



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-163735-R1S9
Eich cyf/Your ref: P/2021/0794

Maes Y Ffynnon,
Penrhosgarnedd,
Bangor,
Gwynedd
LL572DW

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

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

25/08/2021

Dear Sir/Madam,

**BWRIAD / PROPOSAL: DYMCHWEL YR ADEILAD SY'N BODOLI A CHODI 6 ANNEDD
/ DEMOLITION OF EXISTING BUILDING AND ERECTION OF 6 DWELLINGS**

**LLEOLIAD / LOCATION: BARTON HOUSE, DARLAND LANE, ROSSETT, WREXHAM,
LL12 0EL**

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 17th August 2021.

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 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, conditions regarding protected species and biosecurity should be attached to any planning permission granted and the documents identified below should be included in the approved plans and documents condition on the decision notice.

Without the inclusion of these conditions and documents we would object to this planning application.

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. We have also issued [Planning Advice](#) (May 2021) which gives specific advice in respect of foul drainage arrangements for new developments.

We note from the information submitted that the development has the potential to increase the amount of phosphorus being discharged from the site. As such, we refer you to our [Planning Advice](#) and advise you to seek further information from the applicant. We note that no information has been submitted in respect of confirming any foul drainage connections for the development. We advise you to seek further information as identified in the bullet point list given in the section titled 'What does this mean for development proposals involving connection to public wastewater treatment works of that advice.

Provided this advice is followed and you are able to conclude that the development is not likely to have a significant effect on the SAC, we would have no objection to the proposal. However, should you conclude that the proposed development is likely to have a significant effect on the SAC, please consult us on your Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Protected Species

Great Crested Newt

We note that there are records of Great Crested Newt (*Triturus cristatus*) within 180m of the development site however no information is provided in the protected species report ILEX/21/01, Leigh Ecology, 06/08/21 submitted in support of the proposal. Great Crested Newts and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). We consider that there is currently not enough information to assess potential effects of the proposal on any GCN that may be present at this site.

Condition 1: No development shall commence until a species Conservation Plan (Reasonable Avoidance Measures) has been submitted to and approved in writing by the Local Planning Authority. The Conservation Plan should include:

- Details of protective measures to be taken to minimise the impacts on Great Crested Newts;
- Details of measures to prevent or reduce incidental capture or killing (Reasonable Avoidance Measures in respect of Great Crested Newt).

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

Justification: To ensure that an approved species Conservation Plan (Reasonable Avoidance Measures) is implemented, which protects any Great Crested Newt affected by the development.

Bats

We note that the bat report submitted in support of the above application (ILEX/21/01, Leigh Ecology, 06/08/21) has identified that bats were not using the application site. We therefore have no comments to make on the application as submitted.

Biosecurity

We consider biosecurity to be a material consideration owing to the location/nature of the proposal. The Bat Scoping Survey Report (ILEX/21/01, Leigh Ecology, 06/08/21)) states that no non native species were noted on site during the survey however, We note the presence of what appears to be Cherry Laurel (*Prunus laurocerasus*) to the boundary of the development site (figure 3, page 9 of the report). Cherry Laurel is a non-native invasive plant and as such further information is required in relation to boundary treatments associated with the development.

Condition 2: No development or phase of development, with the potential to impact on invasive species, shall commence until a Biosecurity Risk Assessment has been submitted to and approved in writing by the Local Planning Authority. The risk assessment shall include measures to control, remove or for the long-term management of invasive species both during construction and operation.

The Biosecurity Risk Assessment shall be carried out in accordance with the approved details.

Justification: To ensure that an approved Biosecurity Risk Assessment is implemented to secure measures to control the spread and effective management of any invasive non-native species at the 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

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

Rachael Burke

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