

IPSEN - STOPPED UP HIGHWAY

Preliminary Ecological Appraisal and NBB Statement

July 2026

Document Control			
Issued by	**Land Studio**	**Tel: 01244 319 019**	
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Client	**Lovelock Mitchell Architects**		
Document Title	**Preliminary Ecological Appraisal (PEA) and NBB Statement**		
Document Ref	**498-LST-XX-XX-RP-E-0003 PEA NBB - Ipsen Stopped Up Highway**		
Status	**Planning**	**Written By**	**Checked By**
Publish Date	**15.07.2026**	**Melissa Finch Ecological Consultant**	**Joanna Grieg Senior Ecologist**

Document Revision Record			
Issue Number	**Status**	**Date**	**Revision Details**
01	**Issued for comments**	**02.07.2026**	**Draft**
02	**Issued**	**15.07.2026**	**Final**

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IPSEN STOPPED UP HIGHWAY: **INTRODUCTION**

01

IPSEN STOPPED UP HIGHWAY: INTRODUCTION

Site Context & Development Background

Lovelock Mitchell Architects (the Client), on behalf of Ipsen Pharmaceuticals Ltd, are seeking planning permission for the stopping up of a short section of Ash Road North within Wrexham Industrial Estate, see Figure 1.

The Site is located at Ash Road North, Wrexham Industrial Estate, Wrexham LL13 9JT (OS Grid Reference: SJ 37523 50233) (see Figure 1).

The area affected by the development is hereafter referred to as 'the Site'.

The proposed development will pedestrianise the area to create a landscaped route. The approximately 0.28 Ha area currently comprises a section of hardstand road and boundary grassland verges. During the construction phase, areas within the Site will be used for the temporary storage of materials and construction waste. The proposals described above are hereafter referred to 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 CIEEM 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;
- Make a preliminary assessment of the potential of the Site to support protected species or priority species; and,

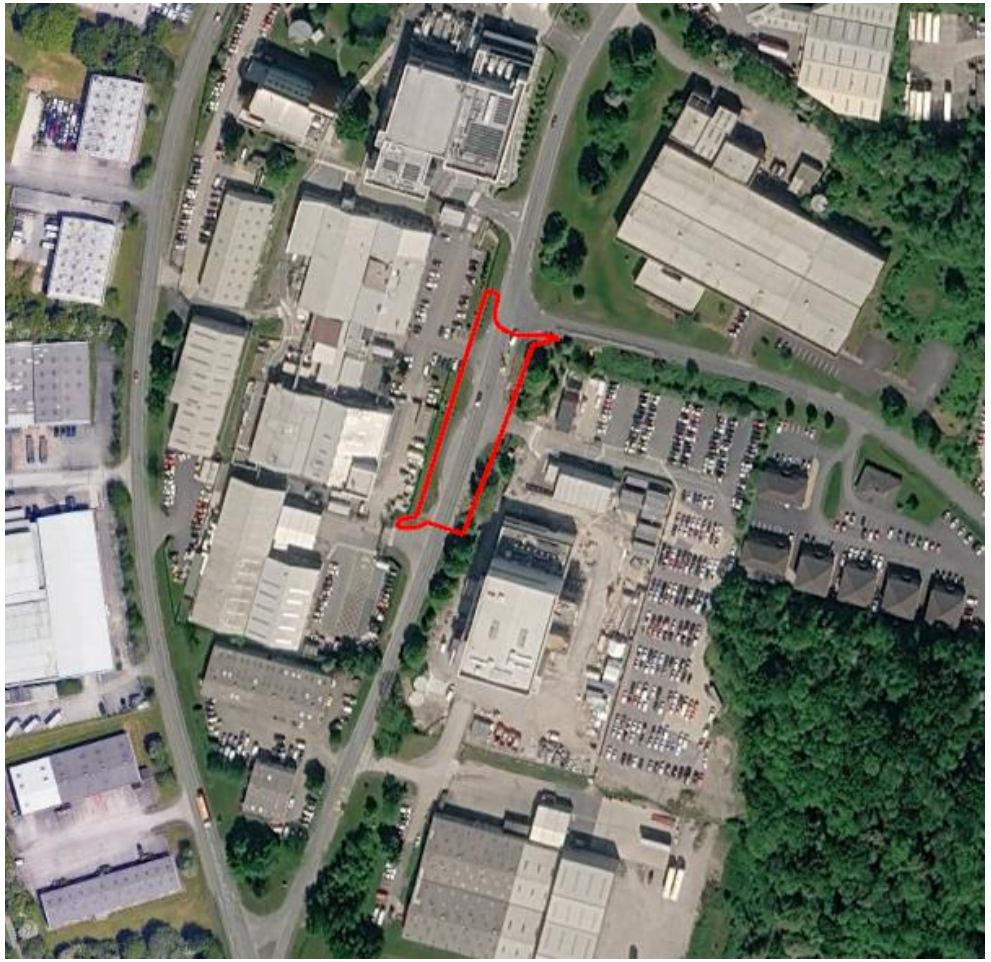


Figure 1. Site Layout.

- 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.

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

IPSEN STOPPED UP HIGHWAY: INTRODUCTION

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 the wider Ipsen site has been used to inform our assessment (Cambrian Ecology, 2022).

A PEA associated with a development located approximately 0.25km 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),* [redacted] within the woodland.

An Ecological Walkover Report associated with a development located approximately 0.3km east of the Site has been used to inform our assessment (Enfys Ecology, 2019).

An Ecological Walkover Report and GCN RAMs associated with a development located approximately 0.34km south of the Site has been used to inform our assessment (Enfys Ecology, 2021).

An Ecological Walkover Report associated with a development located approximately 0.46km east of the Site has been used to inform our assessment (Enfys Ecology, 2017).

A PEA associated with a development located approximately 0.53km 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 STOPPED UP HIGHWAY: **DESK STUDY METHOD**

02

IPSEN STOPPED UP HIGHWAY: 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 STOPPED UP HIGHWAY: DESK STUDY RESULTS

03

IPSEN STOPPED UP HIGHWAY: 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 – 3.83km 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) – 4.3km 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 – 6.9km 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:

Wrexham Industrial Estate – 130m southeast (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*).

IPSEN STOPPED UP HIGHWAY: DESK STUDY RESULTS

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.

Cefn Park – 0.53km west (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*).

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, 1.2km south, and 1.85km 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 0.54km west (Big Wood). The nearest restored ancient woodland site is located approximately 40m southeast (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

A veteran tree was identified within a 1km radius, located approximately 0.88km northeast of the Site.

Green Infrastructure

The Site comprises a section of road with boundary grassland verge. The Site itself provides a significantly 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 10m west of the Site which holds limited water. A pond has been identified within a 250m radius of the Site on Magic Maps, located 125m northwest within the industrial estate and Enfys Ecology (2018) report a pond is present within Erla's Black Wood offsite to the southeast. The Site is 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 STOPPED UP HIGHWAY: DESK STUDY RESULTS

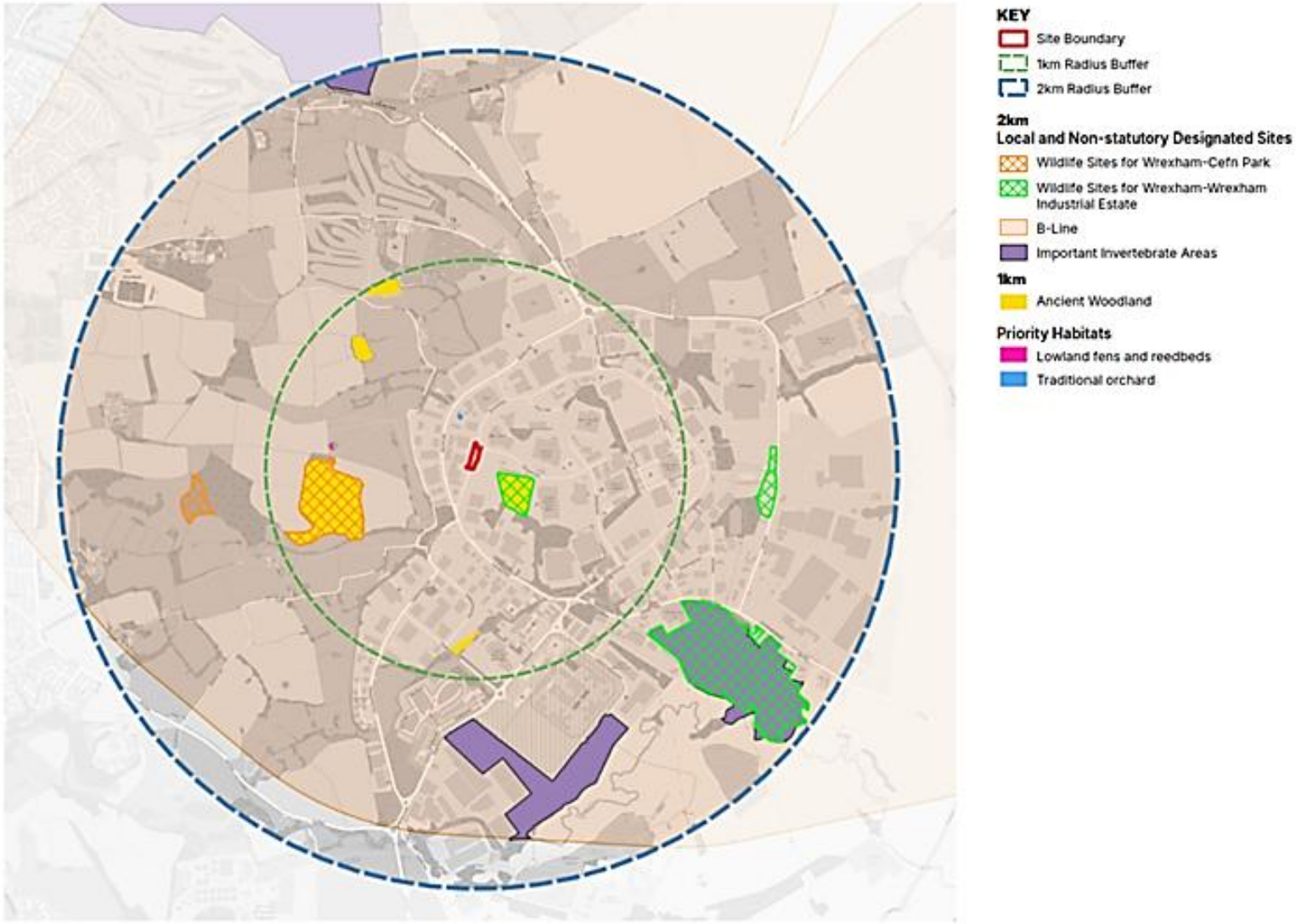


Figure 2: Desk study results for designated sites.

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 STOPPED UP HIGHWAY: **EXTENDED UK HAB SURVEY METHOD**

04

IPSEN STOPPED UP HIGHWAY: 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 STOPPED UP HIGHWAY: **EXTENDED UK HAB SURVEY RESULTS**

05

IPSEN STOPPED UP HIGHWAY: EXTENDED UK HAB SURVEY RESULTS

Habitat Survey

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

- Modified grassland (scattered trees, roadside verge)
- Developed land sealed 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 STOPPED UP HIGHWAY: EXTENDED UK HAB SURVEY RESULTS

Habitats

Modified Grassland – *g4, 32, 801*

Habitats within the Site comprise modified grassland verge, which are species-poor and mown regularly. Two young Scots Pine (*Pinus sylvestris*) trees and a minor area of scattered Bramble (*Rubus fruticosus*) scrub are present on verge to the southeast of the Site.

Modified grassland does not represent a priority habitat in Wales

Developed Land Sealed Surface – *u1b*

The majority of the Site comprises a hardstand road.

Developed land sealed surface does not represent a priority habitat in Wales.

Fauna

No notable fauna was observed during the survey.

Potential of the Site to Support Protected and Priority Species

The habitats on the Site have the potential to support protected species including foraging and commuting bats and badgers, nesting birds, and priority species such as hedgehog.



Photograph 1. View of grassland verge to the northeast (offsite trees behind fencing).



Photograph 2. View of grassland verge to the northwest of the Site.

IPSEN STOPPED UP HIGHWAY: **EVALUATION**

06

IPSEN STOPPED UP HIGHWAY:
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 – 3.83km northwest*
- *River Dee and Bala Lake / Afon Dyfrdwy a Llyn Tegid SAC – 4.3km east*
- *Johnstown Newt Sites SAC – 6.9km 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 (>3.8km);
- 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:

- *Wrexham Industrial Estate –130m southeast*
- *Cefn Park – 0.53km west*
- *B-Line*
- *Important Invertebrate Areas – closest 1.1km southeast*

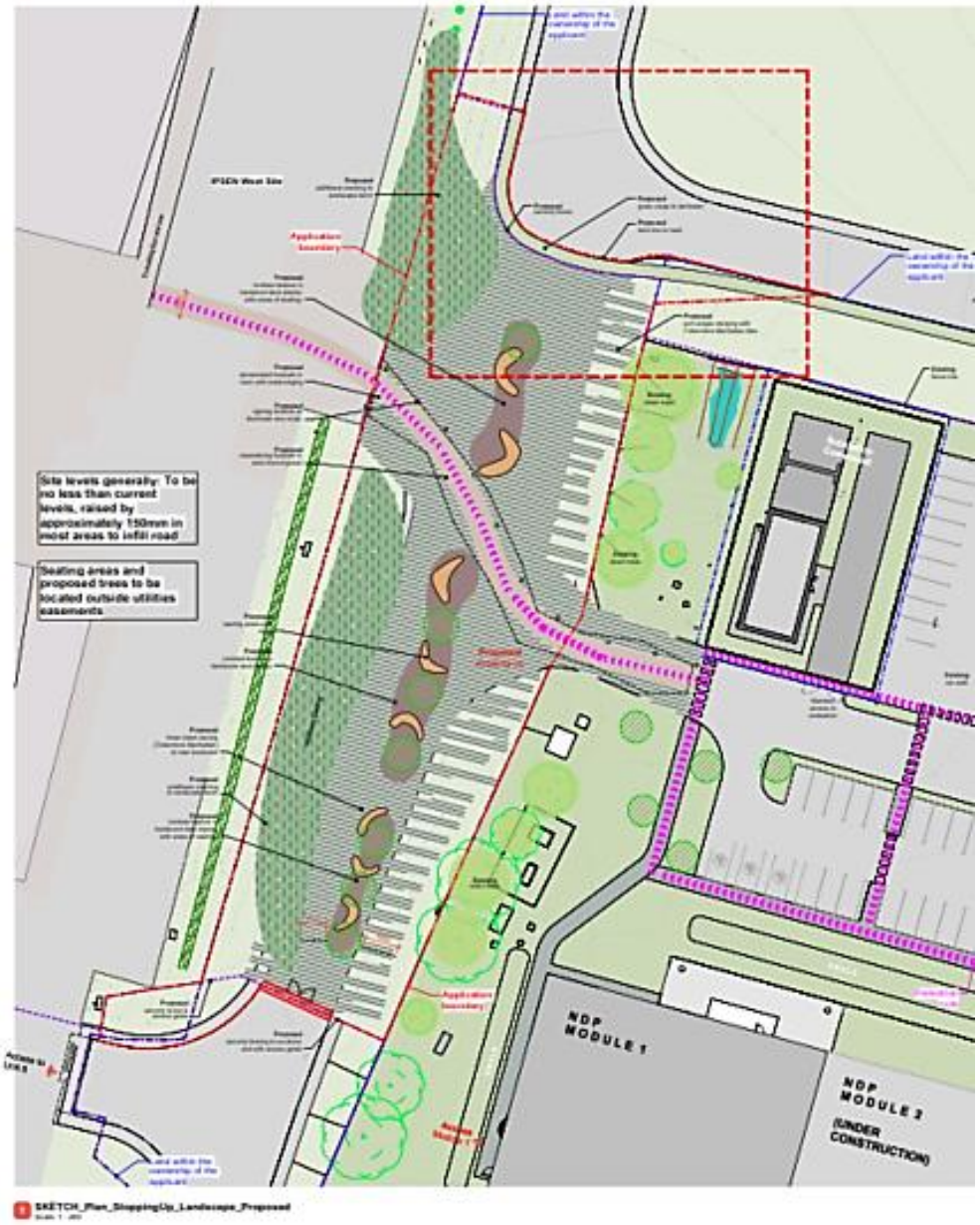


Figure 4. Proposed site layout.

IPSEN STOPPED UP HIGHWAY: EVALUATION

Given the minor scale of the works, no significant negative impacts are anticipated from the development proposal; however, given the proximity of the works to Erla's Black Wood (130m), mitigation is required. Best practice measures are recommended in Section 07.

The nearest ancient semi-natural woodland is located approximately 0.53km west (Big Wood). The nearest restored ancient woodland site is located approximately 130m southeast (Erla's Black Wood). Given the proximity of the works to ancient woodland, mitigation is recommended.

The closest parcel of priority habitats identified in the desk study is traditional orchard, with the nearest located within the industrial estate approximately 0.16km 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

The two trees within grassland verge to the east/southeast are semi-mature and observed during the PEA not to provide suitable roosting habitat for bats; therefore, no further action is recommended.

Bats – Foraging and Commuting

The grassland verges on either side of Ash Road North and offsite adjacent boundary trees, particularly to the east of the Site, are suitable for foraging and commuting bats. As such, 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 grassland verges provide no specific nesting opportunities for Schedule 1 specially protected, ground-nesting, or wintering bird species. The scattered trees and minor amount of scattered bramble scrub may support common nesting birds. As such, further mitigation is recommended.

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

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. A large population of GCN has been previously recorded in woodlands off-site to the southeast.

IPSEN STOPPED UP HIGHWAY: EVALUATION

There are no ponds on-site to support GCN. It is considered unlikely that GCN would be present in the off-site drainage feature as no marginal vegetation was present and the feature is artificial. The grassland verges may provide a significantly limited extent of terrestrial foraging and commuting habitat for GCN and common amphibians. As such, further mitigation is recommended for GCN and common amphibians.

Recommendations relating to GCN and common amphibians are provided in Section 07. If the recommendations are followed, the proposed development will be compliant with legislation and policy relevant to GCN and 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 grassland verge and minor extent of scattered bramble scrub within the Site provide notably poor and significantly limited opportunities for common reptiles; however, given the woodland and farmland in the surrounds, these species could be utilise the verges for commuting. As such, 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).

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 it is significantly unlikely that habitats within the Site itself are used for holt creation. However, there are waterbodies which run through and around Wrexham Industrial Estate, and, given their recorded presence within Wrexham Industrial Estate, there is a low possibility that otters could utilise the Site for commuting. As such, 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 grassland verge and minor extent of bramble scrub within the Site are unlikely to support protected invertebrates. As such, further mitigation is recommended.

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.

The roadside grassland verge habitats are unlikely to support protected flora. As such, no further mitigation is recommended.

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 survey. As such, no further mitigation is recommended.

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 survey. As such, no further mitigation is recommended.

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.

IPSEN STOPPED UP HIGHWAY:
EVALUATION

The roadside grassland verge habitats provide limited foraging and commuting opportunities for priority species such as hedgehog. As priority species such as hedgehog 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 works represent an enhancement over the existing habitats, with the stopped-up section of the road transformed into a landscaped pedestrian route, featuring new tree planting and verges to the west becoming wildflower berms. Partial loss of the eastern grassland verges is expected for proposed decking and seating area.

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 STOPPED UP HIGHWAY: **RECOMMENDATIONS**

07

IPSEN STOPPED UP HIGHWAY: 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)	The standard best practice measures should be implemented to minimise the risk of indirect impacts to surrounding land including nearby ancient woodland 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)	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
[redacted]	[redacted]	[redacted]
Breeding Birds	Mitigation (precautionary measures)	Vegetation clearance should be completed between September to February inclusive (outside of the bird breeding season) where possible, to avoid an offence being committed in respect of nesting birds. Should this not be possible, an ecological clerk of works (ECoW) should be present to oversee removal of vegetation and conduct checks for nesting birds prior to clearance. Where nests are identified these should be protected by at least a 5m exclusion zone until it can be determined by an Ecologist that the nest is no longer active.
Otter, GCN & Common Amphibians, Common Reptiles & Priority Species	Mitigation (precautionary measures)	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 STOPPED UP HIGHWAY: 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	The landscape plan should be sensitively designed to enhance wildlife corridor and green infrastructure function. It should incorporate a diverse range of native species of ecological value. Refer to Figure 4 for the proposed landscape plan and the NBB in Appendix C for further detail.
Nesting Birds	It is recommended that the final plan incorporates one bird box on a retained tree around the Site 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 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 STOPPED UP HIGHWAY: **LEGISLATION & PLANNING POLICY**

08

IPSEN STOPPED UP HIGHWAY: 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; 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. 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; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; 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 example, the Protection of Badgers Act (1992) protects badgers and their setts, 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.

Badger

Badgers are protected in Wales under the Protection of Badgers Act 1992. Under the act it is an offence to:

- Wilfully kill, injure, take, possess or cruelly ill-treat a badger, or attempt to do so;
- To intentionally or recklessly interfere with a sett (this includes disturbing badgers whilst they are occupying a sett, as well as damaging or destroying a sett or obstructing access to it).

The legislation aims to protect the species from persecution, rather than being a response to an unfavourable conservation status, as the species is in fact 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 STOPPED UP HIGHWAY: **CONCLUSION**

09

IPSEN STOPPED UP HIGHWAY: 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 situated within an industrial park and predominantly comprises a short section of hardstanding road and boundary grassland verge with minor scattered bramble and two young Scots pine trees to the southeast. The Site may provide a limited extent of suitable habitat for protected and priority species such as foraging and commuting bats, badgers, reptiles, and otter, common nesting birds, terrestrial GCN and common amphibians, and priority species such as hedgehog. Based on the current layout, parts of the eastern grassland verge are to be lost to facilitate the new decking and seating areas. It is recommended that if possible the two young trees within the verge are retained and protected.

Recommendations have been made for designated sites, ancient woodland and 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 STOPPED UP HIGHWAY: **REFERENCES**

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IPSEN STOPPED UP HIGHWAY: REFERENCES

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IPSEN STOPPED UP HIGHWAY: **APPENDICIES**

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Appendix A: Plant Species and Abundance

IPSEN STOPPED UP HIGHWAY: APPENDICIES

Appendix A: Plant Species and Abundance

Table 5. Modified Grassland

Common Name	Scientific Name	Abundance
Perennial ryegrass	*Lolium Perenne*	D
Yorkshire fog	*Holcus lanatus*	A
Cock's foot	*Dactylis glomerata*	O
Dandelion	*Taraxacum officinale*	R
Rosebay willowherb	*Chamaenerion angustifolium*	R
Broad-leaved dock	*Rumex obtusifolius*	R
Prickly sow-thistle	*Sonchus asper*	R
Common sorrel	*Rumex acetosa*	R
Oxeye daisy	*Leucanthemum vulgare*	R
Bramble	*Rubus fruticosus*	R

Table 6. Individual trees

Common Name	Scientific Name
Scots pine	*Pinus sylvestris*

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).

Additionally, species identified on the site are compared with those protected under animal welfare legislation, such as the Badgers Act 1992 and the Wild Mammals (Protection) Act 1996.

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 Stopped Up Highway

Site Context

This NBB Statement relates to the proposed development Ipsen Stopped Up Highway. The Site currently comprises a section of hardstanding road and adjacent grassland verge. The proposed development will involve the stopping up of a short section of Ash Road North to create a pedestrianised landscaped route. The proposed development will pedestrianise the area and involve associated landscape planting.

A landscape plan has been provided which outlines the proposed habitat creation at the Site (ref:9130_IMC-LMA-01-XX-DR-A-9130-P3 – SKETCH Stopping Up Landscape Proposed (Lovelock Mitchell, 2026)). The proposed landscaping includes creating wildflower areas along the western boundary grassland verge, linear plank paving where the road currently is, seating areas centrally, and tree planting. Parts of the eastern boundary verge will be lost for the paving of the stopped-up section of the road.

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 – A diverse native wildflower mix will be sown within the western boundary verge to enhance the existing habitat. Native tree species have been incorporated into the proposed stopped-up section. These habitats will provide additional feeding and nesting opportunities for birds, small mammals, and invertebrates.
- ✓ Extent – The proposed wildflower verges and new trees will provide additional habitat and food sources for biodiversity. A bird box should be provided on a retained tree on or around the Site to provide additional nesting opportunity.
- ✓ Condition – The proposed wildflower areas and new trees will be managed to ensure plants remain in good health. Any diseased or dying specimens will be replaced to maintain habitat quality.
- ✓ Connectivity – The pedestrianisation of the section of road with new grassed paths, trees, and enhanced wildflower berms provide further opportunities for foraging and commuting wildlife.
- ✓ Adaptability – The above measures will enhance the currently species-poor modified grassland verge to the west of the Site. Increasing habitat diversity will create conditions that allow native species to establish and thrive.

The proposed wildflower bunds and new trees as well as pedestrianisation of the section of road will provide long-term benefits for biodiversity. By incorporating opportunities for wildlife and introducing native habitat features and a bird box, the development will deliver a measurable net benefit for biodiversity that is proportionate to the scale of the proposal.

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