

**APPROPRIATE ASSESSMENT OF A PROPOSAL LIKELY TO HAVE A SIGNIFICANT EFFECT
ON A EUROPEAN SITE**

CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017



PART A: The Proposal

1. Type of permission: Full	2. Consents and ROMP references: P/2024/0332	3. National Grid reference: SJ 392 503
4. Map of Application site with Permission reference(s) Map Attached No	4. Brief description of consents and options Landslip Reinstatement works	
6. European site name(s):	RIVER DEE AND BALA LAKE	
7. List of interest features: H3260. Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation; Rivers with floating vegetation often dominated by water-crowfoot S1095. <i>Petromyzon marinus</i> ; Sea lamprey S1096. <i>Lampetra planeri</i> ; Brook lamprey S1099. <i>Lampetra fluviatilis</i> ; River lamprey S1106. <i>Salmo salar</i> ; Atlantic salmon S1163. <i>Cottus gobio</i> ; Bullhead S1355. <i>Lutra lutra</i> ; Otter S1831. <i>Luronium natans</i> ; Floating water-plantain		

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PART B: Identification of effects being considered and relevant features affected			
Significant effect being considered (attribute affected)	Affected qualifying feature(s)	Favourable condition target(s) for relevant feature(s) based on conservation objectives set for SPA/ Ramsar	Contribution of attribute(s) to site integrity (ecological structure and functioning of site)
1. Pollution risk during construction, and long-term impact on water quality.	Water courses of plain to montane levels with the <i>Ranunculus fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation Sea lamprey Brook lamprey River lamprey Atlantic salmon Bullhead Otter Floating water-plantain	<i>Taken from Core Management Plan Including conservation objectives for River Dee and Bala Lake 2008</i> Water quality Lower limit – Chemical GQA class: A Biological GQA class: A	Water quality is essential to maintain populations of all the SAC features of interest.

2. Risk of silt mobilisation impacting on spawning gravels and migration.	Sea lamprey Brook lamprey River lamprey Atlantic salmon	Annual Mean Suspended Solids for nursery grounds <i>Upper limit:</i> None set <i>Lower limit:</i> <10 mg L⁻¹ Annual Mean Suspended Solids for migratory passage <i>Upper limit:</i> None set <i>Lower limit:</i> <25 mg L⁻¹ There should be no reduction of fish biomass within the SAC or its tributaries except for that attributable to natural fluctuations.	Silt and other suspended solids 'concrete' the loose gravels which are required for spawning by salmon, and interfere with migration of species.
3. Physical and geomorphic changes to the watercourse as a result of erosion control.	Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation Sea lamprey Brook lamprey River lamprey Atlantic salmon Bullhead Otter	<i>Lower limit:</i> Maintain characteristic physical features There will be no reduction in the area or quality of habitat for the feature populations in the SAC on a long-term basis	Characteristic channel morphology provides the diversity of water depths, current velocities and substrate types necessary to fulfil the life cycle of species.

4. Risk of disturbance, physical injury as a result of machinery.	Otter	Otter - No loss of otter breeding or resting sites other than natural means. Extent - Lower limit otter signs to be found at 46 of 59 sites. Dispersal routes –there should be no loss or impairment of any such routes. No significant increase in disturbance	Otters use a range of types of resting or laying up sites and these may vary in type or location depending on conditions and availability. Otters are sensitive to human disturbance and especially changes in activity
5. Introduction of Invasive Alien Species.	Water courses of plain to montane levels with the <i>Ranunculon fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation Sea lamprey Brook lamprey River lamprey Atlantic salmon Bullhead Otter	No impact on native biota from alien or introduced species	Invasive species can directly out compete native flora and fauna or spread diseases which are native wildlife are not immune.

6. Loss of bankside habitats, noise, vibration, potential human disturbance and lighting.	Otter	The populations will be stable or increasing over the long term. Otter - No loss of otter breeding or resting sites other than natural means. Extent - Lower limit otter signs to be found at 46 of 59 sites. Dispersal routes –there should be no loss or impairment of any such routes. No significant increase in disturbance.	Otters use a range of types of resting or laying up sites and these may vary in type or location depending on conditions and availability. Otters are sensitive to human disturbance and especially changes in activity.
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PART C: Assessment				
Significant effect being considered (attribute affected)	Adverse Effect of proposal alone on attribute and/or feature and in relation to conservation objective for the feature.	Adverse Effect of proposal in combination with other plans or projects, on attribute and /or feature	Adverse effect on the integrity of the site? : Long term/ short term Yes/ Uncertain No	What mitigation could prevent an adverse effect on the integrity of the site?
1. Pollution risk during construction.	Risk of pollution from vehicles or construction materials entering the water course and causing point source issues with water quality which could impact on all the attributes.	No in combination projects identified	Long term – no Short term – potential minor.	The approved CEMP will be adhered to. • Vehicles will not enter the channel • A pollution response and spill kit will be available on site. • No washing to occur. • All plant checked regularly for leaks. • Biodegradable oils to be used in mobile plant. • All refuelling of plant to be undertaken at road level away from gulleys and over a drip tray.
2. Risk of silt mobilisation impacting on spawning gravels and migration.	Silt and other suspended solids concrete the loose gravels which are required for spawning by salmon, and interfere with migration of species.	No in combination projects identified	Long term – no Short term – possible minor	The proposed works are primarily on the slope above the SAC. There is no intention to work within the river itself, however, it is possible that minor stone may need to be placed in discrete locations for construction of the working platform. The approved CEMP will be adhered to.

3.	Physical changes to the watercourse geomorphology as a result of erosion control.	Physical changes in flow patterns and preventing natural river processes may have adverse impacts on all attributes.	No in combination projects identified	Long term – potential minor Short term – no	The scheme has been amended following comments. Justification for hard engineering at the toe of the embankments have been comprehensively addressed in the supplementary documents, and the information is consistent with what was submitted for the FRAP.
4.	Risk of disturbance, physical injury to otters as a result of machinery.	Otters may use the area as temporary resting places. They may become disturbed by any activity.	No in combination projects identified	Long term – no Short term – no provided mitigation measures are adhered to	Prior to construction a suitably qualified Ecological Clerk of Works (ECoW) will be employed for the duration of construction of the proposed development and for pre-construction clearance works. There will be pre-construction checks by ecologists, no night time working, trenches and excavations will be covered.
5.	Introduction of Invasive Alien Species.	Risk to all attributes.	No in combination projects identified	Long term – no Short term – no	There will be no importation of soil site. Vehicles will arrive on site clean, dry and free from foreign material. Personnel will wear only clean and dry footwear. This is covered in section 7 of the CEMP

6.	Loss of bankside habitats, noise, vibration, potential human disturbance and lighting.	Otters	No in combination projects identified.	Long term – no Short term - minor	No holts were recorded within the Site, or within 50 m of the Site. A hover was recorded 30 m from the Site, although no use of this feature by otters was recorded during a 5 week monitoring period. This feature will not be lost as a result of the proposed Development. Taking into account the general mitigation measures to be implemented to address the potential impacts to this species (including pre-construction checks, no night-time working, and ensuring excavations are covered), it is not expected that the proposed development will result in a significant residual effect on otters. There will be a short term disturbance of the bank side, but not over a sufficiently large area to cause any adverse impacts.
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PART D: Wrexham County Borough Council's Conclusion

CAN IT BE ASCERTAINED THAT THE PLAN OR PROJECT WILL NOT ADVERSELY EFFECT THE INTEGRITY OF THE EUROPEAN SITE(S)?

Direct Effects

The following direct effects have been identified. Most of which are short term and can be adequately mitigated.

- ☐ Permanent habitat loss (e.g. loss of woodland on the landslide);
- ☐ Temporary habitat loss (e.g. the woodland along the access track or riparian habitat);
- ☐ Habitat degradation of the River Dee and Bala Lake SAC (e.g. through sediment release, pollution events and dust, or accidental introduction of INNS);
- ☐ Injury or mortality of protected and notable species; and
- ☐ Disturbance including noise and vibration to protected and notable species.

There are no direct effects on the SAC long term.

Indirect Effect

During operation of the proposed development, potential for increased risk of road mortality of otter due to the road re-opening was considered.

In Combination Effects

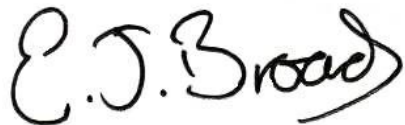
No in combination projects have been identified

Conclusion**A CEMP has been produced and conditioned****An ecological method statement has also been produced**

Taking into account the mitigation measures which will be in place, proposed habitat reinstatement and precautionary approach to protected and priority species it is not expected that the proposed development will result in a significant residual effect on any features of nature conservation importance throughout its construction or operation.

Name of Assessing Officer:

Emma Broad

Name of Supervising Officer:**Job Title:****Ecology and Biodiversity Officer****Job Title:****Signed:****Date:**

08/04/25

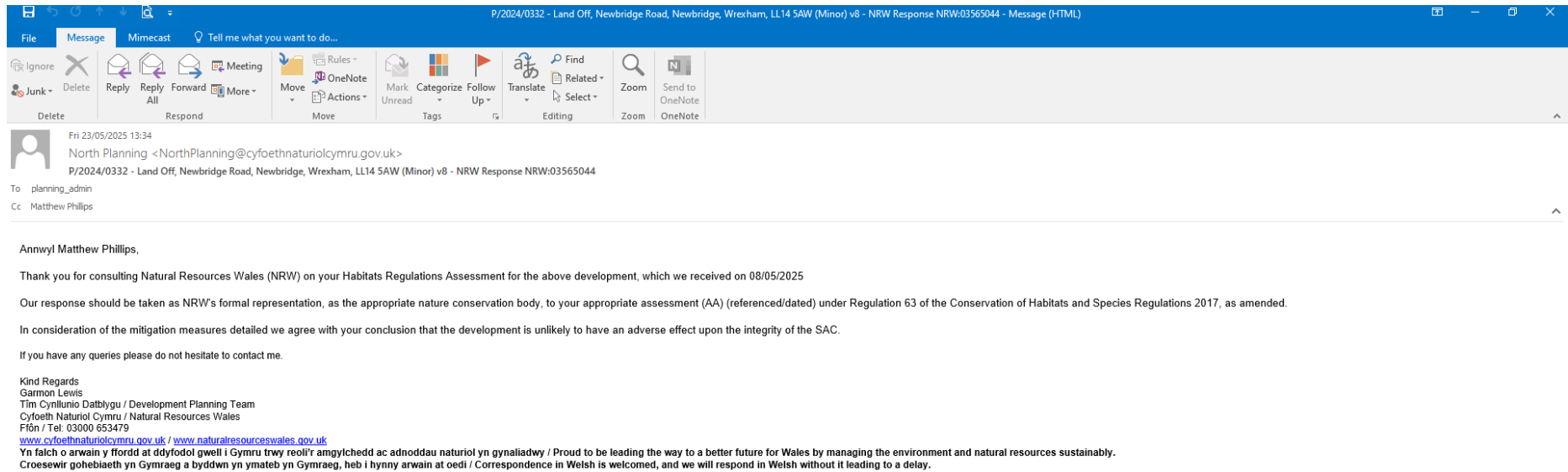
Signed:**Date:**

09/04/2025

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PART E: Consultation with NRW on Part D

Natural Resource Wales comment on conclusion:



The screenshot shows an email interface with a blue header bar. The title bar of the window reads "P/2024/0332 - Land Off, Newbridge Road, Newbridge, Wrexham, LL14 5AW (Minor) v8 - NRW Response NRW:03565044 - Message (HTML)". The email header shows it was received on "Fri 23/05/2025 13:34" from "North Planning <NorthPlanning@cyfoethnaturiolcymru.gov.uk>" with the subject "P/2024/0332 - Land Off, Newbridge Road, Newbridge, Wrexham, LL14 5AW (Minor) v8 - NRW Response NRW:03565044". The recipient is "planning_admin" and the sender is "Matthew Phillips". The body of the email is as follows:

Annwyl Matthew Phillips,

Thank you for consulting Natural Resources Wales (NRW) on your Habitats Regulations Assessment for the above development, which we received on 08/05/2025

Our response should be taken as NRW's formal representation, as the appropriate nature conservation body, to your appropriate assessment (AA) (referenced/dated) under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, as amended.

In consideration of the mitigation measures detailed we agree with your conclusion that the development is unlikely to have an adverse effect upon the integrity of the SAC.

If you have any queries please do not hesitate to contact me.

Kind Regards
Garmon Lewis
Tîm Cynllunio Datblygu / Development Planning Team
Cyfoeth Naturiol Cymru / Natural Resources Wales
Ffôn / Tel: 03000 653479
www.cyfoethnaturiolcymru.gov.uk / www.naturalresourceswales.gov.uk

Yn falch o arwain y ffordd at ddyfodol gwell i Gymru trwy reoli'r amgylchedd ac adnoddau naturiol yn gynaliadwy / Proud to be leading the way to a better future for Wales by managing the environment and natural resources sustainably.
Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi / Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.