



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-165979-N9G1
Eich cyf/Your ref: P/2021/0887

Maes Y Ffynnon,
Penrhosgarnedd,
Bangor,
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LL572DW

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

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

29/09/2021

Dear Sir/Madam,

BWRIAD / PROPOSAL: ADEILADU STABLAU / ERECTION OF STABLES

LLEOLIAD / LOCATION: BRYN HOUSE, PEN Y LAN, RUABON, WREXHAM, LL14 6HW

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 13th September 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: European Protected Species

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

Protected Species

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).

Condition 1: No development shall take place until an Great Crested Newt Reasonable Avoidance Measures scheme has been submitted to and approved in writing by the Local Planning Authority. The Reasonable Avoidance Measures (RAMs) shall include, but not necessarily be limited to:

- further details and associated plans concerning Great Crested Newt avoidance and mitigation measures including, but not limited to, one-way amphibian fence design and locations (prior to and throughout the duration of any work).

The Reasonable Avoidance Measures scheme shall be carried out in accordance with the approved details.

Justification: To ensure that an approved Great Crested Newt Reasonable Avoidance Measures scheme is implemented, which protects the Great Crested Newt affected by the development.

Should you be minded to grant permission for the above planning application without attaching the condition as described above to the permission, we ask that you notify us under the provisions contained in Section 28I of the Wildlife and Countryside Act.

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.

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.

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,

Rachael Burke

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