



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-176198-KON8
Eich cyf/Your ref: P/2021/1138

Maes Y Ffynnon,
Penrhosgarnedd,
Bangor,
Gwynedd
LL572DW

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

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

14/12/2021

Dear Sir/Madam,

**BWRIAD / PROPOSAL: CANOPI WARWS UNLLAWR A MANNAU PARCIO CEIR
ATEGOL / SINGLE STOREY WAREHOUSE CANOPY AND ANCILLARY CAR PARKING
SPACES**

**LLEOLIAD / LOCATION: REDWITHER WORKS, REDWITHER ROAD, WREXHAM
INDUSTRIAL ESTATE, WREXHAM, LL13 9RD**

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 29th November 2021.

We 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:

- Knight, T., October 2021, Preliminary Ecological Appraisal, Marches Ecology.

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

Protected Species

Bats

We note that the ecological report submitted in support of the above application (Knight, T., October 2021, Preliminary Ecological Appraisal, Marches Ecology) has identified that bats are not present at the application site but that there is potential for foraging/commuting bats. From the information submitted, we consider that the proposed development represents a lower risk for bats, as defined in our guidance document 'Natural Resources Wales Approach to Bats and Planning (2015)'. Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended).

As this is a lower risk case for bats, we consider that the 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.

Furthermore, we advise that the proposed development is not likely to harm or disturb the bats or any breeding sites and resting places at this site, provided the avoidance measures described in the ecological 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.

Please consult us again if any further information shows that this is no longer a lower risk case

Great Crested Newts

Great Crested Newt (*Triturus cristatus*) have previously been recorded in ponds located 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).

We have considered the Preliminary Ecological Appraisal (Knight, T., October 2021, Preliminary Ecological Appraisal, Marches Ecology) document submitted in support of the above application. Based on the information submitted we consider that the 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. However, we advise that the proposed development has potential to harm or disturb Great Crested Newts or any breeding sites and resting places at this site and, therefore, we advise that all avoidance and mitigation measures described in the submitted ecological report must be undertaken.

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

The applicant should be aware that in the event of a Great Crested Newt being found on site during the work, all works should stop and NRW contacted for further advice. Operations may only recommence after an appropriate licence has been issued by NRW and any conditions complied with.

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.

Flood Risk

We have no objection to the application on flood risk grounds, as submitted.

Our Flood Risk Map confirms the application site lies partially within Zone C2 of the Development Advice Maps (DAM) as contained in TAN15.

Given the scale and nature of the proposed development (and in the absence of a flood consequences assessment) we consider the proposals could be acceptable, subject to the developer being made aware of the potential flood risks and advised to install flood-proofing measures as part of the development.

We recommend you consider consulting other professional advisors on matters such as emergency plans, procedures and measures to address any issues associated with access and egress from the site in the event of any flooding to the adopted highway. Please note, we do not normally comment on or approve the adequacy of flood emergency response plans and procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement during a flood emergency would be limited to delivering flood warnings to occupants/users.

We refer the applicant to our [website](#) for further advice and guidance available. Additional guidance including the leaflet “Prepare your Property for flooding” can be found [here](#).

The developer can also access advice and information on protection from flooding from the ODPM publication ‘Preparing for Floods: Interim Guidance for Improving the Flood Resistance of Domestic and Small Business Properties’, [here](#).

Foul Drainage and Protected Sites

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. As part of this package, we issued a [Planning Position Statement](#), in which we advised that any proposed development that might increase the amount of phosphate (or phosphorus) within a river SAC catchment could lead to damaging effects to the SAC. Therefore, such proposals should be screened through a Habitats Regulations Assessment (HRA), to determine whether they are likely to have a significant effect on the SAC.

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.

Pollution Prevention

During the construction phase the applicant should take any precaution to prevent contamination of surface water drains and local watercourses. Oils and chemicals should be stored in bunded areas and spill kits should be readily available in case of accidental spillages.

For further guidance please refer to GPP 5 and PPG 6 at the following link:

<http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

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,

Rachael Burke

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