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3rd April 2025

Gwyn Humphreys
Roger Parry and Partners
9 Darwin Court
Oxon Business Park
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Proposed poultry unit at Upper Bryn

Dear Gwyn,

We undertook a Preliminary Ecological Appraisal and subsequent Amphibian Conservation Plan for this site in 2021/2022. The PEA was based on survey work at the site carried out in June 2020.

I understand that the application is to be re-submitted. The site has been re-assessed by us and the situation on the ground remains the same. This is to confirm therefore that the findings and recommendations of the PEA and Amphibian Conservation Plan remain the same.

I note that the latter Plan has already been accepted by the Council on condition that Reasonable Avoidance Measures were adhered to and that the Amphibian Conservation Area is created as outlined in the Plan.

Kind regards,

Briony Horton
Office Manager

p.p William Prestwood

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AMPHIBIAN CONSERVATION PLAN

Project name: **UPPER BRYN FARM**

Species: Great Crested Newt

Date: 21/02/2023

Prepared by: William Prestwood BSc Director

Reviewed by: Phillipa Stirling MSc ACIEEM

Requested by: Roger Parry and Partners

Arbor Vitae Environment Ltd Lower Betton Farm, Cross Houses, Shrewsbury, Shropshire, SY5 6JD

1 BACKGROUND

Planning consent is being sought for the erection of a new poultry unit to extend an existing unit at Upper Bryn.

A preliminary ecological assessment identified a pond 190 metres from the site which, in 2017, supported a non-breeding population of great crested newts.

The site designated for the construction of the poultry unit is sub-optimal for GCN and it was recommended that Reasonable Avoidance Measures be adopted during construction, along with habitat mitigation and biodiversity enhancements.

Natural Resources Wales has since requested that a GCN Conservation Plan is produced which details avoidance and mitigation measures.

The following document sets out a Conservation Plan, including mitigation, compensation and enhancement, which will ensure that the favourable conservation status of GCN at the site and in the area is maintained.

2 RISK ASSESSMENT

A survey in 2017 demonstrated that one pond supported at least 14 great crested newts, although no evidence of breeding was recorded. This pond lies 190 metres from the edge of the site proposed for the poultry unit. Hedgerows create a natural potential migration route for amphibians between the site and the pond. The location of the pond and the proposed poultry unit are shown on Figure 1.

There is abundant foraging and hibernation habitat in the immediate vicinity of the pond, whereas the development site is heavily grazed, intensively managed grassland. The likelihood therefore of GCN using the site is small. in addition, a minor road creates a barrier to dispersal of GCN, albeit not a major one. Jehle (2000) demonstrated that 95% of all GCN summer refuges fell within 63m of the breeding pond and it is considered reasonable to assume in this case that the vast majority of GCN breeding in Pond 2 are using the habitat found immediately adjacent to the pond as terrestrial habitat. This is especially likely given the poor suitability of terrestrial habitats beyond it.

3 LEGISLATION

Great Crested Newts (GCN) are a European Protected Species (EPS) and they and their habitats are fully protected under national (Wildlife & Countryside Act 1981 (as amended)) and European law (The Habitats and Species Regulations 2017 (as amended)). The combined legislation makes it illegal to:

- deliberately capture, kill or injure a great crested newt;
- damage or destroy a breeding site or resting place
- intentionally or recklessly obstruct access to any place used for shelter and protection including resting and breeding places, whether occupied or not;
- deliberately, intentionally or recklessly disturb a great crested newt when in a place of shelter;
- possess a great crested newt, or any part of it, unless acquired lawfully;
- sell, barter, exchange or transport or offer for sale great crested newts or parts of them.

4 REASONABLE AVOIDANCE METHOD STATEMENT

Site induction

- A toolbox talk will be given to all site personnel in order to make them aware of the possible presence of GCN, how to identify this species and the avoidance measures to be used on site.
- A paper copy of the avoidance measures will be retained on site together with the contact details of the GCN licensed ecologist.

Timing & duration

- All works will take place during daylight hours when GCN are unlikely to be moving around.

Hedgerow removal

- A small length of hedgerow at the access point will be coppiced following the end of the bird-nesting season (Mid-August) and all arisings will be removed from the site. Coppicing will reduce the height of cut stems to around 15cm ensuring minimal ground disturbance.
- The increased light and decreased humidity levels in the base of the hedge will render it less suitable habitat for any GCN and thus encourage dispersion away from the hedge, if present.
- The hedge will be retained in this state for at least 4 weeks and then removed. This will be carried out with due diligence and with supervision by an ecologist.
- If any GCN are discovered at this stage, all work will cease until a European Protected Species Development Licence is obtained from NRW.

Site clearance

- Any possible objects which may conceal GCN such as large stones, logs or other materials will be inspected and removed from site.
- If any GCN are discovered at this stage, all work will cease until a European Protected Species Development Licence is obtained from NRW.

Site compound

- The site compound will be situated on an area of existing hard-standing to avoid creating GCN resting places beneath stored materials etc.
- All site materials will be stored on pallets or other raised objects to avoid creating resting places/refuges for GCN.
- Any toxic or poisonous materials will be safely stored within a locked container.

Construction methods and special precautions

- All excavations on site will be covered at night or ramps will be provided to allow amphibians to exit excavations. All excavations will be checked for amphibians each morning prior to the re-commencement of works.
- All exposed new pipework and drains will be capped at night so as to avoid trapping amphibians.
- All excavated materials/waste will be stored in skips or similar and not on the ground where it could be used as a refuge/resting area by amphibians. Alternatively, all waste will be removed from site daily unless being used to create the amphibian hibernacula.
- All stored building materials that might be used as temporary resting places by amphibians will be stored off the ground on pallets or similar.

5 COMPENSATION AND ENHANCEMENTS

Creation of wildlife pond

A new pond will be created in the location indicated on Figure 1. This will occupy an area of currently improved grassland which does not offer shelter or hibernating opportunities. The pond construction will be carried out between November and February when GCN are not active and will be hibernating in suitable habitat elsewhere on site.

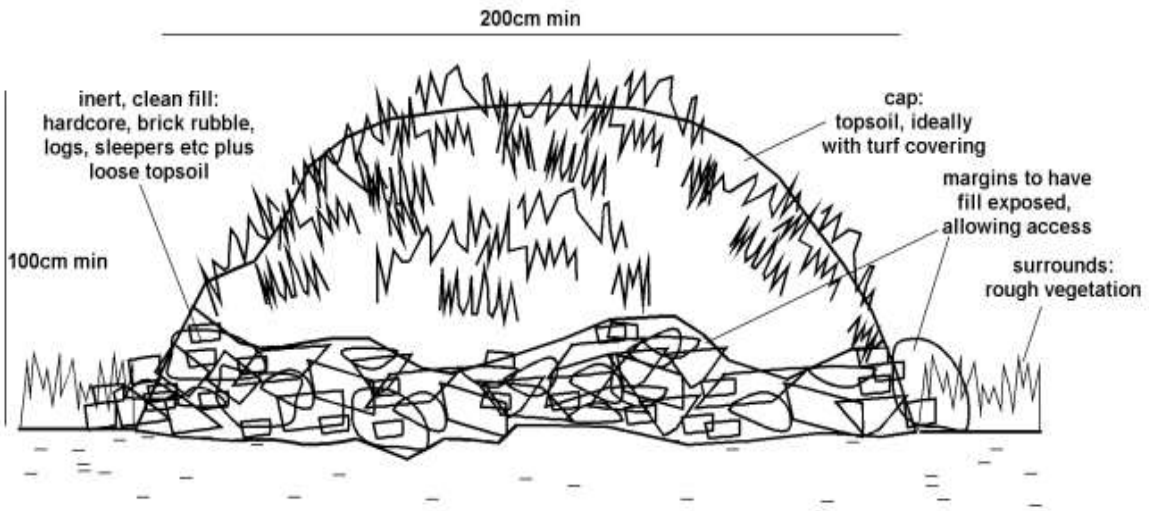
The new pond will be irregular in shape in order to create diversity around the margins. The overall surface area will be at least 100m^2 and the pond will be securely fenced for safety and conservation reasons. Natural regeneration will rapidly vegetate the margins of the pond.

Creation of amphibian hibernaculum

An amphibian hibernaculum will be created on site within 10m of the new pond. The hibernaculum will measure 2m long by 1m wide and be at least 1m high, to follow the

Figure 3: Suggested hibernaculum design

This design mimics artificial and natural conditions in which great crested newts have frequently been found over-wintering. Dimensions should not be below 2m length x 1m width x 1m height. The illustrated design would be suitable for locating on an impermeable substrate. On free-draining substrates, the design is largely similar but the bulk of the fill is sited in an excavated depression in the ground. Hibernacula should ideally be positioned across a site, both close to and distant from breeding ponds, always in suitable terrestrial habitat and above the flood-line.



'Suggested hibernaculum design' within Figure 3 of the Great Crested Newt Mitigation Guidelines.

The base of the hibernacula will be constructed using hardcore, brick rubble, logs, rough timber and loose topsoil. There will be sufficient ground-level gaps between the materials to allow newts to enter in several locations. The hibernacula will be built up in layers and overlaid with topsoil and a final layer of turf.

Creation of GCN Conservation Area

An area of rough grassland and scrub will be created around the new pond, extending to approximately 0.25 ha. This will be linked to an existing hedgerow which in turns links to the proven GCN pond thus allowing a good migration route between the existing pond and new pond.

The area will be fenced against stock. At least half the area will be planted with native shrubs including hawthorn, blackthorn, hazel, guelder rose, dogwood and dog rose at 2m spacing.

Conservation Area Management Plan

Following construction, the Conservation Area will be monitored annually. Water levels will be checked to ensure adequate depth is maintained. Shrubs will be replaced if any fail. Grassland will be retained in an uncut state but flailed every 3 years to prevent scrub growth. An eDNA test will be carried out of a water sample from the pond annually for 3 years to determine use by GCN.

An annual management review will be carried out each year in September by the appointed ecologist and this will be discussed at an annual liaison meeting between the site owners (Maelor Nurseries), the site agents (Roger Parry and Partners) and the ecologist (currently Arbor Vitae Environment Ltd). Details of the meeting will be sent to NRW for consideration. The review will consider the following topics:

- Effectiveness of management
- Recommendations for changes to management practices
- Opportunities for further biodiversity enhancements
- Results of GCN monitoring

FIGURE 1 SITE PLAN