirds of the plot was developed out by Clwydian in 2015/ 2016 (now complete with the exception of internal fit-out). The current application concerns a plot of land to the northern end of Elm Point, the proposal is for a distribution warehouse with associated infrastructure (largely a service-yard).
- 1.3 Ecological mitigation for the whole Elm Point site was initiated in 2012, prior to the demolition of the buildings. The implementation and maintenance of mitigation measures has been necessary throughout the subsequent development of the site to date.

Site Description

- 1.4 The proposed development site largely comprises a slightly elevated area of ground which slopes down to its boundaries. The plot was used as a construction compound and soil storage area during the development of the Clwydian site. Towards the end of this development it was cleared and levelled. The substrate is predominantly various types of rubble and sub-soil. A range of low-growing ruderal plants have colonised since the cessation of work. Towards the eastern boundary there is a low bank of substrate that was present prior to 2011. This bank supports a semi-mature *Quercus robur* (Pedunculate Oak) tree with some *Rubus fruticosus* agg. (Bramble) scrub.
- 1.5 An ecological mitigation area (see attached plan) is located around the proposed development site, adjacent to the boundaries. The internal boundary of the mitigation area is currently delineated by an amphibian exclusion fence. The mitigation area is characterised by a band of planted shrubs along the western bund, a small area of established species-rich neutral grassland along with areas of created habitat that are currently largely sparsely vegetated.



Typical view of ruderal vegetation that characterises most of the site (17/10/17).

2 Ecological Mitigation Measures

Great Crested Newts

- 2.1 Mitigation Measures for Great Crested Newts (*Triturus cristatus*) have been implemented under licence from Natural Resources Wales (NRW). As M&L will be responsible for the ongoing management and monitoring of the mitigation area adjacent to their site a request was submitted in August 2017 to split the licence (as Clwydian will remain responsible for the mitigation area around their site). The current licence number is 76782:OTH:EPS:2017, due for expiry 31st December 2018.
- 2.2 The following mitigation measures have been completed across the wider Elm Point site:
- An ecologist has been, and will be, retained for the duration of the licensed work, and is responsible for the implementation of the licensed mitigation/ compensation measures.
 - Translocation of amphibians to the receptor site ahead of the start of demolition (including terrestrial/ destructive searches) in 2012/ 2013. A total of eight Great Crested Newts were translocated along with 127 other amphibians (Smooth Newts, Common Frog and Common Toad).
 - The amphibian exclusion fencing has been maintained throughout and was subject to a once monthly check by the ecologist up to December 2016. It is now subject to quarterly checks in accordance with an agreement with NRW. The exclusion fencing around the Clwydian site has been removed; the M&L site remains encircled.
 - An ecological mitigation area has been established and is managed in accordance with the Ecological Management Plan¹ (EMP) (*Appendix 4* of the submitted licence

¹ Marches Ecology (2012). *Proposed Demolition of Various Buildings, Redwither Central, Abbey Road, Wrexham Industrial Estate – Ecological Management Plan for Mitigation Area*. Produced on behalf of WCBC.

application Method Statement). The amphibian exclusion fencing was realigned in 2015 to allow 'release' of the mitigation area.

- All habitat creation works within the mitigation area including movement of soil and aggregate to create the substrate and creation of rough grassland and scrub planting was completed in February 2015.
- Two amphibian hibernacula were created in February 2015.
- Long-term security of the mitigation area has been secured through a Unilateral Undertaking (s106 agreement).
- Long-term monitoring (in accordance with the EMP) of the created habitat was initiated in 2016.

2.3 The following licensed works would be required during the development of the M&L site:

- An ecologist has been, and will be, retained for the duration of the licensed work, and is responsible for the implementation of the licensed mitigation/ compensation measures.
- A Toolbox Talk will be delivered by the ecologist to the construction contractors at the commencement of development.
- Reasonable Avoidance Measures (RAMs) will be implemented for any small-scale works undertaken outside the amphibian exclusion fence (in accordance with *Appendix 1* of the Licence Application-Method Statement²).
- Long-term management (with appropriate funding mechanism) of the mitigation area in accordance with the EMP.

The EMP will be reviewed every five years or as deemed appropriate. NRW will be given the opportunity to provide comments at this stage and subsequently agree the ongoing management.

- Long-term security of the mitigation area is to be secured through a Unilateral Undertaking (s106 agreement) which would be registered as a local land charge.
- Annual monitoring/ inspection of the created habitat in accordance with the EMP.
- The amphibian exclusion fencing will continue to be checked on a quarterly basis by the ecologist up to and during any future construction period.
- Review of the drainage design and layout. Advice will be provided on incorporating amphibian-friendly features.

Badgers

2.4 A Badger (*Meles meles*) sett has been excavated on the site subsequent to the installation of the newt exclusion fence and the building demolition. It has two or three entrance holes³. It was first recorded on 21st March 2014 during a monthly inspection of the newt fence (and was not present during the previous inspection). Due to the potentially sensitive nature of this information the location of the sett is not identified in this statement.

2.5 Prior to the development of the Clwydian site certain contamination remediation measures were required some of which were located within a licensable distance (due to indirect disturbance) from the sett. A Welsh Government licence was obtained (No. NAW 33-14) and the work completed in November 2014.

² Marches Ecology (2012). *Proposed Demolition of Various Buildings, Redwither Central, Abbey Road, Wrexham Industrial Estate - Great Crested Newt Licence Application, Method Statement*. August 2012. Produced on behalf of WCBC.

³ It is not possible to view a third 'depression' beneath dense Bramble to confirm whether or not it is a sett entrance.

- 2.6 During development of the Clwydian site a 30 m exclusion zone was fenced and maintained around the sett. A pre-construction survey was also completed. No further mitigation measures were required.
- 2.7 The sett is likely to be within 30 m of the proposed development within the M&L site, though the exact distance requires confirmation. As such an NRW licence will be required to allow for any potential indirect disturbance during the construction phase. The NRW Species Licensing Team has been contacted to discuss their requirements; to this end monitoring of the sett was initiated in August 2017, due to be completed in November 2017. The sett is believed to be a periodically used outlier. The data being collected aims to demonstrate this assumption.
- 2.8 The sett will not be directly impacted by the proposed development and is located within the mitigation area. Licensed mitigation measures and sett monitoring will be implemented/ supervised by the ecologist for the duration of the construction phase.

Other Species

- 2.9 The EMP identifies Great Crested Newts as the primary feature of importance of the mitigation area. The secondary features are as follows: bats, birds, Grizzled (*Pyrgus malvae*) and Dingy Skipper (*Erynnis tages*) butterflies, species-rich neutral grassland and locally scarce plants.
- 2.10 A detailed inspection of a feature of limited potential value for roosting bats in one building was undertaken prior to demolition. No other features of potential value were identified in any of the other buildings. Six bat-boxes and five bird-boxes have been erected in the mitigation area. Of these, three bat-boxes and two bird-boxes are located within the M&L site. They are maintained and monitored annually.
- 2.11 Much of the habitat created within the mitigation area, particularly towards the northern end, was designed for the benefit of Grizzled and Dingy Skippers. Two small butterfly banks were created. Some vegetation that included abundant *Potentilla reptans* (Creeping Cinquefoil) was translocated from within the Clwydian site, during the construction phase, to part of the mitigation area that is located adjacent to an area of established grassland that supports small numbers of the butterflies. Management of the grassland prescribed in the EMP is also largely for the benefit of Grizzled and Dingy Skippers (as well as Great Crested Newts). The numbers of these butterflies along with their distribution across the site is monitored annually.
- 2.12 There is an area of established species-rich neutral grassland within the M&L site that currently supports both Grizzled and Dingy Skippers. This grassland would be directly impacted by the proposed development and as such translocation to the adjacent mitigation area is proposed. Due to the nature of the substrate on the site it will not be possible to cut and move large turves. It is likely that translocation would be achieved using an excavator fitted with a large toothed digging bucket. The vegetative material would be re-laid as best as possible with the roots pointing down. Translocation will be undertaken in autumn/ winter during a period when no frosts are forecast. Should the following summer contain prolonged hot periods it may be necessary to water the vegetation until it has established.
- 2.13 Along with translocation of this vegetation it is also likely that some targeted plug-planting of food-plants may be required. Plug-planting would concentrate on the butterfly banks and the mitigation area close to the retained grassland that currently supports small numbers of the butterflies.

- 2.14 A small number of locally scarce plants has been recorded from the site. They are also subject to annual monitoring.



Remaining species-rich neutral grassland within the proposed development site (17/10/17). Part of the amphibian exclusion fence is visible on the left of this view.

3 Management and Monitoring of the Mitigation Area

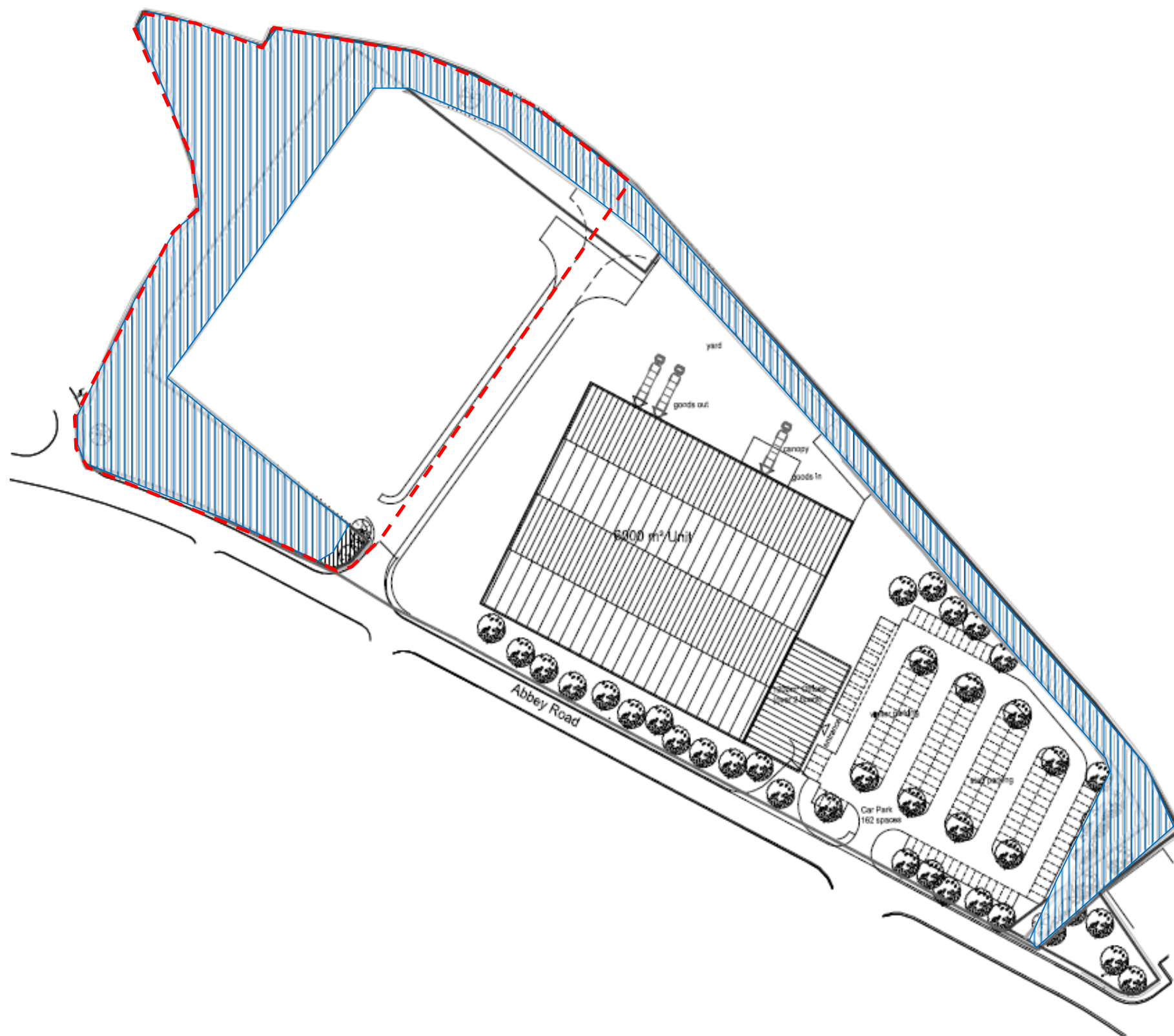
- 3.1 Three inspection visits are undertaken annually to assess the condition of the habitat, monitor particular features and review the efficacy of the management being undertaken. The condition of the hibernacula is also reviewed. Management is undertaken in accordance with the EMP.
- 3.2 An annual report⁴ was produced in December 2016 and subsequently submitted to NRW and WCBC. The monitoring is undertaken by Marches Ecology while management is undertaken by Ecological Land Management (ELM).
- 3.3 Management of the ecological mitigation area is largely limited to annual cutting of approximately 50% of the grassland resource along with control of scrub encroachment and weed species. Litter is also removed from the mitigation area once annually.

⁴ Marches Ecology (2016). *Elm Point Mitigation Area – Annual Monitoring and Management*. Produced on behalf of Clwydian Group Ltd.

4 Summary

4.1 M&L Investment Partners LLP will retain responsibility for the mitigation area within their site and is committed to:

- The implementation of all ecological mitigation measures that may be deemed necessary prior to, and during, development of the site.
- Compliance with all of the mitigation measures and other requirements of the Great Crested Newt licence (No. 76782:OTH:EPS:2017).
- The ongoing funding and implementation of all of the management actions as prescribed in the EMP.
- The ongoing funding and implementation of annual monitoring of the mitigation area.



Base mapping provided by a C4 Consulting plan entitled 'Elm Point Wrexham – Proposed Site Plan', drawing no. 13-003/ SK-011, Rev. H, dated 10.02.14.

marches ecology

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Figure 1 – Ecological Mitigation Area

Drawn by: ME
Checked by: TK
Date: 17.10.17

Key

-  Ecological Mitigation Area
-  M&L Investments LLP site

Note: The building layout and infrastructure shown in the Clwyd Compounders Ltd site is not 'as built'; some amendments to the building and car park were subsequently made.