

Ein cyf/Our ref: CAS-234220-H9R1
Eich cyf/Your ref: P/2023/0448

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 07 September 2023

Annwyl Syr/Madam/Dear Sir/Madam,

**BWRIAD/PROPOSAL: DISCHARGE OF CONDITION 6 (CONSERVATION PLAN) OF
PLANNING PERMISSION P/2021/0676**

**LLEOLIAD/LOCATION: LAND NORTH EAST OF MAELOR WORKS CROSS LANES
WREXHAM**

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 01 August 2023.

We have concerns with the application as submitted. We do not recommend your Authority discharges condition 6 for the following reasons.

Protected Species

We have reviewed the conservation plan submitted in support of this application (Land North East of Maelor Works, Wrexham Solar Farm & Battery Storage (P/2021/0676) GCN Conservation Plan, Etive Ecology, June 2023) to discharge condition 6 of planning permission P/2021/0676.

As the condition contained a number of components to fulfil, we have provided a response to each of these for clarity in Annex 1 at the end of this letter. While we consider the plan to be satisfactory in principle, the submitted conservation plan does not cover all of the component provisions of the conservation plan condition.

We consider that this could be addressed by either:

- (a) The re-submission of an updated version of the conservation plan;
- (b) The inclusion of outstanding details in the habitat management plan; and
- (c) Ensuring effective consideration and inclusion of the anticipated application for a European protected species licence under Regulation 55 (2) (e) of the Conservation of Habitats and Species Regulations 2017 (as amended)

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our [website](#) for further details.

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

Yn gywir / Yours faithfully

Tomos Hughes

Uwch Gynghorydd - Cynllunio Datblygu/Senior Advisor - Development Planning
Cyfoeth Naturiol Cymru/Natural Resources Wales

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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.

Annex 1

No	Conservation Plan Provision	Comment
i	Submission of details and associated plans concerning GCN avoidance and mitigation measures including, but not limited to: fence design, specifications and proposed locations; consideration of access issues across fence lines (including PROW if applicable); fence monitoring and maintenance requirements; and supervised removal of barrier fences. Submission to include proposed timescales and reporting requirements;	The submitted conservation plan is considered to be satisfactory.
ii	Submission of a long term site management plan (not less than 25 years) that includes defined aims and objectives together with current and favourable conservation status of the local population of GCN; habitat management prescriptions; contingency measures if fish or invasive non-native species (INNS) are detected; proposals that are capable of being implemented in the event of failure to undertake or to appropriately undertake identified or contingency actions;	Limited information has been provided within the submitted conservation plan in respect of the delivery of appropriate long-term management. Details to be included in the required Habitat Management Plan and this to be included as a material component of the required licence application. It is advised that the licence application includes Geographical information System shape files for all identified ecology areas.
iii	Site liaison and wardening, licensing requirements for undertaking habitat management and surveillance;	Limited information has been provided within the submitted conservation plan. The applicant is advised that any subsequent licence applications make specific reference to licence requirements for surveillance and management.
iv	Current and any proposed changes to tenure of the dedicated ecology area to the satisfaction of the LPA (we advise tenure to accord with the definition of "responsible" body under Section 7 of the Environment Act 2021'); persons or bodies responsible for undertaking management and	Given the nature of the proposal the submission is considered to be satisfactory.

	surveillance together with required skills and competencies; reporting requirements; and proposed dates for updating or revising the management plan;	
v	Detail of the skills and competencies required by those undertaking management and maintenance works, surveillance or activities. The detail shall also specify requirements for European Protected Species licenses for each of the specified activities	Limited information has been provided within the provision of the submitted conservation plan. Details to be included in the required Habitat Management Plan and this to be included as a material component of the required licence application.
vi	Provision for periodic review mechanism for the Conservation Management Plan;	No detailed information has been provided in respect of the review of the management plan.
vii	Contingency measures that are capable of being implemented in the event of failure to undertake or appropriately implement identified management or surveillance prescriptions;	Limited information has been provided within the submitted conservation plan.
viii	Submission of details concerning the installation and maintenance of an amphibian friendly surface water management system that does not include gully pots;	Given the nature of the proposal the submission is considered to be satisfactory.
ix	Details of timing, phasing and duration of construction activities and conservation measures;	The Submission is satisfactory.
x	Timetable for implementation demonstrating that works are aligned with the proposed development;	The Submission is satisfactory.
xi	Ecological Compliance Audit, including key performance indicators;	The Submission is satisfactory.
xii	Persons responsible for implementing the works;	The Submission is satisfactory.
xiii	. Post construction monitoring plan. Monitoring plan to include: - Methodology: The Wales Great Crested Newt Monitoring Scheme shall be used with surveys being carried out annually for the first 5 years thereafter on a biennial basis from year 6. However, monitoring shall be carried out on an annual basis if fish or invasive non-native species are detected; - Duration: timescale to accord with operational and decommissioning phases of the proposal - Surveys shall be abundance counts and habitat quality assessments using Habitat Suitability Index (HSI) scores; - Identification of individuals/bodies being responsible for monitoring and reporting results;	The Submission is satisfactory.

	- Each water body shall be individually numbered on site.	
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