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Penrhosgarnedd,
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Gwynedd
LL572DW

Wrexham County Borough Council,
The Guildhall,
Wrexham,
LL11 1AY

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

06/10/2023

Annwyl Syr/Madam / Dear Sir/Madam,

BWRIAD / PROPOSAL: CODI FFENS DERFYN A STORFA NEWYDD / ERECTION OF BOUNDARY FENCE AND ERECTION OF NEW STORAGE FACILITY

LLEOLIAD / LOCATION: OAK LODGE, CORKSCREW LANE, RUABON, WREXHAM, LL14 6HG

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales with additional information about the above, which we received on 29.09.23.

We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome if the document identified below is included in the approved plans and documents condition on the decision notice:

- **Preliminary Ecological Appraisal for Oak Lodge by Arbor Vitae Environment Ltd dated 19.09.2023**

Please note, without the inclusion of this document we would object to this planning application. Further details are provided below.

Protected Sites

Stryt Las a'r Hafod Site of Special Scientific Interest (SSSI)

The application site is located adjacent to the Stryt Las a'r Hafod Site of Special Scientific Interest (SSSI).

This site supports a nationally important population of Great Crested Newt (*Triturus cristatus*), and an assemblage of amphibian species. We have reviewed the submitted Preliminary Ecological Appraisal for Oak Lodge by Arbor Vitae Environment Ltd dated

19.09.2023. Based on this additional information, we consider that the proposal is not likely to harm the features for which the Stryt Las a'r Hafod SSSI is of special interest, provided the avoidance measures described in the PEA report are implemented.

The report must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

Should you be minded to grant permission for the above planning application without including the document described above within the approved documents condition attached to the permission, we ask that you notify us under the provisions contained in Section 281 of the Wildlife and Countryside Act 1981 (as amended).

NRW would refer the Local Authority to the Chief Planning Officer's letter dated 01 March 2018 which advises Local Planning Authorities to attach an informative regarding licence requirements to all consents and notices where European Protected Species are likely to be present on site.

Johnstown Newt Sites Special Area of Conservation (SAC)

The application site is located adjacent to the boundary of the Johnstown Newt Sites SAC. Providing the impact pathways / condition referenced above for the Stryt Las a'r Hafod SSSI are adequately addressed, NRW consider the features of the SAC will also be adequately safeguarded.

No assessment of likely significant effect under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) has been undertaken by your authority or it has not been forwarded to NRW for consideration. Should you conclude that the proposed development is likely to have a significant effect on the SAC, we look forward to being re-consulted. In the absence of this assessment, NRW cannot offer assurances that the proposals would not result in an adverse effect upon the SAC.

River Dee and Bala Lake Special Area of Conservation (SAC)

We note the application site is within the catchment of the River Dee and Bala Lake SAC. As you are aware, on the 21st January 2021, we published an evidence package outlining phosphorus levels for all river SACs across Wales. In line with our Planning Advice (July 2022), under the Habitats Regulations, Planning Authorities must consider the phosphorus impact of proposed developments on water quality within SAC river catchments.

However, the application as submitted is unlikely to increase the amount of phosphorus entering the catchment. Therefore, we are satisfied that the proposal is not likely to have a significant effect on the River Dee and Bala Lake SAC.

Protected Species

Great Crested Newts (*Triturus cristatus*) have previously been recorded in the vicinity of the application site. This species is protected under the Wildlife and Countryside Act 1981 (as

amended) and the Conservation of Habitats and Species Regulations 2017 (as amended). Please refer to our Protected Sites advice above in respect of Great Crested Newts.

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,

Sara Thomas

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