

Ein cyf/Our ref: CAS-250292-W1Z3
Eich cyf/Your ref: CAS-03080-T2Z6V6

PEDW
Planning and Environment Decisions Wales
Welsh Government
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Dyddiad/Date: 18 March 2024

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: APPLICATION FOR OUTLINE PLANNING PERMISSION (WITH SOME MATTERS RESERVED) TO ERECT A SINGLE DWELLING FOR AN AGRICULTURAL WORKER

LLEOLIAD/LOCATION: Black Rock Farm, Sesswick Way, Cross Lanes, Wrexham

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above Appeal, which we received on 29th February 2024.

We provided our substantive response to the Local Planning Authority, advising that further consideration was required regarding foul drainage and that conditions/obligations regarding protected species should be applied, in our letter to them dated 3rd April 2023 (our reference CAS-213487-K3X1).

We note your request for our advice on Protected Species and Flood Risk. Our advice on these two topics is as follows.

Protected Species

The ecology report submitted in support of the above application (Grey, R. (2021). Proposed Dwelling: Black Rock Farm, Sesswick Way, Wrexham – Preliminary Ecological Appraisal. Etive Ecology Limited) identified that the close proximity of known Great Crested Newt (GCN) breeding ponds and a medium-sized meta-population of GCN means that it is reasonably likely that GCN could be found present within the grassland habitat at the site and may disperse across the bare ground.

GCN and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended) and harm or disturbance to them would be a material planning consideration. This is clarified under the provisions of Technical Advice Note 5: Nature Conservation and Planning (TAN5).

We advised the LPA that the submitted Great Crested Newt conservation plan was adequate for the purposes of the planning decision-making process, but a more detailed method statement would need to be prepared in support of an EPS licence application.

Since the GCN Mitigation Strategy stated no activities would be permitted within 5m of the GCN breeding pond we also advised the imposition of a suitably-worded condition for the dwelling to be sited further away from the pond.

In terms of compensation, we noted that an equivalent area of land to that permanently lost would be provided and incorporated into the adjacent areas of existing habitat already under management for GCN and within the same ownership, and that the lease agreement between the applicant and the current managing agents would be updated following planning approval, to ensure its management.

We concluded that, providing the dwelling could be satisfactorily sited remote from the adjacent pond, the development was not likely to be detrimental to the maintenance of the favourable conservation status of the GCN population provided that any subsequent consent was subject to the imposition of planning conditions and obligations (such as a Section 106 Agreement or a unilateral undertaking) to ensure the management of the proposed compensation area for GCN. Furthermore, we advised that the GCN conservation plan must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

Flood Risk

The planning application proposes highly vulnerable development (residential). The application site is within Zone A of the Development Advice Map (DAM) contained in TAN15 (2004). Additionally, the Flood Map for Planning (FMfP) provides the best available information on flood risk. The FMfP identifies the application site to be in Flood Zone 1, meaning there is less than a 0.1% chance of flooding in a given year.

We therefore have no concerns regarding flood risk at the application site.

If you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully,

Rachael Burke

Cynghorydd - Cynllunio Datblygu/Advisor - Development Planning
Cyfoeth Naturiol Cymru/Natural Resources Wales

E-bost/E-mail: northplanning@cyfoethnaturiolcymru.gov.uk

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.