LandStudio



Ipsen HGV Access

Preliminary Ecological Appraisal & NBB Report

March 2026

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IPSEN HGV ACCESS: **INTRODUCTION**

01

IPSEN HGV ACCESS: INTRODUCTION

Site Context & Development Background

Lovelock Mitchell Architects (the Client), on behalf of Ipsen Pharmaceuticals Ltd, is seeking planning permission for the construction of new access (HGV only) at their site within Wrexham Industrial Estate. The proposed development will provide new access from Ash Road North, located to the southwest of the wider Ipsen Pharmaceuticals site.

The Site is located at Ash Road North, Wrexham Industrial Estate, Wrexham LL13 9JT (OS Grid Reference: SJ 37485 50095) (see Figure 1). The area affected by the development is hereafter referred to as 'the Site', see Figure 1.

The approximately 0.0123 Ha Site comprises a short section of grassland verge and hard surfaces located to the southwest of the wider Ipsen Pharmaceuticals site on Ash Road North.

In terms of the wider area, the Site is set within an industrial park bordered by farmland and woodland. There is an approximately 2.7 Ha area of woodland to the east of the Site, with limited connectivity via the grassland verge.

The works will involve partial clearance of existing vegetation, followed by construction of the access road and associated landscape planting. During the construction phase, areas within the Ipsen site to the east and northeast will be used for temporary storage of materials and construction waste.

The proposals described above are hereafter referred to collectively as 'the development'.

Planning permission for the development is being sought from Wrexham County Borough Council.

Brief and Objectives

Lovelock Mitchell Architects commissioned Land Studio in February 2026 to undertake a Preliminary Ecological Assessment (PEA) of the Site.

The brief was to:

- Undertake an extended UK Habitat Classification survey of the Site, recording the main habitats present, following UKHab survey methodology (2023) and in line with CIEEEM Guidelines for Preliminary Ecological Appraisal (2017);
- Carry out an ecological desk study to review relevant local planning policies and obtain records of designated sites, protected and priority habitats and species, and invasive non-native species from the Local Environmental Records Centre (LERC), and other third parties;



Figure 1. Site Layout.

- Make a preliminary assessment of the potential of the Site to support protected species or priority species; and
- Provide a PEA report covering the following aspects:
  - Identify the likely ecological constraints associated with the project;
  - Identify any mitigation measures required, following the 'Mitigation Hierarchy';
  - Identify any additional surveys or mitigation that may be required; and
  - Identify opportunities offered to deliver ecological enhancement.

IPSEN HGV ACCESS: INTRODUCTION

A Net Benefit for Biodiversity (NBB) statement was also commissioned and is provided in Appendix C.

Ecology Background

The desk study returned ecology reports associated with developments within the vicinity of the Site. The following are located within a 1km radius:

A PEA associated with a development located approximately 0.21km southeast of the Site documents the presence of a large population of great crested newt (GCN) (*Triturus cristatus)* within Erla's wood and a woodland further southeast (Enfys Ecology, 2018). They also note the presence of otter (*Lutra lutra),* water vole (*Arvicola amphibius),* and badger (*Meles meles)* within the woodland.

An Ecological Walkover Report and GCN RAMs associated with a development located approximately 0.3km south of the Site has been used to inform our assessment (Enfys Ecology, 2021).

An Ecological Walkover Report associated with a development located approximately 0.36km east of the Site has been used to inform our assessment (Enfys Ecology, 2019).

An Ecological Walkover Report associated with a development located approximately 0.55km east of the Site has been used to inform our assessment (Enfys Ecology, 2017).

A PEA associated with a development located approximately 0.51km southeast of the Site has been used to inform our assessment (Cambrian Ecology, 2025).

Limitations

All areas of the Site were accessible at the time of survey.

The extended UK Habitat survey was carried out in February, which is outside of the optimal period (the main flowering season) for botanical surveys. This document does not contain a comprehensive list of botanical species; plant species which are only evident at certain times of year may have gone undetected. Given the common and widespread habitats present, this was not considered to represent a significant survey limitation, and the surveyor was easily able to classify the species and habitat types present.

The species data collated during the desk study is mainly derived from records submitted by members of the public and ad hoc surveys undertaken by volunteers. Therefore, it should not be taken as a definitive list of the protected species and other species of conservation concern that occur in the local area.

This report is based on the Site extent (see Figure 1) and the description of the development provided above. Subsequent changes to either may result in a requirement to reassess the potential impacts of the works and the requirements for avoidance, mitigation, and enhancement.

Surveyors

The PEA survey was undertaken by Melissa Finch MSc BSc (Hons) – Ecological Consultant.

IPSEN HGV ACCESS: **DESK STUDY METHOD**

02

IPSEN HGV ACCESS: DESK STUDY METHOD

Desk Study

The desk study was undertaken in February 2026 by reviewing records from the sources listed in Table 1.

Table 1. Desk Study Sources & Search Areas

Information Source	Nature of Information & Search Area Radius
Natural Resource Wales Interactive Map Magic Maps Cofnod - eMapper	Statutory designated wildlife sites of International and European importance within a 10km radius of the Site. Statutory designated wildlife sites of national importance within a 2km radius of the Site. Non-statutory designated wildlife sites of local importance within 2km. Ancient Woodland within a 1km radius of the Site. Priority habitats within a 1km radius of the Site. Protected, priority, and invasive species records (from the past 10 years) within a 2km radius of the Site.
Woodland Trust Ancient Tree Inventory	Ancient and Veteran trees within 1km of the Site.

The main study area was defined as an area that encompassed the Site and all land within 2km of the Site perimeter, see Figure 2. Records of designated sites, protected species, and priority species were sought for the full study area (which was extended to 10km for European sites), whereas records for priority habitats, ancient woodland, and ancient and veteran trees were sought for part of the study area encompassing the Site and within 1km of the perimeter of the Site.

The search areas for biological records were deemed to be suitable based on the zone of influence for the works. The zone of influence for a project is defined as the area over which ecological features may be subject to significant effects as a result of the proposed project and associated activities (CIEEM, 2016).

IPSEN HGV ACCESS: DESK STUDY RESULTS

03

IPSEN HGV ACCESS: DESK STUDY RESULTS

Desk Study

The results of the desk study are summarised below. The locations of designated sites, priority habitats and ancient woodlands are shown on Figure 2.

Designated Sites

International and European Designated Sites

Midland Meres & Mosses Phase 2 Ramsar – 4km northwest at its closest point

Midland Meres & Mosses Phase 2 (Ramsar Site no. 891; designated 2 February 1997) is a wetland of international importance comprising a network of nutrient-rich meres and associated reed swamp, fen, carr, damp pasture and peatland habitats across the English Midlands. The site is designated under the Ramsar Convention for meeting Criterion 1 and Criterion 2.

Criterion 1 – The site contains a representative example of a near-natural wetland type (glacial meres and associated peatland systems) within the appropriate biogeographic region.

Criterion 2 – The site supports vulnerable, endangered or critically endangered species or threatened ecological communities, including internationally important populations of rare wetland invertebrates and plant species associated with meres and peatland habitats.

River Dee and Bala Lake / Afon Dyfrdwy a Llyn Tegid Special Area of Conservation (SAC) – 4.7km east at its closest point

Annex I habitats that are a primary reason for selection of this site:

- 3260 Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation

Annex II species that are a primary reason for selection of this site:

- 1106 Atlantic salmon (*Salmo salar*)
- 1831 Floating water-plantain (*Luronium natans*)

Annex II species present as a qualifying feature, but not a primary reason for site selection:

- 1095 Sea lamprey (*Petromyzon marinus*)
- 1096 Brook lamprey (*Lampetra planeri*)
- 1099 River lamprey (*Lampetra fluviatilis*)
- 1163 Bullhead (*Cottus gobio*)
- 1355 Otter (*Lutra lutra*)

Johnstown Newt Sites SAC – 6.8km southwest

Annex II species that are a primary reason for selection of this site:

- 1166 Great crested newt (*Triturus cristatus*)

This site lies near to Wrexham in north-east Wales and is composed of two post-industrial sites where coal and clay have been extracted. The population of great crested newts is one of the largest known in Great Britain and has been the focus of much conservation management over the last few years. Breeding sites are provided in part by a mining subsidence pool, and natural water-filled hollows on clay, whilst other ponds have been created as part of nature conservation management. Terrestrial habitat varies from marshy grassland, grazed farmland and swamp through to scrub and broad-leaved woodland. Good populations of the widespread amphibian species are also present.

National Designated Sites

No national designated sites were identified within a 2km radius of the Site.

Local and Non-statutory Designated Sites

Wildlife Sites for Wrexham:

Cefn Park – 0.5km west closest (Big Wood)

This site comprises a series of broadleaved woodlands within Cefn Park Estate. Big Wood is the largest (8.9 Ha) and is dominated by ash (*Fraxinus excelsior*) with oak (*Quercus robur*), sycamore (*Acer pseudoplatanus*) and occasional mature wych elm (*Ulmus glabra*). The understorey is continuous, with frequent holly (*Ilex aquifolium*), young sycamore and wych elm. Part of the wood has been underplanted with conifers, which are not thriving. The ground flora is species-rich and includes dog's mercury (*Mercurialis perennis*), bluebell (*Hyacinthoides non-scripta*), wood anemone (*Anemone nemorosa*) and ramsons (*Allium ursinum*).

Rhododendron Spinney is also dominated by ash, with beech (*Fagus sylvatica*) and sweet chestnut (*Castanea sativa*), and supports a locally dense understorey of rhododendron (*Rhododendron ponticum*). Alder (*Alnus glutinosa*), crack willow (*Salix fragilis*) and goat willow (*Salix caprea*) dominate the poorly drained eastern side, where great horsetail (*Equisetum telmateia*) and greater pond sedge (*Carex riparia*) occur, together with a fen community dominated by common reed (*Phragmites australis*).

IPSEN HGV ACCESS: DESK STUDY RESULTS

Wrexham Industrial Estate – 0.15km east closest (Erla's Black Wood)

This is a series of sites within the industrial estate, including unmanaged grassland at Bryn Road and on Cefn Park land, together with ancient broadleaved woodland at Erla's Black Wood.

The derelict land known as Cefn Park, on the southern edge of the Industrial Estate, comprises a complex mosaic of scrub, grassland and tall herb communities. Species-rich grassland occurs in areas subject to rabbit grazing and supports cowslip (*Primula veris*), restharrow (*Ononis repens*), yellow-wort (*Blackstonia perfoliata*), common centaury (*Centaurium erythraea*) and bird's-foot trefoil (*Lotus corniculatus*). Other notable species include dyer's greenweed (*Genista tinctoria*) within scrub and grass vetchling (Lathyrus nissolia) within rank grassland.

Worn paths and motorbike tracks criss-cross the site, and several species typical of disturbed ground are present, including prickly lettuce (*Lactuca serriola*), Smith's pepperwort (*Lepidium heterophyllum*) and bristly oxtongue (*Helminthotheca echioides*).

A mosaic of woodland and damp grassland occurs adjacent to the River Clywedog. The woodland is dominated by mature hawthorn (Crataegus monogyna), with alder and crack willow along the river corridor. The ground flora is generally sparse; however, dog's mercury, hart's tongue (*Asplenium scolopendrium*) and male fern (*Dryopteris filix-mas*) are present. Meadowsweet (*Filipendula ulmaria*), great willowherb (*Epilobium hirsutum*) and canary reed grass (*Phalaris arundinacea*) occur within wetter areas.

The strip of species-rich grassland beside a ditch on Bryn Road supports a similar assemblage, including the locally uncommon grass vetchling. False fox sedge (*Carex otrubae*), yellow flag (*Iris pseudacorus*) and bulrush (*Typha latifolia*) occur within the ditch. Erla's Black Wood is dominated by mature oak.

B-Line

The Site falls within a B-line. B-Lines in Wales are a network of "insect superhighways" mapped by Buglife to restore wildflower-rich habitats. These pathways connect fragmented landscapes, allowing bees, butterflies, and other pollinators to move freely and adapt to climate change. The initiative involves creating or restoring at least 150,000 hectares of habitat across the UK.

Important Invertebrate Areas

There are three Important Invertebrate Areas within a 2km radius of the Site, located 1.1km southeast, 1.12km south, and 1.92km northwest.

Ancient Woodland

Ancient semi-natural woodland and restored ancient woodland has been identified within a 2km radius of the Site. The nearest ancient semi-natural woodland is located approximately 0.5km west (Big Wood). The nearest restored ancient woodland site is located approximately 0.15km east (Erla's Black Wood).

Priority Habitats

The following priority habitats have been identified within a 1km radius of the Site:

- Traditional orchard
- Lowland fens and reedbeds

Ancient and Veteran Trees

Veteran trees were identified within a 1km radius, located approximately 0.88km northeast, and 1km east of the Site.

Green Infrastructure

The Site comprises a short section of sparse modified grassland verge which borders Ash Road North and a small area of hard surface. The Site is assessed as providing a limited extent of green infrastructure and wildlife corridor function.

Blue Infrastructure

No waterbodies or watercourses are present on-site.

There is an artificial drainage feature within the wider grassland verge approximately 0.14km north of the Site which holds water. No ponds have been identified within a 250m radius of the Site on Magic Maps; however, Enfys Ecology (2018) report a pond is present within Erla's Black Wood offsite to the east.

The Site is therefore assessed as providing negligible blue infrastructure function.

Protected Species and Species of Conservation Concern

Records of 82 protected species, priority species and species of conservation concern were identified in the desk study within the 2km search area from the past 10 years, comprising 5 amphibian species, 48 bird species, 1 bony fish, 12 mammal species, 2 reptile, 7 terrestrial invertebrate, and 7 plant species. Details of the species are given in Table 2 below.

IPSEN HGV ACCESS: DESK STUDY RESULTS



Figure 2: Desk study results for designated sites.

Table 2. Species records derived from the desk study.

Common Name	Scientific Name	HSR Sch [1] 2 or 5	WCA [2] Schedule	Priority Species [3]	BoCC [4]	Other [5]	Distance from Site	Source
Amphibians								
Common frog	*Rana temporaria*		Schedule 5 (sale only)				< 2 km	Cofnod
Common toad	*Bufo bufo*		Schedule 5 (sale only)	x			< 2 km	Cofnod
Great crested newt	*Triturus cristatus*	Schedule 2	Schedule 5 (refer to legislation)	x			< 2 km	Cofnod
Palmate newt	*Lissotriton helveticus*		Schedule 5 (sale only)				< 2 km	Cofnod
Smooth newt	*Lissotriton vulgaris*		Schedule 5 (sale only)				< 2 km	Cofnod
Birds								
Barn owl	*Tyto alba*		Schedule 1	x			< 2 km	Cofnod
Black-headed gull	*Chroicocephalus ridibundus*			x	Amber		< 2 km	Cofnod
Bullfinch	*Pyrrhula pyrrhula*				Amber		< 2 km	Cofnod
Cetti's warbler	*Cettia cetti*		Schedule 1				< 2 km	Cofnod
Crossbill	*Loxia curvirostra*		Schedule 1				< 2 km	Cofnod
Cuckoo	*Cuculus canorus*			x	Red		< 2 km	Cofnod
Dipper	*Cinclus cinclus*				Amber		< 2 km	Cofnod
Dunnock	*Prunella modularis*			x	Amber		< 2 km	Cofnod
Fieldfare	*Turdus pilaris*		Schedule 1		Red		< 2 km	Cofnod
Goshawk	*Accipiter gentilis*		Schedule 1				< 2 km	Cofnod
Grasshopper warbler	*Locustella naevia*			x	Red		< 2 km	Cofnod
Great black-backed gull	*Larus marinus*				Amber		< 2 km	Cofnod
Greenfinch	*Chloris chloris*				Red		< 2 km	Cofnod
Grey wagtail	*Motacilla cinerea*				Amber		< 2 km	Cofnod
Herring gull	*Larus argentatus*			x	Red		< 2 km	Cofnod
Hobby	*Falco subbuteo*		Schedule 1				< 2 km	Cofnod
House martin	*Delichon urbicum*				Red		< 2 km	Cofnod
House sparrow	*Passer domesticus*			x	Red		< 2 km	Cofnod
Kestrel	*Falco tinnunculus*			x	Amber		< 2 km	Cofnod
Kingfisher	*Alcedo atthis*		Schedule 1				< 2 km	Cofnod
Lapwing	*Vanellus vanellus*			x	Red		< 2 km	Cofnod
Lesser black-backed gull	*Larus fuscus*				Amber		< 2 km	Cofnod
Lesser redpoll	*Acanthis flammea*			x	Red		< 2 km	Cofnod
Linnet	*Linaria cannabina*			x	Red		< 2 km	Cofnod
Little ringed plover	*Charadrius dubius*		Schedule 1				< 2 km	Cofnod
Mallard	*Anas platyrhynchos*				Amber		< 2 km	Cofnod
Meadow pipit	*Anthus pratensis*				Amber		< 2 km	Cofnod
Mistle thrush	*Turdus viscivorus*				Red		< 2 km	Cofnod
Moorhen	*Gallinula chloropus*				Amber		< 2 km	Cofnod
Peregrine	*Falco peregrinus*		Schedule 1				< 2 km	Cofnod
Red kite	*Milvus milvus*		Schedule 1		Amber		< 2 km	Cofnod
Redwing	*Turdus iliacus*		Schedule 1		Amber		< 2 km	Cofnod
Reed bunting	*Emberiza schoeniclus*			x	Amber		< 2 km	Cofnod
Rook	*Corvus frugilegus*				Amber		< 2 km	Cofnod
Sedge warbler	*Acrocephalus schoenobaenus*				Amber		< 2 km	Cofnod
Skylark	*Alauda arvensis*			x	Red		< 2 km	Cofnod
Song thrush	*Turdus philomelos*			x	Amber		< 2 km	Cofnod
Sparrowhawk	*Accipiter nisus*				Amber		< 2 km	Cofnod
Starling	*Sturnus vulgaris*			x	Red		< 2 km	Cofnod
Stock dove	*Columba oenas*				Amber		< 2 km	Cofnod
Swift	*Apus apus*				Red		< 2 km	Cofnod

Common Name	Scientific Name	HSR Sch [1] 2 or 5	WCA [2] Schedule	Priority Species [3]	BoCC [4]	Other [5]	Distance from Site	Source
Tawny owl	*Strix aluco*				Amber		< 2 km	Cofnod
Tree sparrow	*Passer montanus*			x	Red		< 2 km	Cofnod
Whitethroat	*Curruca communis*				Amber		< 2 km	Cofnod
Willow warbler	*Phylloscopus trochilus*				Amber		< 2 km	Cofnod
Woodcock	*Scolopax rusticola*				Red		< 2 km	Cofnod
Woodpigeon	*Columba palumbus*				Amber		< 2 km	Cofnod
Wren	*Troglodytes troglodytes*				Amber		< 2 km	Cofnod
Bony Fish								
Eel	*Anguilla anguilla*			x			< 2 km	Cofnod
Mammals								
[redacted]	[redacted]					[redacted]	[redacted]	[redacted]
Brandt's bat	*Myotis brandtii*	Schedule 2	Schedule 5				< 2 km	Cofnod
Brown hare	*Lepus europaeus*			x			< 2 km	Cofnod
Brown long-eared bat	*Plecotus auritus*	Schedule 2	Schedule 5	x			< 2 km	Cofnod
Common pipistrelle	*Pipistrellus pipistrellus*	Schedule 2	Schedule 5	x			< 2 km	Cofnod
Hedgehog	*Erinaceus europaeus*			x			< 2 km	Cofnod
Daubenton's	*Myotis daubentonii*	Schedule 2	Schedule 5				< 2 km	Cofnod
Lesser horseshoe bat	*Rhinolophus hipposideros*	Schedule 2	Schedule 5	x			< 2 km	Cofnod
Noctule	*Nyctalus noctula*	Schedule 2	Schedule 5	x			< 2 km	Cofnod
Otter	*Lutra lutra*	Schedule 2	Schedule 5	x			< 2 km	Cofnod
Polecat	*Mustela putorius*			x			< 2 km	Cofnod
Soprano pipistelle	*Pipistrellus pygmaeus*	Schedule 2	Schedule 5	x			< 2 km	Cofnod
Reptiles								
Common lizard	*Vivipara zootoca*		Schedule 5 (intentional killing, injuring and selling only)	x			< 2 km	Cofnod
Grass snake	*Natrix helvetica*		Schedule 5 (intentional killing, injuring and selling only)	x			< 2 km	Cofnod
Terrestrial Invertebrates								
Blood-vein	*Timandra comae*			x			< 2 km	Cofnod
Cinnabar	*Tyria jacobaeae*			x			< 2 km	Cofnod
Dingy skipper	*Erynnis tages*			x			< 2 km	Cofnod
Grizzled skipper	*Pyrgus malvae*			x			< 2 km	Cofnod
Latticed heath	*Chiasmia clathrata*			x			< 2 km	Cofnod
Shaded broad bar	*Scotopteryx chenopodiata*			x			< 2 km	Cofnod
Small heath	*Coenonympha pamphilus*			x			< 2 km	Cofnod
Vascular Plants								
Bluebell	*Hyacinthoides non-scripta*		Schedule 8 (sale only)				< 2 km	Cofnod
Canadian waterweed	*Elodea canadensis*		Schedule 9					
Himalayan balsam	*Impatiens glandulifera*					IAS 19, Schedule 2	< 2 km	Cofnod
Japanese knotweed	*Reynoutria japonica*		Schedule 9				< 2 km	Cofnod
Japanese rose	*Rosa rugosa*		Schedule 9				< 2 km	Cofnod
Pennyroyal	*Mentha pulegium*		Schedule 8	x			< 2 km	Cofnod
Yellow archangel	*Lamiastrum galeobdolon subsp. argentatum*		Schedule 9				< 2 km	Cofnod

[1] Conservation of Habitats and Species Regulations 2017, as amended
[2] Wildlife and Countryside Act 1981 (as amended)
[3] Priority Species listed under Section 41 of the NERC Act
[4] Birds of Conservation Concern 5 (Stanbury et al., 2021)
[5] Other Wildlife Legislation: The Protection of Badgers Act 1992; The Invasive Alien Species (Enforcement and Permitting) Order 2019.

IPSEN HGV ACCESS: **EXTENDED UK HAB SURVEY METHOD**

04

IPSEN HGV ACCESS: EXTENDED UK HAB SURVEY METHOD

Field Survey

Preliminary Ecological Appraisal

The survey area was defined as the area that encompassed the proposed development. The survey area is shown on Figure 3.

The surveyor completed a field survey to assess habitats present at the Site. The Coreo mobile app was used to map and record the primary habitat types according to The UK Habitats Classification System (Butcher *et al*., 2023). Associated secondary codes were also recorded where relevant.

Observations of higher plant species from each habitat type were recorded according to their abundance within the habitat, using the DAFOR scale (D = dominant, A = abundant, F = frequent, O = occasional, R = rare). Plant species nomenclature follows Stace (2019).

An assessment was undertaken of the potential presence of protected and priority species both within and adjacent to the Site boundary. Any incidental sightings of protected and/or priority species have been recorded and are presented within the report.

Incidental records of fauna were also made during the survey and the habitats identified were evaluated for their potential to support protected species and other species of conservation concern, including priority species.

Dates of Survey

The PEA survey was conducted on 26th of February 2026.

IPSEN HGV ACCESS: **EXTENDED UK HAB SURVEY RESULTS**

05

IPSEN HGV ACCESS: EXTENDED UK HAB SURVEY RESULTS

Habitat Survey

The results of the UK Habitat Classification survey are summarised below.

The following UK Habitat Classification habitat types were identified onsite during the survey:

- Modified grassland
- Urban (Fence)
- Artificial unvegetated unsealed surface

These habitats are described below, and their distribution is given on Figure 3. A full species list for each applicable habitat is provided in Appendix A.

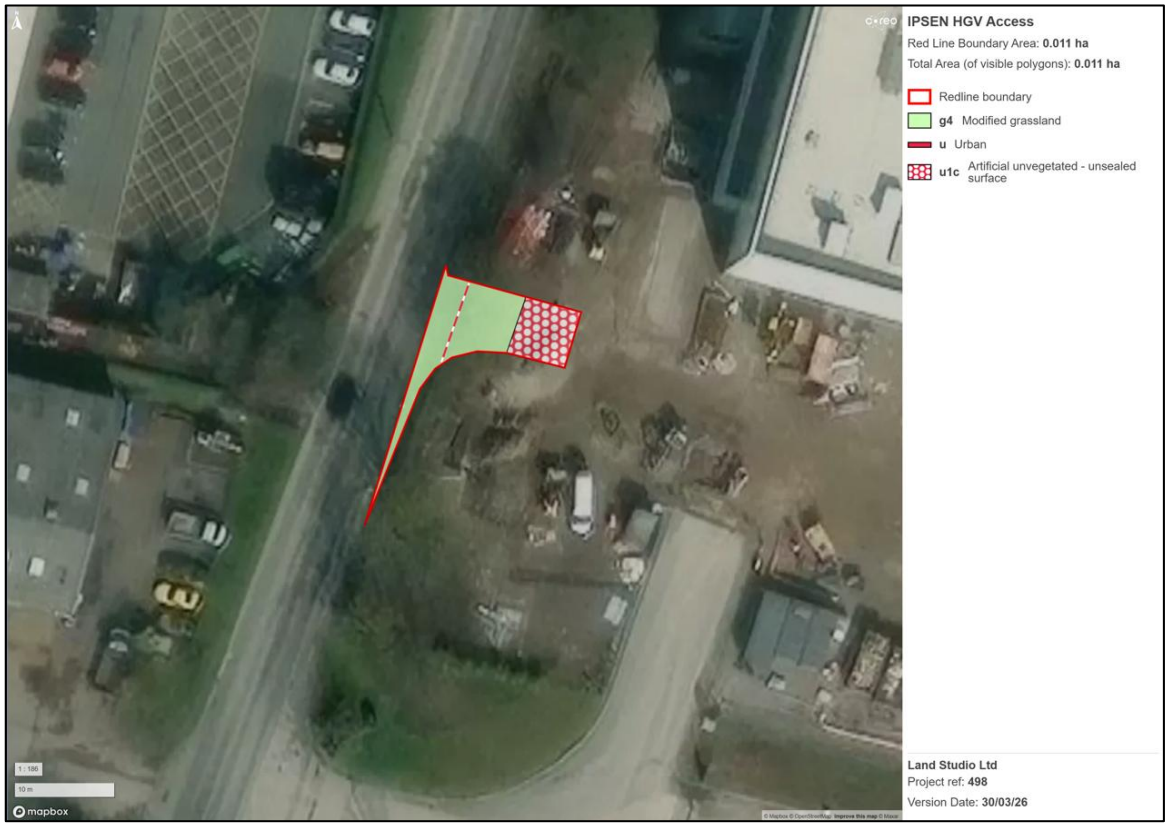


Figure 3. Extended UK Habitat Classification Results (Map. Source: Coreo)

IPSEN HGV ACCESS: EXTENDED UK HAB SURVEY RESULTS

Habitat Types

Modified grassland – *g4*

The Site predominantly comprises a section of a wider modified grassland verge (see Photograph 1). Vegetation cover is sparse and the grassland is species-poor.

Species comprised occasional Yorkshire fog (*holcus lanatus)* perennial ryegrass (*Lolium perenne*), and red fescue (*Festuca rubra*), with rare dandelion (*Taraxacum officinale*), creeping buttercup (*Ranunculus repens*), common yarrow (*Achillea millefolium*), rosebay willowherb (*Chamaenerion angustifolium*), common cleavers (*Galium aparine*), daffodil (*Narcissus minor*), and common daisy (*Bellis perennis*).

Modified grassland does not represent a priority habitat in Wales.

Artificial unvegetated unsealed surface – *u1c*

A section of the Site to the east comprises artificial unvegetated unsealed surface and represents a section of a wider construction site. No vegetation assemblage is present.

Artificial unvegetated unsealed surface does not represent a priority habitat in Wales.

Fence – *u, 612*

A welded mesh security fencing supported by steel posts runs through the grassland verge.

Fencing does not represent a priority habitat in Wales.



Photograph 1. View of the Site from east facing south.

Fauna

No notable fauna was observed during the PEA survey.

Potential of the Site to Support Protected and Priority Species

The habitats on and immediately adjacent to the Site have the potential to support protected species including foraging and commuting bats, [redacted] and otters, and commuting priority species such as hedgehog and polecat.

A detailed evaluation of the potential of the Site to support protected species is provided in Section 06.

IPSEN HGV ACCESS: **EVALUATION**

06

IPSEN HGV ACCESS: EVALUATION

The evaluation section sets out the ecological constraints and opportunities that we know are relevant based on this desk study and extended UK Habitat survey. Ecological considerations that might arise following further surveys are excluded. Relevant recommendations are provided in Section 07 and legislation, and planning policy is provided in Section 08. A detailed description of the method for this section is given in Appendix B.

Designated Sites

The following International and European designated sites were identified within a 10km radius of the Site:

- *Midland Meres & Mosses Phase 2 Ramsar – 4km northwest*
- *River Dee and Bala Lake / Afon Dyfrdwy a Llyn Tegid SAC – 4.7km east*
- *Johnstown Newt Sites SAC – 6.8km southwest*

The proposed development is unlikely to have a significant negative effect on the designated site because:

- The Site is located a fairly significant distance away from the sites (>4km);
- The proposed works are minor, localised, will be temporary, and are restricted to within the Site boundary, see Figure 4 for the proposed layout; and
- The development will not result in significant increase in visitor pressure, nor emissions of sediment, dust, air pollution, or chemicals.

No National designated Sites were identified within a 2km radius of the Site and therefore no further action is recommended.

No significant negative impacts are anticipated to statutory designated sites from the development proposal. Therefore, no specific further mitigation is required for statutory designated sites. Best practice measures are recommended in Section 07.

Non–Statutory Designated Sites, Priority Habitats and Ancient Woodland

The following non-statutory designated sites were identified within a 2km radius of the Site:

- *Wildlife Sites for Wrexham- closest 0.5km west*
- *Wrexham Industrial Estate – closest 0.15m southeast*
- *B-Line*
- *Important Invertebrate Areas – closest 1.1km southeast*

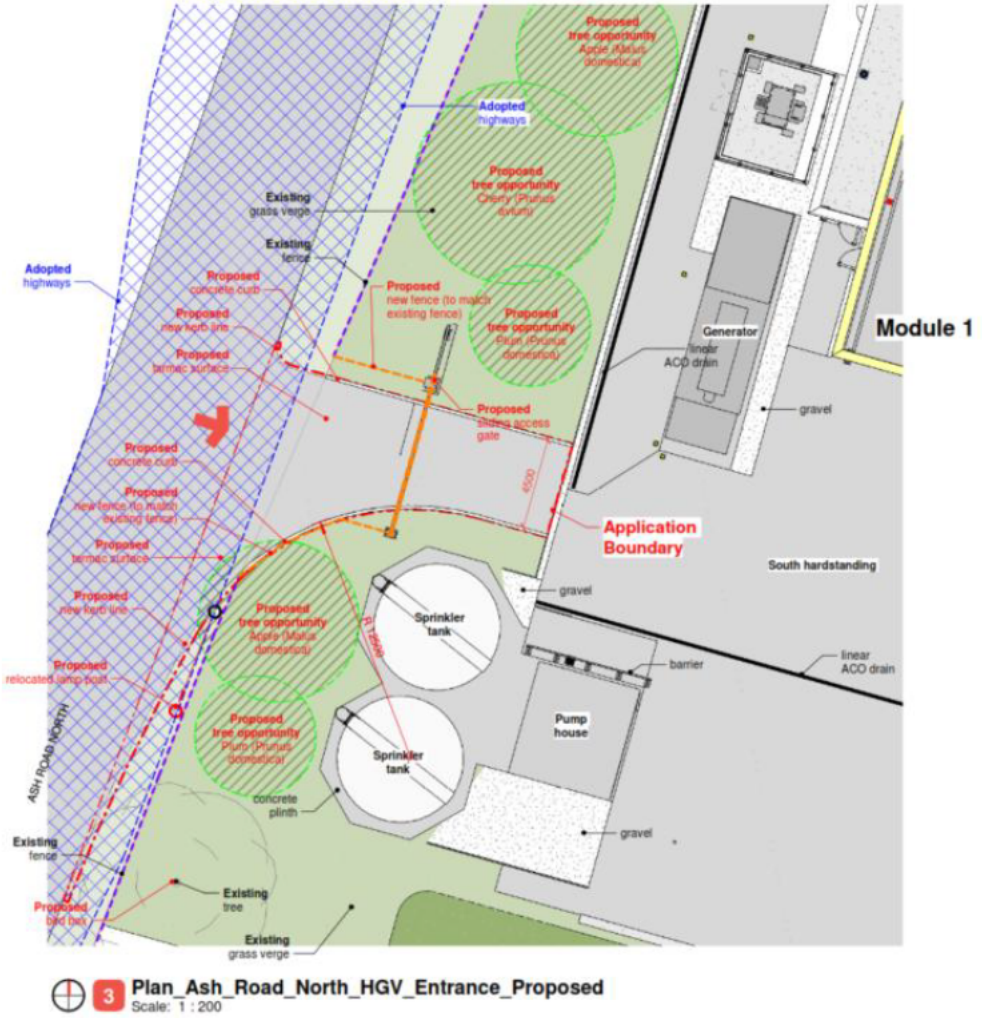


Figure 4. Proposed site layout.

Given the minor scale of the works, and that no significant negative impacts are anticipated from the development proposal and no further action is required. Best practice measures are recommended in Section 07.

The nearest ancient semi-natural woodland is located approximately 0.5km west (Big Wood). The nearest restored ancient woodland site is located approximately 0.15km southeast (Erla's Black Wood). Given the proximity of the works to ancient woodland, mitigation is recommended.

IPSEN HGV ACCESS: EVALUATION

The closest parcel of priority habitats identified in the desk study is traditional orchard, with the nearest located within the industrial estate approximately 0.3km northwest. Given the proximity to the Site, further mitigation is recommended.

Best practice recommendations relating to non-statutory designated sites, ancient woodland, and priority habitats are provided in Section 07. If the recommendations are followed, the proposed development should be compliant with the relevant legislation and policy (as set out in Section 08).

Protected Species and Species of Conservation Concern

Bats

The desk study search returned records of brandt's bat, brown long-eared, common pipistrelle, daubenton's, lesser horseshoe, noctule, and soprano pipistrelle from the past 10 years within a 2km radius of the Site.

Bats – Buildings

There are no buildings onsite and therefore no further action is recommended.

Bats - Trees

There are no trees onsite and therefore no further action is recommended.

Bats – Foraging and Commuting

The grassland verge is suitable for foraging and commuting bats. As the habitats within the Site are suitable for foraging and commuting bats, further mitigation is recommended.

Recommendations relating to bats are made in Section 07. If the recommendations are followed, the proposed development will be compliant with legislation and policy relevant to bats (as set out in Section 08).

[redacted]

Birds

The desk study returned 11 records of Schedule 1 species, and 16 records of priority bird species within a 2km radius of the Site from the past 10 years (see Table 2).

The minor extent of grassland verge provides no specific nesting opportunities for Schedule 1 specially protected, ground-nesting, common nesting birds, or wintering bird species. As such, no further mitigation is recommended.

Great Crested Newt (GCN) and Common Amphibians

The desk study search returned records of GCN, Smooth Newt, Palmate Newt, Common Toad and Common Frog from the past 10 years within a 2km radius of the Site.

There are no ponds on-site to support newts. The minor extent of sparse grassland verge provides significantly limited terrestrial opportunities for these species. It is considered significantly unlikely that GCN and other newt species would be impacted by the proposals. No further action is required.

The Site may provide a significantly limited extent of suitable foraging and commuting habitat for common amphibians such as Common Frog and Common Toad; therefore, further mitigation for common amphibians is recommended.

Recommendations relating to common amphibians are provided in Section 07. If the recommendations are followed, the proposed development will be compliant with legislation and policy relevant to common amphibians (as set out in Section 08).

Reptiles

Records of common lizard and grass snake were returned in the desk study from the past 10 years within a 2km radius of the Site.

The minor extent of sparse grassland verge provides notable poor opportunities for common lizard and grass snake. Further surveys are not considered proportionate; however, given the possibility of foraging and commuting further mitigation is recommended.

Recommendations relating to reptiles are provided in Section 07. If the recommendations are followed, the proposed development will be compliant with legislation and policy relevant to reptiles (as set out in Section 08).

IPSEN HGV ACCESS: EVALUATION

Otter

Records of Otter were returned in the desk study from the past 10 years within a 2km radius of the Site.

No aquatic habitat is present on-site to support otter, and the Site provides negligible opportunities for holt creation. Given their recorded presence within Wrexham Industrial

Estate, there is a possibility that otters could utilise the Site for commuting; therefore, further mitigation is recommended.

Recommendations relating to otters are provided in Section 07. If the recommendations are followed, the proposed development will be compliant with legislation and policy relevant to otters (as set out in Section 08).

Water Vole

Records of water vole were returned in the desk study from the past 10 years within a 2km radius of the Site.

There is no suitable habitat on or adjacent to support water vole. It is therefore considered unlikely water vole will be impacted, and no further action is required

Protected Invertebrates

No records of protected invertebrates were returned in the desk study from the past 10 years within a 2km radius of the Site.

The habitats to be impacted by the proposed works are limited to a modified grassland verge which is unlikely to support protected invertebrates. It is therefore considered unlikely protected invertebrates will be impacted, and no further action is required.

Protected Flora

Records of bluebell and pennyroyal were returned in the desk study from the past 10 years within a 2km radius of the Site.

No protected flora was recorded at the Site during surveys although the timing of the survey may have been sub-optimal for detecting early flowering species. The habitats to be impacted by the proposed works are limited to a modified grassland verge which is sparse and unlikely to support protected flora. It is therefore considered unlikely that protected flora will be impacted, and no further action is required.

Invasive Fauna

No records of any invasive fauna were returned in the desk study from the past 10 years within a 2km radius of the Site.

The Site provides no specific opportunities for invasive fauna, and none were incidentally observed during the PEA survey. No further action is recommended in relation to invasive fauna.

Invasive Flora

Records of Canadian waterweed, Himalayan balsam, Japanese knotweed, Japanese rose, and variegated yellow archangel were identified in the desk study from the past 10 years within a 2km radius of the Site.

No Schedule 9 invasive flora was observed during the PEA survey. No further action is recommended in relation to invasive flora.

Other Priority Species

The desk study returned records of hedgehog, polecat, brown hare, blood-vein, cinnabar, dingy skipper, grizzled skipper, latticed heath, shaded broad bar, and small heath within a 2km radius of the Site from the past 10 years.

The limited extent of modified grassland verge within the Site provides limited foraging and commuting opportunities for priority species such as hedgehog and polecat, but no notable opportunities for brown hare. The on-site habitats provide no notable opportunities for priority invertebrates. As priority species such as hedgehog and polecat could be impacted by the works, further mitigation is required.

Recommendations relating to priority species are provided in Section 07. If the recommendations are followed, the proposed development will be compliant with legislation and policy relevant to priority species (as set out in Section 08).

Ecological Enhancement

The proposed works will result in a very minor loss of modified grassland verge.

It is recommended that the final landscape plan incorporate native tree planting within the wider grassland verge to promote green infrastructure and wildlife corridor function.

Ecological enhancement of the Site is recommended in line with national and local planning policy (see Section 08). Recommendations relating to ecological enhancement are provided in Section 07, Table 4. See Appendix C for the NBB statement.

IPSEN HGV ACCESS: **RECOMMENDATIONS**

07

IPSEN HGV ACCESS: RECOMMENDATIONS

Mitigation

The ecological features in Table 3 have been identified as having potential to be impacted by the development proposal and mitigation is proposed where relevant. To clarify, ecological features have been screened out whereby no likely impacts have been identified or where these are of negligible importance.

The relevant legislation and planning policy that underpins our recommendations is provided in Section 08.

Table 3. Ecological Features and Recommendations.

Ecological Feature	Type of recommendation	Recommendation
Designated Sites, Ancient Woodland, Priority Habitats, & Green Infrastructure	Mitigation (pollution prevention)	Given the very minor scale of the proposed works, and fairly significant distance to International/European designated sites (>4km), it is not considered that a Habitat Regulations Assessment (HRA) would be necessary or proportionate in this instance. The standard best practice measures should be implemented to minimise the risk of indirect impacts to surrounding land through the contamination of soil, air and water. This will include prevention of emissions of sediment, dust and chemicals. Precautionary measures for pollution prevention should include: • Dust suppression measures for any dust producing activities; • Robust spill control measures should be in place to mitigate against the accidental release of oils and/or chemicals into the wider environment. Measures should include the provision of spill kits, chemical absorbent mats and/or oil booms as appropriate; • The storage of all containers of chemicals, oil and fuel in suitable tightly closed containers, on a secure area on hard standing; and • The disposal of contaminated waste off-site following best practice guidelines. Site works should be undertaken in accordance with best practice and through the adoption of the appropriate guidelines (DEFRA 2016 (updated 2024)): "Pollution prevention for businesses" which can be accessed at: www.gov.uk/guidance/pollution-prevention-for-businesses).
Bats	Mitigation (precautionary measures)	As no bat roosting habitat is to be impacted, and given the minor scale of the works, no further pre-determination surveys are required for bats. To safeguard suitable bat foraging and commuting habitat, it is recommended that any lighting scheme be designed in accordance with the latest guidance, Bats and Artificial Lighting at Night (Institute of Lighting Professionals, 2023). A sympathetic lighting regime should be implemented, keeping light levels to a minimum, directing lighting downwards, and avoiding indirect illumination of bat corridors. Narrow spectrum light sources should be used where possible, and lighting should operate only when necessary. Construction works should avoid night-time activity to reduce the need for artificial lighting.

Ecological Feature	Type of recommendation	Recommendation
Badger	Mitigation (precautionary measures)	Given the minor scale of the works, and lack of suitable sett creation habitat on-site, it is not considered that a full detailed badger survey is necessary in this instance. However, in the unlikely event that any setts are found during construction works, all works are to cease, and the Ecologist contacted for advice on how to proceed. Construction works shall be undertaken in accordance with best practice, precautionary, reasonable avoidance measures. The following reasonable avoidance measures should be adhered to (with all relevant site contractors informed of these details) throughout the construction phase: • [redacted] • Any holes, trenches or other excavations in which badger may fall into and become trapped will be covered overnight, or otherwise a means of escape provided (e.g. a plank of wood as a ramp); • If piles of soil are to be stored within the Site, these will be left un-compacted and not permitted to grass over to reduce the likelihood of badger using them for new sett creation; • Any large pipes must be stored with caps on to prevent badger access; and, • Any chemicals will be stored securely so that they cannot be accessed by inquisitive badger.
Otter, Common Amphibians, Common Reptiles & Priority Species	Mitigation (precautionary measures)	Given the minor scale of the works, and lack of impacts to suitable habitat, it is not considered that pre-determination survey for otter or reptiles is required. The precautionary measures outlined below should be implemented: • Any habitat piles which may be suitable for sheltering amphibians, reptiles, or small mammals such as piles of refuse, brash or log piles, should be retained in situ where possible; • Following site clearance, in the event that hibernating animals (such as hedgehog) are discovered onsite within the working area, all works in that area shall cease and a suitable buffer will be established, until an ecologist can attend site to provide guidance on how to proceed; • Should priority species such as slow worm and hedgehog be discovered onsite at any time during their active period, they should be allowed to move away on their own volition or if in danger moved carefully with gloved hands to a sheltered area (e.g. scrub, grassland); • Any trenches or pits in which wildlife may become trapped should either be covered, infilled, or a suitable means of escape provided (e.g. plank of wood) overnight; and • Safe storage of chemicals (see pollution prevention measures above).

IPSEN HGV ACCESS: RECOMMENDATIONS

Ecological Enhancement

To provide uplift for biodiversity it is recommended that the development incorporates the ecological enhancements set out in Tabe 4.

Table 4. Ecological Features and Onsite Enhancement Recommendations.

Ecological Feature	Enhancement
Landscape Planting	It is recommended that native tree planting is undertaken along the wider grassland verge to enhance wildlife corridor and green infrastructure function. Refer to the NBB in Appendix C for further detail.
Nesting Birds	It is recommended that the final plan incorporates **one** bird box to be fixed onto mature trees, in the wider grassland verge or grounds, if necessary, to provide additional opportunities for common bird species (e.g. blue tit (*Cyanistes caeruleus*), great tit (*Parus major*)). Bird boxes should be positioned in a suitable location, usually 2.5 to 5 metres above ground level and face away from roads and major sources of human disturbance. Where positioned on buildings or structures these should also avoid unshaded south-facing elevations where excessive sunlight can cause chicks to overheat in the nest.

IPSEN HGV ACCESS: **LEGISLATION & PLANNING POLICY**

08

IPSEN HGV ACCESS: LEGISLATION & PLANNING POLICY

The following local and national planning policy and legislation relating to nature conservation and biodiversity status are considered of relevance to the current proposal.

Planning and biodiversity

National Planning Policy Framework (2024)

187. Planning policies and decisions should contribute to and enhance the natural and local environment by:

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate.

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs.

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

188. Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework 65; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.

189. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks and the Broads 66. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas

190. When considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development 67 other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

(a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy.

(b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and

(c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

191. Within areas defined as Heritage Coast (and that do not already fall within one of the designated areas mentioned in paragraph 189), planning policies and decisions should be consistent with the special character of the area and the importance of its conservation. Major development within a Heritage Coast is unlikely to be appropriate, unless it is compatible with its special character.

Habitats and biodiversity

192. To protect and enhance biodiversity and geodiversity, plans should:

(a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity 68; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation 69; and

(b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

193. When determining planning applications, local planning authorities should apply the following principles:

(a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

(b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest.

(c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons 70 and a suitable compensation strategy exists; and

(d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

194. The following should be given the same protection as habitats sites:

(a) potential Special Protection Areas and possible Special Areas of Conservation.

(b) listed or proposed Ramsar sites 71; and,

(c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

195. The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

National planning policy and legislation

Local Authorities have a requirement to consider biodiversity and geological conservation issues when determining planning applications under the following planning policies.

Certain species of animals and plants found in the wild in Wales are legally protected from being harmed or disturbed. These species are listed in the Wildlife and Countryside Act 1981 (as amended) or are named as European Protected Species (EPS) in the Conservation of Habitats and Species Regulations 2017 (as amended). These two main pieces of legislation have been consulted when writing this report and are therefore described in detail within this section.

Other relevant legislation and policy documents that have been consulted include – The Environment (Wales) Act 2016; The Countryside and Rights of Way Act 2000; The Hedgerow Regulations 1997; Biodiversity Action Plans, both UK-wide (UKBAP) and Local plans (LBAPs), and The National Planning Policy Framework (NPPF). There is also legislation that legally protects certain animals - for [redacted], and the Deer Act (1991) places restrictions on actions that can be taken against deer species.

<u>Environment (Wales) Act 2016</u>

Section 6 of the Act places a duty on public authorities to 'seek to maintain and enhance biodiversity' so far as it is consistent with the proper exercise of those functions. In so doing, public authorities must also seek to 'promote the resilience of ecosystems'. The duty replaces the section 40 duty in the Natural Environment and Rural Communities Act 2006 (NERC Act 2006), in relation to Wales, and applies to those authorities that fell within the previous duty.

Public authorities will be required to report on the actions they are taking to improve biodiversity and promote ecosystem resilience.

Section 7 replaces the duty in section 42 of the NERC Act 2006. The Welsh Ministers will publish, review and revise lists of living organisms and types of habitat in Wales, which they consider are of key significance to sustain and improve biodiversity in relation to Wales.

The Welsh Ministers must also take all reasonable steps to maintain and enhance the living organisms and types of habitat included in any list published under this section and encourage others to take such steps.

<u>Planning Policy Wales (2021) and Technical Advice Note 5 (2009)</u>

Planning Policy Wales (Edition 11, February 2021) sets out the land use planning policies of the Welsh Government, integrating with the Environment (Wales) Act (2016). The advice contained within Planning Policy Wales (PPW) is supplemented for some subjects by Technical Advice Notes (TANs).

TAN 5 (Welsh Government, 2009) specifically provides advice about how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation. The TAN provides advice for local planning authorities on the key principles of positive planning for nature conservation; nature conservation and Local Development Plans; nature conservation in development management procedures; development affecting protected internationally and nationally designated sites and habitats; and development affecting protected and priority habitats and species.

Under Section 2.4 within the TAN 5, '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;
- 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;
- Promote the conservation and enhancement of statutorily designated areas and undeveloped coast;
- Ensure that appropriate weight is attached to designated sites of international, national and local importance;
- Protect wildlife and natural features in the wider environment, with appropriate weight attached to priority habitats and species in Biodiversity Action Plans;
- 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;
- Ensure that the range and population of protected species is sustained;
- 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.

Wildlife & Countryside Act 1981 (as amended)

The Wildlife & Countryside Act 1981 (as amended) [WCA] is the primary legislation for England and Wales for the protection of flora, fauna and the countryside. Part I within the Act deals with the protection of wildlife.

Most European Protected Species offences are now covered under the Conservation of Habitats and Species Regulations (as amended) (see below), but Page 38 University of South Wales Former blocks D and K and Eynon Building, Treforest Campus WWE22000 PEA Preliminary Ecological Appraisal / Preliminary Roost Assessment Report some 'intentional' acts are still covered under the WCA, such as obstructing access to a bat roost.

The WCA prohibits the release to the wild of non-native animal species listed on Schedule 9 (e.g. signal crayfish and American mink). It also prohibits planting in the wild of plants listed in Schedule 9 (e.g. Japanese knotweed and rhododendron ponticum) or otherwise deliberately causing them to grow in the wild. This is to prevent the release of invasive non-native species that could threaten our native wildlife.

The provisions relating to animals in the Act only apply to 'wild animals'; these are defined as those that are living wild or were living wild before being captured or killed. It does not apply to captive bred animals being held in captivity.

There are 'defences' provided by the WCA. These are cases where acts that would otherwise be prohibited by the legislation are permitted, such as the incidental result of a lawful operation which could not be reasonable avoided, or actions within the living areas of a dwelling house.

Licensing: certain prohibited actions under the Wildlife and Countryside Act may be undertaken under licence by the proper authority. For example, scientific study that requires capturing or disturbing protected animals can be allowed by obtaining a licence – e.g. bat surveys.

Conservation of Habitats and Species Regulations 2017 (as amended)

The Conservation of Habitats and Species Regulations 2017 (as amended) (which are the principal means by which the EC Habitats Directive is transposed in England and Wales) update the legislation and consolidate all the many amendments which have been made to the Regulations since they were first made in 1994.

These regulations provide for the:

- protection of European Protected Species [EPS] (animals and plants listed in Annex IV Habitats Directive which are resident in the wild in Great Britain) including bats, dormice, great crested newts, and otters;
- designation and protection of domestic and European Sites - e.g. Site of Special Scientific Interest [SSSI] and Special Area of Conservation [SAC]; and
- adaptation of planning controls for the protection of such sites and species.

Public bodies (including the Local Planning Authority) have a duty to have regard to the requirements of the Habitats Directive in exercising their function – i.e. when determining a planning application.

There is no defence that an act was the incidental and unavoidable result of a lawful activity.

Licensing: it is possible for actions which would otherwise be an offence under the Regulations to be undertaken under licence issued by the proper authority. For example, where a European Protected Species has been identified and the development risks deliberately affecting an EPS, then a 'development licence' may be required.

Designated sites for nature conservation are protected under Welsh legislation. Sites can be classified according to their levels of conservation importance, including international, national, or local conservation significance. Internationally important sites receive the highest level of protection.

Statutory designated sites of international importance include Special Areas of Conservation (SACs), Special Protection Areas (SPAs), and Ramsar sites.

International

SACs are protected areas in the UK designated under the Conservation of Habitats and Species Regulations 2017 (as amended) (Habitats Regulations) in England and Wales (including the adjacent territorial sea).

SPAs are protected areas for birds in the UK, classified under the Wildlife & Countryside Act 1981 (as amended) (WCA) and the Habitats Regulations in England, Scotland, and Wales.

Ramsar Sites are wetlands of international importance designated under The Ramsar Convention. They have been selected according to the Ramsar Sites Criteria which relates to the presence of representative, rare or unique wetland types or their international importance for conserving biological diversity. Ramsar Sites are afforded the same level of protection as SSSIs under the Wildlife and Countryside Act 1981 (as amended). UK policy affords the same level of protection to Ramsar Sites as SPAs/SACs in terms of the consideration of impacts on their integrity subject to Habitats Regulations Assessment (HRA).

National

Statutory designated sites of national importance include Sites of Special Scientific Interest (SSSIs), which are protected under the WCA, Countryside and Rights of Way Act 2000 (CroW Act), and Natural Environment and Rural Communities Act 2006 (NERC Act). National Nature Reserves (NNRs) are a selection of the very best parts of Wale's SSSIs, protected under the WCA and CroW Act.

SSSIs are protected by law. Operations that could damage special interests require consent from Natural Resource Wales. Under the WCA, it is an offence to damage, disturb, or destroy land within an SSSI or disturb wildlife in an SSSI.

Development proposals situated within Impact Risk Zones (IRZs) may require consultation between the statutory undertaker and Natural Resources Wales to discuss potential impacts on the designated site.

Local Sites

Non-statutory designated sites are defined areas identified and selected for their nature conservation value, based on important, distinctive and threatened habitats and species with a local area. Non-statutory designated sites, such as Sites of Nature Conservation Interest (SNCI), Sites of Importance for Nature Conservation (SINC), and Local Wildlife Sites (LWSs), and B-Lines are of local importance. These sites are not protected under legislation. However, statutory undertakers must consider local sites as part of their Biodiversity Duty under Section 40 of the NERC Act, meaning they are material considerations within Welsh planning law.

Habitats

Priority habitats for nature conservation include:

- Habitats of Principal Importance listed under Section 41 of the NERC Act;
- Habitats listed under Local Biodiversity Action Plans (LBAPs); and
- Ancient woodland.

Priority habitats cover a wide range of semi-natural habitat types and were those that were identified as being the most threatened and requiring conservation action in the UK. In July 2012 the Joint Nature Conservation Committee (JNCC) and the Department for Environment, Farming and Rural Affairs (Defra) published the UK Post-2010 Biodiversity Framework. The framework identifies UK-scale activities and priority works that are required to deliver the EU Biodiversity Strategy. JNCC guidance dictates that UK BAP background information on priority species and habitats still remains relevant and it now forms the basis of country specific priority lists. Habitats of Principal Importance (also referred to as priority habitats) are listed under Section 41 of the Natural Environment and Rural Communities Act 2006 (the NERC Act) (in Wales). Under Section 41 of the NERC Act, the Secretary of State must publish a list of habitat types considered to be of Principal Importance for conserving biodiversity.

Section 40 of the NERC Act places a duty on all public bodies, including statutory undertakers, to have regard for biodiversity in exercising their functions.

Some habitats are described as 'irreplaceable habitat'. The National Planning Policy Framework (NPPF, 2024) describes these as habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity. These include ancient woodland, ancient and veteran trees, blanket bog, limestone pavements, sand dunes, salt marsh, and lowland fen.

Ancient woodland is any area that has been continuously wooded since at least 1600AD. Ancient woodland, as well as ancient and veteran trees, are regarded as 'irreplaceable habitats.'

Species

The following protected species information is relevant to this report. Legislation is only discussed in relation to planning and development; other offences may exist.

Amphibians

The common frog, common toad, common newt, and palmate newt receive limited protection under the Wildlife and Countryside Act 1981 (as amended), making it illegal to sell or trade them.

Great crested newt and natterjack toad are fully protected under the Conservation of Habitats and Species Regulations 2017 (as amended) as European Protected Species. It is illegal to:

- Deliberately capture, injure, kill, or disturb either species,
- Intentionally or recklessly obstruct access to any structure/place used for shelter or protection, or
- Damage or destroy a breeding site or resting place.

[redacted]

[redacted]

- [redacted]

[redacted]common over most of Britain; it is not intended to prevent properly authorised development.

Bats

All British bats are classed as European Protected Species and therefore receive protection under the Conservation of Habitats and Species Regulations 2017 (as amended), making it an offence inter alia to:

- Deliberately kill, injure or capture a bat;
- Deliberately disturb bats;
- Damage or destroy a breeding site or resting place of a bat.

In addition, all British bats are also listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) which contains further provisions making it an offence to intentionally or recklessly:

- Obstruct access to any structure or place which any bat uses for shelter or protection; or
- Disturb any bat while occupying a structure or place which it uses for that purpose.

If proposed development work is likely to destroy or disturb bats or their roosts, then a licence will need to be obtained from Natural Resource Wales, which would be subject to appropriate measures to safeguard bats.

Birds

In the UK, the provisions of the Birds Directive are implemented through the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended). All wild birds, their nests and eggs are protected it an offence to:

- kill, injure, or take any wild bird;
- take, damage or destroy the nest of any such bird whilst it is in use or being built; or
- take or destroying an egg of any such wild bird.
- The law covers all species of wild birds including common, pest or opportunistic species.

Special protection against disturbance during the breeding season is also afforded to those species listed on Schedule 1 of the Act.

Dormice

The hazel dormouse is classed as a European Protected Species and therefore receive protection under the Conservation of Habitats and Species Regulations 2017 (as amended), making it an offence inter alia to:

- Deliberately capture, injure, or kill a dormouse;
- Deliberately disturb dormice;
- Damage or destroy a breeding site or resting place of a dormouse.

In addition, the dormouse is listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) which contains further provisions making it an offence to intentionally or recklessly:

- Obstruct access to any structure or place which a dormouse uses for shelter or protection; or

- Disturb a dormouse while occupying a structure or place which it uses for that shelter or protection.

Otters

The European otter is a European Protected Species and therefore receive protection under the Conservation of Habitats and Species Regulations 2017 (as amended), making it an offence inter alia to:

- deliberately capture, injure or kill any wild otter;
- deliberately disturb wild otters;
- damage or destroy a breeding site or resting place of an otter.

In addition, the otter is listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) which contains further provisions making it an offence to intentionally or recklessly:

- disturbs an otter while it is occupying a structure or place which it uses for shelter or protection; or
- obstructs access to such a place.

If proposed development work is likely to destroy or disturb otters or their resting places, then a licence will need to be obtained from Natural Resource Wales, which would be subject to appropriate measures to safeguard otters.

Water Vole

Water vole is fully protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) in respect of Section 9(4). It is an offence to intentionally or recklessly:

- Damage, destroy or obstruct access to any structure or place used by water voles for shelter or protection; or

- Disturb water voles while they are occupying such a structure or place.

This protection applies to burrows and associated habitat features (e.g. bankside vegetation) whether or not the animals are present at the time.

Water voles are not European Protected Species in Wales; however, due to their significant national decline and strong legal protection of their resting places, development proposals affecting watercourses, ditches or wetlands may require survey, avoidance measures and, where necessary, a licence from Natural Resources Wales.

Reptiles

Adders, slow worms, grass snakes and common lizards are protected against killing and injuring under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). This legislation makes it illegal to intentionally kill or injure a common reptile. As a result, reptiles must be removed from areas of development and relocated onto suitable release sites before any site works can commence.

Smooth snakes and sand lizards are European Protected Species under schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2017 (as amended). This makes it illegal to carry out the following activities:

- Deliberately or recklessly disturb, capture or kill these animals;
- Deliberately or recklessly take or destroy eggs of these animals;
- Damage or destroy a breeding site or resting place of such a wild animal; or keep, transport, sell or exchange, or offer for sale or exchange, any live or dead animal, or any part of, or anything derived from such a wild animal.

Other Mammals

A number of other mammal species receive protection under UK and Welsh legislation.

The red squirrel is listed on Schedule 5 of the Wildlife and Countryside Act 1981 (as amended), making it an offence to intentionally or recklessly kill, injure or take a red squirrel, or to damage, destroy or obstruct access to any structure or place used for shelter or protection, or to disturb individuals while occupying such a place.

The polecat is protected under Schedule 6 of the Wildlife and Countryside Act 1981 (as amended), which regulates certain methods of killing or taking wild animals. While polecats do not receive full protection against disturbance or habitat damage, they are protected from specific prohibited methods of capture or killing.

All wild mammals are protected against acts of cruelty under the Wild Mammals (Protection) Act 1996. Under this Act, it is an offence to intentionally inflict unnecessary suffering on any wild mammal, including common species such as rabbits and deer species (e.g. *Cervus elaphus, Dama dama, Capreolus capreolus*). This legislation is primarily concerned with animal welfare rather than conservation status.

Invasive Non-Native Species

The Invasive Alien Species (Enforcement and Permitting) Order 2019 enforces retained EU Regulation 1143/2014 on the prevention and management of the introduction and spread of invasive alien species. The Order makes it an offence to import, keep, breed, transport, use,

exchange, permit to reproduce, grow or release species listed as Species of Special Concern (also referred to as species of Union concern), except under licence.

In a planning context, development proposals must ensure that works do not cause the spread of listed invasive non-native species (e.g. through soil movement, vegetation clearance or watercourse disturbance). Appropriate biosecurity measures and management strategies may therefore be required where such species are present.

Local Planning Policy

Future Wales: the national plan 2040

Policy 9 – Resilient Ecological Networks and Green Infrastructure

To ensure the enhancement of biodiversity, the resilience of ecosystems and the provision of green infrastructure, the Welsh Government will work with key partners to:

• identify areas which should be safeguarded and created as ecological networks for their importance for adaptation to climate change, for habitat protection, restoration or creation, to protect species, or which provide key ecosystems services, to ensure they are not unduly compromised by future development; and

• identify opportunities where existing and potential green infrastructure could be maximised as part of placemaking, requiring the use of nature-based solutions as a key mechanism for securing sustainable growth, ecological connectivity, social equality and well-being.

Planning authorities should include these areas and/or opportunities in their development plan strategies and policies in order to promote and safeguard the functions and opportunities they provide. In all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative, nature-based approaches to site planning and the design of the built environment.

Policy 15 – National Forest

The Welsh Government is committed to developing a national forest through the identification of appropriate sites and mechanisms. Action to safeguard proposed locations for the national forest will be supported.

Unitary Development Plan 1996-2011

Policy PS2

Development must not materially detrimentally affect countryside, landscape/townscape character, open space, or the quality of the natural environment.

Policy PS3

Development should use previously developed brownfield land comprising vacant, derelict or underused land in preference to the use of greenfield land, wherever possible, particularly so where greenfield land is of ecological, landscape or amenity value, or comprises agricultural land of grades 1, 2 or 3a quality.

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.

Policy GDP1

All new development should: -

h) 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.

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.

IPSEN HGV ACCESS: **CONCLUSION**

09

IPSEN HGV ACCESS: CONCLUSION

A PEA, comprising an ecological desk study and an extended UK Habitat survey, was conducted to assess the ecological constraints of the works associated with the proposed development.

The Site comprises a short section of grassland verge and hard surfaces located on Ash Road North to the southwest of the wider Ipsen Pharmaceuticals site. The Site is bordered by built development and the wider grassland verge with scattered trees that lines Ash Road North. The proposed development will result in the loss in a minor extent of sparse and poor condition of modified grassland verge and the creation of new HGV access.

The Site may provide a limited extent of suitable habitat for protected and priority species such as foraging and commuting bats, [redacted], and otter, reptiles and common amphibians, priority species such as hedgehog.

Recommendations have been made for designated sites, priority habitats, and protected and priority species, such that the works consider planning policy (in the context of conserving and enhancing biodiversity) and comply with the relevant national legislation. Provided the recommendations in this report are followed (ecological enhancement and mitigation measures to minimise harm), the works should be compliant with relevant legislation and planning policy.

IPSEN HGV ACCESS: **REFERENCES**

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IPSEN HGV ACCESS: REFERENCES

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IPSEN HGV ACCESS: **APPENDICIES**

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Appendix A: Plant Species and Abundance

IPSEN HGV ACCESS: APPENDICIES

Appendix A: Plant Species and Abundance

Table 5. Modified Grassland

Common Name	Scientific Name	Abundance
Yorkshire fog	*Holcus lanatus*	O
Perennial Ryegrass	*Lolium Perenne*	O
Red Fescue	*Festuca rubra*	O
Creeping Buttercup	*Ranunculus repens*	R
Dandelion	*Taraxacum officinale*	R
Common Cleavers	*Galium aparine*	R
Rosebay Willowherb	*Chamaenerion angustifolium*	R
Daffodil	*Narcissus minor*	R
Common Yarrow	*Achillea millefolium*	R
Common Daisy	*Bellis perennis*	R

Appendix B: Evaluation Assessment Methodology

Appendix B: Evaluation Assessment Methodology

Scope of Assessment

The evaluation and recommendations of this report have been produced following an assessment of legal and planning policy issues in Wales. The methodology for this process is set out below.

The first step is to identify any biodiversity features present on the site that are subject to legal or policy controls, as outlined below:

Designated Sites

The location of the site is compared to the distribution of sites with statutory or non-statutory nature conservation designations, using data from the desk study. Consideration is given to designated sites that could be directly or indirectly affected by the proposed development.

Habitats outside Designated Sites

The habitats known to occur on the site as a result of the desk study or extended UK Habitat survey are compared to those that receive legal or policy protection outside designated sites, such as hedgerows, uncultivated land, semi-natural areas, habitats listed as priorities in national biodiversity strategies, Habitats of Principal Importance for Biodiversity as designated by the Secretary of State, and local priority habitats requiring action (formerly under Local Biodiversity Action Plans).

Ancient Woodland

The ancient woodland inventory is consulted to check whether any known ancient woodland is present on or near the site.

Protected Species

The species known to occur on the site as a result of the desk study or extended UK Habitat survey are compared with those listed under nature conservation legislation (e.g., the Wildlife and Countryside Act 1981, as amended, and the Conservation of habitats and Species Regulations 2017, as amended).

[redacted]

Priority Species

The species known to occur on the site as a result of the desk study or extended UK Habitat survey are compared to those listed as priority species (i.e., Species of Principal Importance for Biodiversity in the relevant country) or those identified for action in local priority species lists (Local Biodiversity Action Plans).

Other Species of Conservation Concern

The species known to occur on the site as a result of the desk study or extended UK Habitat survey are compared with other conservation listings, such as red data books or other conservation priority lists.

Invasive Plant Species

The species known to occur on the site as a result of the desk study or extended UK Habitat survey are compared to those identified by government agencies as invasive non-natives, with particular attention paid to species listed in the Wildlife and Countryside Act 1981, as amended.

Review of Legislation and Policy

If any of the above features are present on or near the site and may be affected by the proposed development, the relevant legislation and planning policies (including national, regional, and local) are reviewed to determine whether the development complies with these requirements.

Ecological Enhancement

Planning policies generally require new developments to enhance biodiversity. The existing proposals are evaluated to determine whether they provide sufficient biodiversity enhancements to meet policy requirements. National, regional, and local policies are considered in this assessment.

Identification of Ecological Recommendations

Further ecological issues arise when they cannot be addressed during the preliminary ecological appraisal, including the following scenarios:

- The development is near a designated site, and consultation with the relevant regulator is necessary to determine if further assessment is required;
- Suitable habitat for a protected species or species of conservation concern is present on or near the site, requiring specialist survey methods for detection;
- Suitable habitat for a protected species or species of conservation concern is present on or near the site, but the survey was conducted outside the optimal season for detecting such species;
- A protected species or species of conservation concern was found on or near the site, but additional information on population size or distribution is needed to resolve legal and planning policy issues (e.g., obtaining necessary licenses).

Issues raised by third parties, such as reports from local residents about protected species on the site, may also be addressed through recommendations.

The desk study serves as a guide to identifying protected species and species of conservation concern in the local area, but the list should not be considered exhaustive, and some species may no longer be present in the locality.

No attempt is made to assess the importance of the site for species that have not yet been confirmed to be present on or near the site, nor to discuss the implications for the development if such species are later discovered.

Appendix C: Net Benefit for Biodiversity Statement

Appendix C: Net Benefit for Biodiversity Statement

Net Benefit for Biodiversity (NBB) Statement – Ipsen HGV Access

Site Context

This NBB Statement relates to the proposed development Ipsen HGV Access. The Site comprises a short section of grassland verge on Ash Road North and hard surfaces located to the southwest of the wider Ipsen Pharmaceuticals. Whilst no landscape plan is currently available, it is recommended that a minimum of five native trees are planted within the grassland verge on Ash Road North, and that a single bird box is provided.

General Approach

National Planning Policy in Wales requires that every development delivers a net benefit for biodiversity. It states that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity. In doing so planning authorities must take account of and promote the resilience of ecosystems (Planning Policy Wales (12), 2024, and Annex 11/10/23, Updated National Planning Policy Wales).

A net benefit means that a development must ensure the post-development state should be better for biodiversity than pre-development. Benefits should be in addition to any mitigation or compensation required for habitat loss. Improvements should ideally be on-site and long-term. Off-site improvements are acceptable if on-site is not feasible

Unlike in England, where developments must meet 10% gain for biodiversity, Welsh planning policy does not specify how much benefit should be delivered, or how long it should be maintained – it is up to each local planning authority to decide what is appropriate and proportionate to the scale of the development. However, biodiversity benefits should promote ecosystem resilience, in line with the Section 6 Biodiversity Duty (The Environment (Wales) Act 2016).

In practice, this means that a planning application must consider the DECCA framework to assesses the possible effects of the proposed development on the Diversity, Extent, Condition, Connectivity and Adaptability of ecosystems within and beyond the site and look to improve them as part of the Net Benefit for Biodiversity.

Designing for NBB

1. Pre-development, projects need to integrate biodiversity improvements from the earliest design stages so plans should be informed by ecological surveys to establish the pre-development biodiversity state.
2. Site design and layout should prioritise preserving valuable existing habitats, must consider long-term habitat management and enhance ecosystem connectivity with the adjacent environment where possible.
3. Construction and Operational measures may be required to safeguard retained and created habitats and the protected species which may be present.
4. Long-term management and monitoring of habitats can include management plans, replacing failed introductions such as young trees, and maintenance of bat and bird nesting boxes.

Measures to Provide Benefits for Biodiversity

The proposed soft and hard landscaping demonstrates that the Site will deliver net benefits for biodiversity. The following measures will enhance ecological value:

- ✓ Diversity – Native tree species will be planted within the wider grassland verge. Fruiting species such as apple (*Malus domestica*), plum (*Prunus domestica*), and cherry (*Prunus avium*) are proposed. These habitats will provide additional feeding and nesting opportunities for birds, small mammals, and invertebrates.
- ✓ Extent – A minimum of five trees will be planted to compensate for the minor loss of modified grassland and to provide additional habitat and food sources for biodiversity.
- ✓ Condition – The proposed trees will be managed to ensure they reach maturity and remain in good health. Any diseased or dying specimens will be replaced to maintain habitat quality.
- ✓ Connectivity – Although the proposed HGV access will interrupt connectivity within the wider grassland verge, the addition of new tree planting will enhance the retained boundary habitat and provide further opportunities for foraging and commuting wildlife.
- ✓ Adaptability – The above measures will enhance the currently species-poor modified grassland. Increasing habitat diversity will create conditions that allow native species to establish and thrive.

Additional ecological enhancements will include:

- One bird nesting box to be installed on a retained or newly planted tree. Bird boxes should be positioned at least 2 m above ground level, avoid south-facing orientations, and should not face directly towards the road.

The recommended tree planting and bird box installation will provide long-term benefits for biodiversity. By incorporating opportunities for wildlife and introducing native habitat features, the development will deliver a measurable net benefit for biodiversity that is proportionate to the scale of the proposal.

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