



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-172018-D4K0
Eich cyf/Your ref: P/2021/0853

Maes Y Ffynnon,
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Wrexham County Borough Council,
The Guildhall,
Wrexham,
LL11 1AY

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04/11/2021

Dear Sir/Madam,

**BWRIAD / PROPOSAL: YMESTYN FFENS DERFYN Y SAFLE PRESENNOL AR DRAWS
Y DRYCHIAD BLAEN (DEHEUOL) / EXTENSION OF THE EXISTING SITE BOUNDARY
FENCE ACROSS THE FRONT (SOUTH) ELEVATION**

LLEOLIAD / LOCATION: UNIT 2, VAUXHALL INDUSTRIAL ESTATE, RUABON

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the additional information on the above, which we received on 28th October 2021.

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:

Approved Document: Risk Avoidance Measures (RAMs) for CeramTec perimeter fencing, Furnborough, P. October 2021, Wild Ground.

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

Protected Sites

Johnstown Newt Sites Special Area of Conservation (SAC)

From the information provided, we consider that the proposal is not likely to have a significant effect on the Johnstown Newt Sites SAC.

We have considered the 'Risk Avoidance Measures (RAMs) for CeramTec perimeter fencing, Furnborough, P. October 2021, Wild Ground' submitted in support of the above application. Based on the information submitted, we consider that the proposed development is not likely to damage the qualifying features of the SAC.

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

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

NRW consider the proposals have the potential to impact upon the Stryt Las a'r Hafod SSSI and its features. Providing our advice referenced above for the SAC is adequately addressed, NRW consider the features of the SSSI will also be adequately safeguarded.

Protected Species

Great Crested Newt (*Triturus cristatus*) have previously been recorded within the development boundary and 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).

It is noted that this application site has been subject to an extant European Protected Species derogation licence, the requirements of which include the long-term provision and surveillance of a dedicated Great Crested Newt compensation area.

We have considered the 'Risk Avoidance Measures (RAMs) for CeramTec perimeter fencing, Furnborough, P. October 2021, Wild Ground' 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 is likely to harm or disturb Great Crested Newts or their breeding sites and resting places at this site and, therefore, we advise that all avoidance and mitigation measures described in the submitted RAMS document must be undertaken.

The document 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.

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.

Advice for the Developer

Pollution Prevention

During the construction phase you 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/>

Environmental Management

All works at the site must be carried out in accordance with PPG6: 'Working at construction and demolition sites' which are available on the following website:

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

The activity of importing waste into the site for use as, for example hardcore, must be registered with Natural Resources Wales as an exempt/permittable activity under the Environmental Permitting Regulations 2016. The developer should contact Natural Resources Wales to discuss the necessity for an exemption/permit for any material imported to and exported from the site.

If during construction/excavation works any contaminated material is revealed, then the movement of such material either on or off site should be done in consultation with Natural Resources Wales. Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 34 of the Environmental Protection Act 1990. Carriers transporting waste from the site must be registered waste carriers and movement of any Hazardous Waste from the site must be accompanied by Hazardous waste consignment notes.

Landfill

According to our records the proposed development site is located near to land that is, or has been, used for the deposition of waste material. We would therefore advise you to consult with the local authority's Environmental Health and Building Control Departments, as they may hold detailed records, and may wish to make appropriate recommendations in respect of landfill gas investigation/remedial work. The developers should be made aware of the existence of the landfill site(s) so that they can decide whether or not to make their

own investigations into the presence of landfill gas. It should also be noted that Waste Management Paper 27 states "It has been found that many sites which have taken only supposedly 'inert' waste have produced gas".

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