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Wrexham County Borough Council,
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ebost/email:
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12/10/2021

Annwyl Syr/Madam / Dear Sir/Madam,

BWRIAD / PROPOSAL: Dymchwel Adeilad Presennol A Chais Amlinellol Ar Gyfer 1 Anedd (Gyda Mynediad, Cynllun A Graddfa) / Demolition Of Existing Building And Outline Application For 1 Dwelling (With Access, Layout And Scale)

LLEOLIAD / LOCATION: Bronydd Quarry Road, Llangollen

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 21/09/2021.

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 1: Bat Conservation Plan

Protected Species

Bats

We note that the bat report submitted in support of the above application (Cutmore, S. (2020). Building at Bronydd, Quarry Road, Glyn Ceiriog, Llangollen- Building Development: Protected Species Surveys. Stephen Cutmore Arboricultural and Ecological Services Limited) has identified that bats are present at the application site.

From the information submitted, we consider that the proposed development represents a higher 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). We advise that the proposed development is likely to harm or disturb the bats or their breeding sites and resting places at this site.

Therefore, we advise that the below condition should be attached to any planning permission for this scheme to ensure appropriate avoidance and mitigation measures. Provided those measures are implemented, we do not consider that the proposed development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Condition: Bat Conservation Plan

No development shall commence until a Conservation Plan has been submitted to and approved in writing by the Local Planning Authority. The Conservation Plan shall include, but not necessarily be limited to:

- Build upon the principles outlined in the ecological report (Cutmore, S. (2020). Building at Bronydd, Quarry Road, Glyn Ceiriog, Llangollen- Building Development: Protected Species Surveys. Stephen Cutmore Arboricultural and Ecological Services Limited.)
- Submission of further details including plans of proposed compensation measures.
- Submission of further details concerning bat avoidance and mitigation measures.
- Details of timing, phasing and duration of construction activities and conservation measures.
- Timetable for implementation and demonstrating that works are aligned with the proposed phasing of the development.
- Measures to prevent incidental capture or killing of bats post development.
- Actions to be taken in the event that previously unidentified species of bat are found.
- Ecological Compliance Audit, including key performance indicators (*See below*)
- Persons responsible for implementing the works.
- Post-construction monitoring and record dissemination for a period of not less than 2 years
- Further details of the outlined external lighting and internal light spillage scheme; together with plans illustrating projected bat emergence points and dispersal corridors between bat roost access points and features planned to be functionally used by bats for foraging/dispersal purposes.

The Conservation Plan shall be carried out in accordance with the approved details.

We have no objection to the conservation plan including other species considered by the LPA to be material to the planning decision making process.

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.

Ecological Compliance Audit

We advise that any future consent includes the imposition of a condition that requires the submission and implementation of an approved ecological compliance audit (ECA) scheme to the satisfaction of the LPA.

The purpose of the Ecological Compliance Audit is to evidence compliant implementation of all ecological avoidance, mitigation and compensation works, either proposed or subject to the provisions of reserved matters conditions. The Audit shall identify Key Performance Indicators (KPI's) that are to be used for the purposes of assessing and evidencing compliant implementation of proposals

Protected Sites and 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. 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.

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

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.

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