	Our ref:	SV/2023/111725/03-L01
Shropshire Council - Northern Office (Oswestry)	**Your ref:**	23/02170/FUL
Planning / Development Services	**Date:**	19th April 2024
Castle View Arthur Street		
Oswestry		
Shropshire		
SY11 1JR		

FAO Mark Perry

Dear Mark

FORMATION OF LINK ROAD WITH FOOTWAY AND CYCLEWAY PROVISION BETWEEN THE ELLESMERE BUSINESS PARK ROUNDABOUT ON THE A495 AND CANAL WAY, INCLUDING ASSOCIATED MODIFICATION TO THE ELLESMERE BUSINESS PARK ROUNDABOUT, RECONTOURING AND EARTHWORKS THROUGHOUT THE SITE AND FORMATION OF FLOOD COMPENSATION AREAS

LAND BETWEEN THE A495 BUSINESS PARK ROUNDABOUT AND CANAL WAY, ELLESMERE

Thank you for your email of 15th March 2024 advising of the submission of an Ecology Impact Assessment.

- Ecological Impact Assessment, Ellesmere Wharf, dated 30/8/2023 and prepared by Arbor Vitae Environment Ltd

We have reviewed the above assessment, alongside the indicative master plan (No. PL500 Rev S) and the Typical box culvert arrangement (DWG Ref: C1581-SGI-ZZ-00-DR-C-0517).

The following comments should be read in conjunction with our earlier letters of 17th July 2023 and 6th September 2023.

The Ecological Impact Assessment confirms that species surveys and watercourse assessments have been carried out to identify protected species and inform mitigation strategies, in accordance with the NPPF.

We note that, while our records indicate the presence of Otters and Water Voles within 0.9km of the site, no evidence of Environment Agency lead species (white claw crayfish, otter or water vole) was found during the surveys.

We are aware that **water vole** have previously been identified in the wider area. These are protected under the Wildlife and Countryside Act 1981 (as amended) and a **priority species,** within our remit. The river restoration proposals, including opening up of the watercourse and marginal planting etc should aim to provide

habitat for these species to protect and enhance their viability.

We previously advised (letter dated 17th July 2023) that the ecological status of the Tetchill Brook is currently poor. (Tetchill Bk - source to conf R Perry | Catchment Data Explorer | Catchment Data Explorer). Catchment data identifies that the reasons for the watercourse not meeting 'good' status are attributed to; poor soil, nutrient and livestock management, sewage discharge and bankside erosion. Under the Water Framework Directive the aim is to achieve good ecological status by 2027.

The proposed development presents a valuable opportunity to restore more natural processes to the watercourses, floodplain and encourage site ecology, helping deliver WFD and wider objectives as detailed in the Severn River Basin Management Plan.

A key part of the proposed engineering works include diverting a large, section of the Tetchill Brook (currently culverted) as an open channel through the southern section of the site. However, limited information has been submitted to fully understand the channel design.

We recommend the channel be designed with a natural morphology comprising riffles and pools, as well as shaded areas and that more detailed drawings be provided to better demonstrate what is proposed.

Please note that the LLFA are the consenting authority for the Tetchill Brook (ordinary watercourse) and you should consult them in respect of the above.

We welcome the measures outlined in Section 6 and Appendix 3 of the assessment which include but are not limited to:

- The implementation of a minimum 8m watercourse buffer along the Tetchill Brook and Newness Brook; the removal of access to the watercourse for livestock, which will allow for improved water quality, riparian vegetation and habitats, and will also slow run off into the watercourse. It will also enable access for watercourse management and wider amenity.
- the provision of mammal passages within the culvert design. We advise that should any screens be required on the proposed culvert, or any outfalls associated with the surface water drainage, the spacing of the bars on the screen grill must be a minimum 150mm+. This will allow free passage of adult otters should they return to the watercourse and will ensure they don't become trapped.

We recommend the measures outlined in section 6 and Appendix 3 are integrated into a working method statement to be approved by the LPA.

However, we note that at this stage, there are no detailed landscaping proposals for the riparian buffers, flood compensation areas and the wider site, with the intention for these to be left bare following engineering works and this element to be managed through separate planning applications for each parcel of land, each of which will be subject to BNG requirements.

We have previously advised that the early establishment and protection of the riparian buffer zone, and flood compensation storage areas is key to their success in providing

ecological enhancement to the watercourse and local environment. Leaving soil bare for undefined timeframes, risks erosion and runoff into the watercourse.

We therefore recommend that the landscaping and management of the riparian zone (which includes river banks, buffer zones and floodplain) be considered as a whole, as part of this application, which will ensure greater connectivity and more enhanced habitat creation and species diversity is delivered early on in this development.

The flood storage compensation area provides an opportunity to establish a species rich floodplain meadow / washland, supporting native plants as well as birds, bees, butterflies and other pollinating insects. Overall, this would offer significant environmental gain.

Alongside this, any attenuation basins / ponds relating to surface water drainage could provide opportunities for creating wetland habitat with shallow pools and native plants, potentially benefiting species detailed in the Shropshire Biodiversity Action Plan (SBAP), like curlew, lapwing, dragonflies, GCN, water vole, etc. This may be appropriate to the SuDs areas detailed within the master plan (Drwg PL500 Revision S). Your Lead Local Flood Authority would be best placed to comment in this respect and we would advise you consult them.

We do however highlight that any surface water linkages should be designed so they do not result in any reduction in fluvial flood storage volumes.

The above could be controlled through an appropriate planning condition for the Tetchill Brook (ordinary watercourse) modification (in discussion with the LLFA); requiring, prior to commencement of works, details of the channel design and bank profiling/appropriate landscaping/planting mix, treatment of the 8m watercourse buffers and the flood compensation areas. You may also wish to secure via condition, a management plan for this area.

It may also be appropriate to secure a site wide 'strategy' for landscaping to ensure connectivity between parcels of land and establish corridors of habitat and green/ blue infrastructure that connect beyond the site.

Informatives / advice to the applicant

Invasive Non Native Species and biosecurity measures including Check, Clean, Dry measures should be included in the applicant's Risk Assessment Method Statement (RAMS) document to minimise the risk of spreading INNS across the Broadway Brook. Please see the INNS GB non-native species secretariat website for more information: Check Clean Dry » NNSS (nonnativespecies.org).

Finally, we advise an ecological clerk of works is present on site when undertaking works to ensure contractors and work activities comply with wildlife law and permit commitments.

Environmental Permit

Any works within 8m or the floodplain of the Newnes Brook, a designated main river, will likely require permission from the Environment Agency in the form of a Flood Risk Activity Permit. We would suggest the applicant consult with the West Midlands

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Partnerships & Strategic Overview Team at pso.midswest@environment-agency.gov.uk

Works associated with the Tetchill Brook (Ordinary Watercourse) will require consent of the LLFA.

Plans to be secured
To assist, we recommend the following documents form part of any consent:

- Flood Risk Assessment: EMM-BWB-ZZ-XX-RP-YE-0004_FRA (Site Wide), prepared by BWB, dated April 2023
- DWG: C1581-SGI-ZZ-00-DR-C-0401 P3 (Earthworks Strategy proposed Levels)
- DWG: PL500 Revision S Indicative Masterplan
- DWG: C1581-SGI-ZZ-00-DR-C-0517 Typical Box Culvert

Yours faithfully

Emma Millband
Planning Officer

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