



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-173252-K6L5
Eich cyf/Your ref: P/2021/0850

Maes Y Ffynnon,
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18/11/2021

Annwyl Syr/Madam / Dear Sir/Madam,

BWRIAD / PROPOSAL: DEVELOPMENT OF EQUESTRIAN FACILITIES INCLUDING STABLES, MENAGE, HORSE WALKER, MUCK HEAP AND HARD STANDING

LLEOLIAD / LOCATION: SCHOOL HOUSE FARM, OVERTON ROAD, RUABON, WREXHAM, LL14 6HN

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the additional information regarding the above, which we received on 03/11/2021.

We continue to 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 protected species. If this information is not provided, we would object to this planning application. Further details are provided below.

Protected Species

Great Crested Newts (GCN)

We note that an updated ecological report has been submitted in support of the above application (Ecological Appraisal. School House, Cinders, Ruabon. Greenscape Environmental Ltd. Ref: PEA 21-07 240.2/ 25/10/2021) and has identified that GCN may be present at the application site. However, we advise that the ecological report still has insufficient information to assess the need for avoidance / mitigation measures. GCN and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended).

We therefore advise that further information is still required to assess the extent of adverse effects on GCNs and any avoidance or mitigation measures required, as detailed below. This must demonstrate that the proposed development would not be likely to be detrimental

to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

We note that Section 1.3 states that further reassessments are proposed in February 2022. We advise that these should be completed in April/early May 2022 and should follow recognised amphibian survey techniques.

Amphibian avoidance measures have been proposed. However, no consideration appears to have been given to:

- precautionary measures (avoidance-based fencing)
- project supervision by a licenced ecologist.
- an ecological compliance audit.

We also note that no detailed long-term amphibian conservation measures have been proposed, and no apparent consideration given to biosecurity issues.

In the meantime, we are unable to give you any assurance that the proposal would not be likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

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.

Any manure produced must be managed (storage and application to land) in line with [The Code of Good Agricultural Practice \(CoGAP\) for the Protection of Water, Soil and Air for Wales](#). If manure is managed correctly then 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