



Title	Proposed Extensions, Rowan Foods Ltd, Ash Road South, Wrexham Industrial Estate, Wrexham – Great Crested Newt Reasonable Avoidance Measures Method Statement
Client	Cox Freeman Ltd
Date of Method Statement	18th January 2013
Author	Tom Knight

1 Introduction

Method Statement

- 1.1 Marches Ecology was commissioned by Cox Freeman Ltd to produce a Reasonable Avoidance Measures (RAMs) Method Statement to avoid any impacts on Great Crested Newts (*Triturus cristatus*) due to three proposed extensions at Rowan Foods Ltd, Ash Road South, Wrexham Industrial Estate, Wrexham (Approximate OS Grid Ref. SJ 378 502). This RAMs Method Statement has been provided in support of the planning application (Planning Ref. P/2012/0879). The requirement for this RAMs Method Statement was discussed and agreed with Emma Broad (Biodiversity Officer, Wrexham County Borough Council).
- 1.2 This document briefly assesses the habitat both within the proposed development sites and immediately surrounding area for its potential value to Great Crested Newts. The proposed non-licensed Reasonable Avoidance Measures (RAMs) scheme is outlined which is to be implemented prior to and during the construction period. The RAMs will ensure as far as is reasonably possible that impacts on Great Crested Newts are minimised/ avoided.

Project Background

- 1.3 The proposed development briefly concerns three extensions to the existing Rowan Foods Ltd premises on Ash Road South. Further information is provided in the Design and Access Statement¹ submitted as part of the planning application. The proposed extensions are presented on a Cox Freeman Ltd plan entitled '*Proposed Site Plan*' Dwg. no. 2002 P 106A, dated 14/12/12. The proposed extensions are briefly as follows:

¹ Cox Freeman Ltd (2012). *Proposed Extensions, Rowan Foods, Wrexham - Design and Access Statement*. Ref. 2002/1.03/LA Revision A.

- Extension to the packaging building located on the south elevation of the existing building including minor realignment of a stretch of internal access road. Henceforth this will be referred to as the 'southern extension';
- Extension to a wash-room located on the east elevation of the existing building. Henceforth this will be referred to as the 'eastern extension'; and
- Extension to the storage facilities including loading bays located on the north elevation of the existing building. This proposal would involve minor realignment of a short stretch of access road to the northeast of the existing building. Henceforth this will be referred to as the 'northern extension'.

- 1.4 The extensions would largely be constructed using steel portal frames with corrugated metal sheet cladding similar to the existing building. The proposed northern extension would provide a further 1205 m² of floor space. The proposed eastern extension would have a footprint of 6.5 m by 22.95 m and the proposed southern extension would be 5.125 m by 36.9 m. The access road adjacent to the southern extension would therefore be relocated by approximately 5.125 m to the south and would be formed from concrete similar to existing areas of hard-standing within the site.

2 Risk Assessment

Introduction

- 2.1 A walkover survey was completed at the site on 7th January 2013 by Tom Knight of Marches Ecology. The weather was cloudy, with some light rain and a light breeze. The site visit focussed on land within the proposed development footprints and immediately adjacent land where access was provided. The results of the walkover survey are further described below.
- 2.2 The proposed extensions would be located almost entirely on areas of existing hard-standing. Two small areas of vegetation would be impacted. These are a small area of amenity grassland where the access road is to be re-aligned by the southern extension and a second small area of amenity grassland where the access road is to be re-aligned to the northeast of the northern extension.

Summary Evaluation of Risk to Great Crested Newts

Habitat at Southern Extension

- 2.3 The southern extension would be entirely located on an area of existing tarmac or concrete hard-standing. However the adjacent access road will be re-aligned and would impact a small area of amenity grassland. This grassland is regularly managed and the sward height was 0.05-0.1 m at the time of the survey. It is dominated by *Lolium perenne* (Perennial Rye-grass) with a number of low-growing forbs including locally frequent *Bellis perennis* (Daisy), *Trifolium repens* (White Clover) and *Ranunculus repens* (Creeping Buttercup). There are a small number of young *Fraxinus excelsior* (Ash) trees located in this area of grassland. While this could not be confirmed during the site visit it is thought that most of these trees are located outside the area that would be impacted. There is also an adjacent small patch of ornamental shrubs including a *Juniperus* cultivar and *Rosa canina* agg. (Dog-rose).

- 2.4 The amenity grassland generally provides no cover or other features of potential value for Great Crested Newts. The only features that may provide potential refugia for Great Crested Newts within the immediate development footprint are three concrete drain structures although no obvious voids or crevices were noted. These structures are also isolated from any habitat of potentially high value in a large expanse of short amenity grassland. The ornamental shrubs described above may provide some cover however they appear to be located outside the area that would be impacted due to the proposal and are similarly isolated.
- 2.5 The photo below shows a view across the proposed southern extension, approximately from west to east. The footprint of the building would be located entirely within the hard-standing/road on the left side of the view; the road would be re-aligned in the short grassland on the right side of the view.



Habitat at Eastern Extension

- 2.6 The eastern extension would be located entirely within an area of existing concrete hard-standing. This area is currently used to store various crates, pallets and containers. It does not provide any terrestrial habitat of potential value for Great Crested Newts although the various stored items could possibly be used as refugia. This area is isolated within a large expanse of existing hard-standing; it is not connected to any habitat features of potentially high value for Great Crested Newts.
- 2.7 The photo below shows a view across the proposed eastern extension, approximately from northeast to southwest. It should be noted that most of the stored items are raised off the ground on pallets, etc.



Habitat at Northern Extension

- 2.8 The northern extension would be located within an area of existing concrete hard-standing. This area is currently used to store various crates, pallets and containers and there are also some small metal-frame structures and portacabins. This area does not provide any terrestrial habitat of potential value for Great Crested Newts although the various stored items could possibly be used as refugia. This area is isolated within a large expanse of existing hard-standing; it is not connected to any habitat features of potentially high value for Great Crested Newts.
- 2.9 The photo below shows a view across the proposed northern extension, approximately from north to south. It should be noted that most of the stored items are raised off the ground on pallets, *etc.*



- 2.10 The proposed northern extension would also require a minor realignment of the existing access road. This would involve the removal of a small bank that supports regularly mown amenity grassland. The sward height was 0.1 m at the time of the survey. The grassland is dominated by *Lolium perenne* (Perennial Rye-grass) with frequent *Festuca rubra* (Red Fescue) with various other grasses and forbs.
- 2.11 The amenity grassland generally provides no cover or other features of potential value for Great Crested Newts. However the northeast face of this bank slopes down to a stream corridor beyond the site boundary (to the northeast). This side of the bank is not regularly managed and supports rank grassland. This terrestrial habitat is of potentially high value for Great Crested Newts and is linked to a larger resource. However this area would not be directly impacted by the proposal.
- 2.12 The photo below shows the low bank that would be removed due to the proposed road re-alignment. The view is approximately from north to south. The area affected would be within the short grassland shown in the centre/ right-side of the picture.



Status of Great Crested Newts in the Area

- 2.13 There is no aquatic habitat within the Rowan Foods Ltd site. An initial review of the OS map 1:25, 000 scale and relevant internet-based mapping indicates that there may be two waterbodies (not including ditches and streams) within approximately 500 m of the site. There is a pond shown within part of Erlas Black Wood (Approximate OS Grid Ref. SJ 378 498). It is located approximately 287 m to the south of the southern extension. A second waterbody is located adjacent to the junction of Ash Road South and Bridge Road North (Approximate OS Grid Ref. SJ 381 496). It is located approximately 494 m to the south/ southeast of the southern extension. Both of these waterbodies are known to support/ have supported Great Crested Newts.
- 2.14 While Great Crested Newts are known to be present in many parts of Wrexham Industrial Estate there are relatively few waterbodies in this central sector. It should be noted that no pond scoping exercise has been undertaken to confirm the presence/ absence of waterbodies.

Summary

- 2.15 The potential presence of Great Crested Newts in terrestrial habitat is governed more by the proximity of a suitable breeding pond than by the quality of the terrestrial habitat. There are no known waterbodies within 250 m of any part of the proposed extensions and only two waterbodies within 500 m. While these two waterbodies have supported Great Crested Newts there is no particular reason why individuals would traverse the Rowan Foods Ltd site. There are no waterbodies on the opposite side of the site and no particular habitat linkages. The waterbody by the junction of Ash Road South and Bridge Road North is located on the stream corridor to the east of the proposed northern extension. However this part of the proposal is approximately 600 m away. Furthermore the proposed road re-alignment would impact short grassland only.
- 2.16 The proposed extensions would only impact two areas of vegetation associated with the access road re-alignments by the southern and northern extensions. This vegetation comprises small

areas of regularly mown amenity grassland of low/ negligible potential value for Great Crested Newts. The remainder of the development proposal would impact areas of existing hard-standing only. It should also be noted that all of these areas are located within a busy site subject to 24 hour operations. Each proposed extension is isolated from high value terrestrial habitat within large expanses of short amenity grassland and or hard-standing.

- 2.17 It is therefore considered unlikely that Great Crested Newts might utilise any part of the proposed extension sites (due to the low value of the terrestrial habitat, its isolation, the distance to any waterbodies, the absence of obvious dispersal routes across the site, the level of activity/ disturbance at the site and the general absence of potential refugia). However due to the known presence of Great Crested Newts elsewhere within the Industrial Estate the potential presence of individual animals cannot be entirely ruled out. There is the potential for disturbance or killing of animals during any work at this site although the risk accorded by the proposed development is considered to be very low/ negligible at the present time. As such this RAMs Method Statement details a precautionary approach to avoid any impacts on [individual] Great Crested Newts. Subject to appropriate implementation of this RAMs scheme no impacts due to the proposed development on the local Great Crested Newt population are envisaged.

3 Great Crested Newt Legislation and Policy

- 3.1 This sub-section provides a brief summary of key legislation relevant to Great Crested Newts. 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 reproduce the text of the legislation, but summarises the salient points.
- 3.2 Great Crested Newts are listed on *Schedule 5* of the *Wildlife and Countryside Act 1981*, as amended, and receive full protection under *Section 9*. The 1981 Act was amended by the *Countryside and Rights of Way Act 2000* (CRoW Act) which further extends the protection. It is also listed on *Annexes II and IV* of the European Union Directive on Natural Habitats and Wild Fauna and Flora (*Council Directive 92/43/EEC*), which is implemented in the UK by *The Conservation of Habitats and Species Regulations 2010* (as amended). It is included on *Schedule 2* of the Habitats Regulations which gives it full protection under *Regulation 40(1)*. The Great Crested Newt is therefore a so-called European Protected Species. The legislation applies to all life stages of the Great Crested Newt, including eggs, larvae, juveniles and adults.
- 3.3 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.
- 3.4 The Great Crested Newt is a priority species in the UK Biodiversity Action Plan (UK Biodiversity Steering Group 1995, 1998a & b), which includes objectives and targets to protect and restore newt habitats and to create new sites through habitat management and re-creation. *Section 42*

of the *Natural Environment and Rural Communities Act 2006* (NERC Act 2006) provides a list of habitats and species of principal importance for the conservation of biological diversity in Wales. The Great Crested Newt is included on this list.

4 Great Crested Newt Identification

- 4.1 This sub-section of the document is provided for reference in the event that any amphibians are found on site during the proposed development/ preparatory works and while the ecologist is not present. It will be discussed with all site personnel prior to the start of work. Identification of any newts that may be found is likely to require the confirmation of a suitably qualified ecologist.
- 4.2 Great Crested Newts are the largest of the three British species of newt; adult males can reach 15 cm in length, with females slightly larger at 18 cm. The upper surface and flanks are dark brown or black and distinctly warty, with a row of white/silver dots present along the side of the head and body. Males develop a characteristic jagged dorsal crest (which has a marked break where the tail joins the body) during the breeding season (although this lies flat when newts are on dry land). The belly is dark orange or yellow with a distinct pattern of black blotches. The throat is whitish and thickly spotted with brown/black.



Male Great Crested Newt on land (above) and female (below).



- 4.3 The Great Crested Newt may be confused with the Smooth Newt (*Lissotriton vulgaris*), although adults of this species are generally smaller (at 10-11 cm). In addition, although the male Smooth Newt develops a dorsal crest, this is unbroken from head to tail and is also undulating, as opposed to jagged. The male has brown/olive green or tan skin with black spots and the female a light brown colouration with darker spots or speckles. The belly of both the male and female is creamy yellow or orange, and the throat slightly lighter, both with dark spots or speckles.



Male Smooth Newts on land.

- 4.4 The third species of British Newt is the Palmate Newt (*Lissotriton helveticus*). It is slightly smaller than the Smooth Newt at 7-11 cm in length, although is superficially similar to the Smooth Newt. The two species can be difficult to distinguish, particularly females. The male Palmate Newt has a much less developed dorsal crest (which is also straight edged as opposed to undulating) than a male Smooth Newt. The male Palmate has a 4-7 mm tail filament and black frills / well developed webbing on the hind feet. Typically, the throat of males and females is pure white/pinkish and very rarely spotted (in contrast to Smooth Newts).

5 Method Statement

Preparatory

- 5.1 This RAMs Method Statement will be discussed in detail with all personnel/ contractors involved with the proposed construction projects before any works are carried out. This will take the form of a toolbox talk/ site meeting to be presented by the ecologist and will incorporate advice with regard to the identification features of Great Crested Newts and the procedure that should be followed if a Great Crested Newt is discovered during works.
- 5.2 Before any works commence a copy of this method statement will be issued to all site personnel/ contractors and a signed copy will be retained by the ecologist. The contact details of the ecologist responsible for implementing this RAMs Method Statement will be provided to all site personnel before the start of work. This method statement must be strictly adhered to by all site personnel/ contractors involved with the proposed works.
- 5.3 Should a Great Crested Newt be located during implementation of the RAMs (see below) then it would be moved away from the immediate work area by the ecologist and relocated for welfare reasons only to a suitable receptor site (likely to be the stream corridor). All work would then be suspended and the Countryside Council for Wales consulted. It is possible that in this instance or if a Great Crested Newt is found at any other time during the work, a Welsh Government (WG) 'development' licence may be required in order to lawfully proceed. Other amphibians that may be found during the implementation of the RAMs scheme would also be moved to the 'receptor' site.

Working Protocol

Vegetation Clearance

- 5.4 Before the start of the proposed development the two areas of grassland to be impacted will be managed as they have been previously with the sward being maintained at less than 10 cm in height. Should this not be the case then prior to the start of any work associated with the proposed development the vegetation within all work areas will be cut/ removed. This work will be supervised by a suitably licensed ecologist² where deemed necessary and hand-searches of particular habitat features will be undertaken. Grass should be cut no lower than 10-15 cm above ground level. The grass should be cut using a mower with a reciprocating blade only (or similar) and not a rotary blade. Cut material should be raked up and removed from the site. All arisings from this clearance work should be removed from the proposed development site within the same day.
- 5.5 Further to the vegetation being cut down to approximately 10-15 cm above ground level a suitably licensed ecologist will then undertake a visual-/ hand-search. This search will concentrate in particular on any potential refugia including shrub/ tree stumps and around drain structures. Any potential surface refugia that can be easily moved (such as rocks, wood etc) will also be removed from the areas. Further to this, any remaining vegetation will be cut to ground level, again using hand-held tools and raked up (using a spring-tined rake). This will ensure, as

² The ecologist should hold a current Countryside Council for Wales 'survey/ disturbance' licence.

far as is reasonably practical, that the surface of the work area is unsuitable for Great Crested Newts.

- 5.6 Should the grassland be maintained at a height of less than 10 cm (prior to the development) then this vegetation clearance would be unnecessary. The ecologist would then undertake a general visual-/ hand-search of the proposed development site as briefly detailed above.
- 5.7 It is understood that the shrubs adjacent to the southern extension are to be retained. Should this not be the case and they are removed this work would need to be supervised by the ecologist and hand-searches undertaken beneath the shrubs.
- 5.8 Following cutting of the grass/ removal of shrubs and the associated visual/ hand-searches all vegetation should be mechanically stripped on the same day.
- 5.9 It is considered that the greatest risk to Great Crested Newts would occur should the unmanaged grassland by the stream corridor adjacent to the northern extension road realignment be impacted. It is suggested that this area of grassland be separated from the construction site with suitable fencing, *e.g.* heras. Site construction personnel would be made aware of the importance of this fence during the toolbox talk and that no access would be allowed beyond it. The unmanaged grassland should be retained undisturbed; excess soil should not be spread in this area.
- 5.10 Stripped vegetation/ soil should be immediately removed from site. If this is not possible and the material would be stored on site then soil mounds should be subject to compaction on creation. This will ensure, as far as is practicable, that the creation of potential refugia associated with the mounds is limited; this will be subject to review by the ecologist. If the footprint of the soil mound has not previously been subject to a vegetation/ soil strip, a detailed visual/ hand-search will be undertaken by a suitably licensed ecologist prior to installation of the soil mound. The ecologist would also need to supervise the eventual removal of the soil mound.

General

- 5.11 A suitably licensed ecologist will undertake a visual-search prior to the initiation of any work at the start of the construction period. It may be possible to undertake this visual-search at the same time as the vegetation/ soil stripping. It will focus on the footprint of the proposed extensions as well as any immediately adjacent areas that may be used for storage of materials, vehicles or machinery. As features of potential value for Great Crested Newts are largely absent this will principally entail checking beneath stored materials when they are moved. While some of the proposed development works may entail breaking up of concrete plinths, removal of built structures, *etc*, due to the level of risk that Great Crested Newts may be present it is considered unnecessary for an ecologist to supervise such work.
- 5.12 As stated above if a Great Crested Newt is found during this search it will be moved (for reasons of welfare only) to an appropriate 'receptor site' outside the footprint of the works. All work would then be suspended and the Countryside Council for Wales consulted. It is possible that in this instance a Welsh Assembly Government (WG) 'development' licence may be required in order to lawfully proceed.
- 5.13 The ecologist will supervise any stage of the work that could potentially impact features that could be used by Great Crested Newts. Subsequent to the vegetation/ soil strip and removal of stored materials, *etc*, this requirement is likely to be limited.

- 5.14 At times when there is less/ no risk to Great Crested Newts the ecologist will remain on stand-by (off-site) for the duration of the work; site contractors will be responsible for implementing a watching-brief. This will entail a brief visual search of the site each day prior to work being initiated. When stored materials are moved, particular attention will be paid to determine if any amphibians are located underneath.
- 5.15 Should a newt be found during the work on-site contractors will halt all activity immediately, contact the ecologist and wait until the ecologist arrives to remove the newt to an appropriate location. If any newt is found during the work the ecologist should be called to confirm identification before any action is taken. If other amphibians such as Common Frog (*Rana temporaria*) or Common Toad (*Bufo bufo*) are found during work, and confidently identified, then on-site contractors can move it to an appropriate location, such as the unmanaged grassland by the stream corridor (firstly making sure their hands are damp).
- 5.16 In addition to that outlined above, the following measures will be undertaken:
- The construction contractor's compound including all machinery, materials and other associated paraphernalia will be located on areas of existing hard-standing at all times. No vegetated areas will be accessed other than those associated with the two access road realignments;
 - No machinery/ vehicles will access any area outside that which has been subject to vegetation/ soil stripping to undertake work associated with the proposed development unless under supervision by the ecologist where necessary;
 - Prior to leaving the site at the end of each day, all tools and other materials will be stored securely either off-site or located on hard-standing/ within secure facilities;
 - Any spoil or other loose material (other than that created during the vegetation/ soil strip) that may be stored on site overnight must be placed on plastic sheeting on top of a pallet (or similar) so that it is raised off the ground. Where this is not possible it must be located on hard-standing where possible and be compacted;
 - Should any holes/ excavations be left on site overnight a suitable ramp (e.g. plank of wood) will be placed so as to provide newts with a means of escape. The hole would be subject to a visual search (for amphibians) in the morning by site personnel;
 - Machinery and vehicles will be located on hard-standing/ compacted surfaces overnight;
 - Any servicing or repair of machinery or vehicles will be carried out on areas of hard-standing and not near any waterbody/ the stream; and
 - Refuelling of machinery or vehicles will also be carried out away from waterbodies/ the stream and in accordance with the appropriate Environment Agency Pollution Prevention Guidelines and all other relevant pollution guidance.
- 5.17 The ecologist overseeing this project is Tom Knight (Marches Ecology) who can be reached on 07928 212545. In the event that the ecologist cannot be contacted, please contact Max Ellson on 07950 220188.

6 References

- HMSO (1981). *The Wildlife and Countryside Act 1981*. HMSO, London.
- HMSO (2000). *The Countryside and Rights of Way Act 2000*. HMSO, London.
- HMSO (2006). *The Natural Environment and Rural Communities Act 2006*. HMSO, London.
- HMSO (2010). *The Conservation of Habitats and Species Regulations 2010*. HMSO, London.
- HMSO (2012). *The Conservation of Habitats and Species (Amendment) Regulations 2012*. HMSO, London.
- http://www.biodiversitywales.org.uk/content/uploads/documents/Species%20Habitats/MASTER%20S42%20Species%20List%20150508%20_Latin-English-Welsh_.pdf
- UK Biodiversity Steering Group (1995). *Biodiversity: The UK Steering Group Report Volume 2: Action Plans*. HMSO, London.
- UK Biodiversity Steering Group (1998a). *UK Biodiversity Group Tranche 2 Action Plans Vol I Vertebrates and Vascular Plants*. English Nature.
- UK Biodiversity Steering Group (1998b). *UK Biodiversity Group Tranche 2 Action Plans: Volume II – Terrestrial and Freshwater Habitats*. English Nature.

I have read and understand the requirements of this method statement.

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