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LL572DW

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

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

21/04/2023

Dear Sir/Madam,

PROPOSAL: MODULAR TWO STOREY OFFICE BUILDING

**LOCATION: LAND AT, ASH ROAD NORTH, WREXHAM INDUSTRIAL ESTATE,
WREXHAM, LL13 9JT**

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 22nd March 2023.

We have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should seek further information from the applicant regarding protected sites foul drainage. If this information is not provided, we would object to this planning application. Further details are provided below.

We also advise that based on the information submitted to date, a condition regarding protected species should be attached to any planning permission granted. Without the inclusion of this condition we would object to this planning application.

Protected Sites

- Foul Drainage

We note the application site is within the catchment of the River Dee and Bala Lake Special Area of Conservation (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. We therefore advise you to consider whether the proposals, as submitted, would increase the volume of foul discharge from the site in planning terms.

This application for a modular two storey office building proposes connection of foul water to the mains sewer. The information set out in the section titled 'What does this mean for

development proposals involving connection to public wastewater treatment works' has been submitted with the application.

Your Authority will need to take the above into account in your determination of whether the development is likely to have a significant effect on the SAC. Should you determine that an Appropriate Assessment is required, the Applicant will then need to submit whatever evidence they deem appropriate (seeking advice from consultants as may be necessary) to demonstrate no adverse effect on site integrity. You should then consult us on your Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Ultimately, the suitability of foul drainage arrangements for the proposed development is a matter for your Authority to determine.

Protected Species

We note that the ecological report submitted in support of the above application (Hall, C. (2023). Preliminary Ecological Assessment Proserve Site Wrexham Industrial Estate. Cambrian Ecology. (Unpublished) has identified potential for bats and Great Crested Newts (GCN) at the application site. Bats and GCN and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). We advise that the proposed development is not likely to harm or disturb the species or their breeding sites and resting places at this site, provided the conditions below are attached to any planning permission for this scheme:

Condition 1: No development shall take place until an Amphibian Reasonable Avoidance Measures scheme has been submitted to and approved in writing by the Local Planning Authority. The Reasonable Avoidance Measures (RAMs) shall include, but not necessarily be limited to:

- further details and associated plans concerning amphibian avoidance and mitigation measures including, but not limited to, one-way amphibian fence design and locations (prior to and throughout the duration of any work).
- Measures to be taken to prevent or reduce accidental capture or killing of amphibians including installation of permanent amphibian fencing into the boundary fence line.
- details of timing, phasing and duration of construction activities and conservation measures;
- a timetable for implementation demonstrating that works are aligned with the proposed phasing of the development; and
- persons responsible for implementing the works.
- Biosecurity measures to be adhered to onsite

The Reasonable Avoidance Measures scheme shall be carried out in accordance with the approved details.

Justification: To ensure that an approved Amphibian Reasonable Avoidance Measures scheme is implemented, which protects the amphibian assemblage affected by the development.

- *Lighting*

We recommend that full details of lighting proposed onsite is submitted to the satisfaction of the Local Planning Authority. The Lighting Plan should be compliant with the provisions of the Institution of Lighting Professionals and Bat Conservation Trust: Guidance Note 08/18: Bats and Artificial Lighting in the UK.

Provided these avoidance measures are implemented, we consider that the proposed development is not likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range:

Please consult us again if the plans are changed in ways that may harm or disturb bats and GCNs or their breeding sites and resting places at this site.

Contamination

The site is just within a Groundwater Source Protection Zone and on a Principal Aquifer; as such additional precautions are required during excavation and construction phases to protect groundwater from potential pollution. The applicant should refer to and follow the guidance below with respect to the protection of groundwater and pollution prevention.

- [The Environment Agency's approach to groundwater protection](#)
- [Guidance for Pollution Prevention \(GPP\) documents](#)

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.

Yours faithfully

Ruth Prichard

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