

Maes Y Ffynnon,
Penrhosgarnedd,
Bangor,
Gwynedd
LL572DW

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

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

02/02/2023

Annwyl Syr/Madam / Dear Sir/Madam,

**BWRIAD / PROPOSAL: REMOVAL OF EXISTING MAST AND INSTALLATION OF 30M
HIGH TELECOMMUNICATIONS MAST AND EQUIPMENT CABINETS**

**LLEOLIAD / LOCATION: TELECOMMUNICATIONS MAST, HAFOD ROAD,
RHOSTYLLEN, WREXHAM, LL14 6HF**

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 24/01/2023.

We have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following condition to any planning permission granted:

Condition: Protected Sites

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

Protected Sites

Site of Special Scientific Interest (SSSI)

The application site is located within 36m of the Stryt Las a'r Hafod SSSI.

We have concerns that the proposed development, as submitted, will damage the features for which the Stryt Las a'r Hafod SSSI is of special interest. We therefore advise that planning permission should only be granted if an appropriate planning condition is included to avoid damage to the special interest features of the SSSI.

Paragraph 6.4.14 of Planning Policy Wales states development should be refused where there are adverse impacts on the features for which a site has been designated.

This site supports a nationally important population of Great Crested Newt, and an assemblage of other amphibian species. We consider that this proposal has the potential to harm or kill amphibians including GCN during the construction phase. We therefore advise that any consent is subject to the imposition of a condition concerning the submission and implementation of amphibian / GCN reasonable avoidance measures. Based on the information submitted, we consider that the proposed scheme will, subject to the inclusion of a condition as advised below, avoid damaging the features for which the Stryt Las a'r Hafod Site SSSI is of special interest.

Condition: No development shall commence until an amphibian / Great Crested Newt Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Method Statement 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 work).

The Method Statement shall be carried out in accordance with the approved details.

Justification: To ensure that an approved amphibian Method Statement is implemented, which protects amphibians / Great Crested Newt affected by the development.

Should you be minded to grant permission for the above planning application without attaching the condition as described above to the permission, we ask that you notify us under the provisions contained in Section 28I of the Wildlife and Countryside Act 1981 (as amended).

NRW have also identified the following potential impact pathway to features of this site:

1. pollution.

The above pathway may not result in an adverse effect if the following measures are adhered to / implemented:

1. developer adheres to pollution prevention guidelines; and
2. no storage of materials or vehicles on Protected Sites. Most likely all works, and storage of materials will occur within the application site boundary, but we would advise that no storage of materials or vehicular access should occur on the Protected Sites.

Johnstown Newt Sites Special Area of Conservation (SAC)

NRW consider the proposals have the potential to impact upon the Johnstown Newt Sites SAC. Providing the impact pathways 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 SAC

We also note that 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.

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

Great Crested Newts have previously been recorded in ponds located within 10m 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).

We refer you to the comments made in the protected sites section above and advise that you secure the submission and implementation of an amphibian Method Statement, including GCN, via condition.

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,

Rhys Jones

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