

Matthew Phillips

From: North Planning <NorthPlanning@cyfoethnaturiolcymru.gov.uk>
Sent: 27 October 2021 15:19
To: Matthew Phillips; Emma Broad; North Planning; Emma Broad; North Planning
Subject: RE: RE: P/2021/0610 / CAS-157497-V6Y4 - Updated Landscape & Ecological Management Plan NRW:07741028

Dear Matthew

Following the submission of the amended document Bryn Lane, Wrexham Industrial Estate Wrexham Landscape And Ecological Management Plan V5.0 (22/10/21), I can confirm that the requirements of condition 19 have now been met and we are happy for the Reserved Matters approval to be issued.

Kind regards

Rhys Jones

Tîm Cynllunio Datblygu / Development Planning Team

Cyfoeth Naturiol Cymru / Natural Resources Wales

www.cyfoethnaturiolcymru.gov.uk / www.naturalresourceswales.gov.uk

----- Original Message -----

From: Matthew.Phillips@wrexham.gov.uk <matthew.phillips@wrexham.gov.uk>;
Received: Wed Oct 27 2021 14:45:45 GMT+0100 (British Summer Time)
To: Emma Broad <emma.broad@wrexham.gov.uk>; North planning <northplanning@cyfoethnaturiolcymru.gov.uk>; Emma.Broad@wrexham.gov.uk <emma.broad@wrexham.gov.uk>; North Planning Mailbox Queue <northplanning@cyfoethnaturiolcymru.gov.uk>; North Planning <northplanning@cyfoethnaturiolcymru.gov.uk>;
Subject: RE: RE: P/2021/0610 / CAS-157497-V6Y4 - Updated Landscape & Ecological Management Plan NRW:07741028

Rhys,

Can you confirm that the response below is NRW's confirmation that the requirements of condition 19 have now been met and therefore Reserved Matters approval can now be issued?

Regards

Matthew Phillips

Pennaeth Dros Dro'r Gwasanaeth Rheoli Datblygu/Interim Head of Service Development Control
Cynllunio a Rheoleiddio/Planning and Regulatory



01978 298780



Cyngor Bwrdeistref Sirol Wrecsam, Neuadd y Dref, Wrecsam, LL11 1AY



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



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From: North Planning <NorthPlanning@cyfoethnaturiolcymru.gov.uk>

Sent: 27 October 2021 11:11

To: Emma Broad <Emma.Broad@wrexham.gov.uk>; Matthew Phillips <Matthew.Phillips@wrexham.gov.uk>; North Planning <NorthPlanning@cyfoethnaturiolcymru.gov.uk>; Matthew Phillips <Matthew.Phillips@wrexham.gov.uk>; Matthew Phillips <Matthew.Phillips@wrexham.gov.uk>; North Planning <NorthPlanning@cyfoethnaturiolcymru.gov.uk>

Subject: RE: RE: P/2021/0610 / CAS-157497-V6Y4 - Updated Landscape & Ecological Management Plan
NRW:07741028

Hi Matthew

Matthew Ellis and I are also happy with this.

Many thanks.

Rhys

----- Original Message -----

From: Emma Broad <emma.broad@wrexham.gov.uk>;

Received: Wed Oct 27 2021 10:17:22 GMT+0100 (British Summer Time)

To: Matthew Phillips <matthew.phillips@wrexham.gov.uk>; North planning <northplanning@cyfoethnaturiolcymru.gov.uk>; Matthew.Phillips@wrexham.gov.uk <matthew.phillips@wrexham.gov.uk>; Matthew Phillips wp <matthew.phillips@wrexham.gov.uk>; North Planning Mailbox Queue <northplanning@cyfoethnaturiolcymru.gov.uk>; North Planning <northplanning@cyfoethnaturiolcymru.gov.uk>;

Subject: RE: RE: P/2021/0610 / CAS-157497-V6Y4 - Updated Landscape & Ecological Management Plan
NRW:07741028

Hi Matthew,

I'm happy to accept this now.

Emma

From: Matthew Phillips <Matthew.Phillips@wrexham.gov.uk>

Sent: 27 October 2021 09:46

To: Emma Broad <Emma.Broad@wrexham.gov.uk>; North Planning <NorthPlanning@cyfoethnaturiolcymru.gov.uk>

Subject: FW: RE: P/2021/0610 / CAS-157497-V6Y4 - Updated Landscape & Ecological Management Plan
NRW:07741028

Importance: High

Both,

Please can I have comments back on the attached.

Regards

Matthew Phillips

Pennaeth Dros Dro'r Gwasanaeth Rheoli Datblygu/Interim Head of Service Development Control
Cynllunio a Rheoleiddio/Planning and Regulatory



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From: Clarkson, Helen @ Manchester <Helen.Clarkson@cbre.com>

Sent: 27 October 2021 09:38

To: Matthew Phillips <Matthew.Phillips@wrexham.gov.uk>; matthew.ellis@cyfoethnaturiolcymru.gov.uk; NorthPlanning@cyfoethnaturiolcymru.gov.uk

Cc: Bolton, Harry @ Manchester <Harry.Bolton@cbre.com>; Alex Loven (alex@networldsports.com) <alex@networldsports.com>; John Hughes <john@networldsports.com>; Lee Greenhough <LeeGreenhough@tep.uk.com>

Subject: RE: RE: P/2021/0610 / CAS-157497-V6Y4 - Updated Landscape & Ecological Management Plan
NRW:07741028

Importance: High

Hi Matthew,

Please see attached updated Landscape & Ecological Management Plan, which has been amended in response to NRW's comments.

We believe this now addresses the remaining comments but would appreciate if you & NRW could please review and confirm this week, to ensure resolution prior to the Committee on Monday.

Kind Regards,
Helen

Helen Clarkson | Associate Director

CBRE Limited | Planning & Development

10th Floor, One St Peters Square, Manchester, M2 3DE

DDI 0161 233 5418 | T 0161 455 7666 | Internal Extension 35418 | M 07766 421 089

helen.clarkson@cbre.com | <http://www.cbre.com>

Please consider the environment before printing this email.

From: Matthew Phillips <Matthew.Phillips@wrexham.gov.uk>

Sent: 21 October 2021 15:39

To: Clarkson, Helen @ Manchester <Helen.Clarkson@cbre.com>

Subject: FW: RE: P/2021/0610 / CAS-157497-V6Y4 - Updated Landscape & Ecological Management Plan
NRW:07741028

External

Helen,

Sorry for not forwarding this sooner I have been a bit snowed under.

Please see below. The points set out in the email reflect discussions that I had with NRW and Emma Broad last week.

I am on leave until Monday from this afternoon but happy to discuss further next week.

Regards

Matthew Phillips

Pennaeth Dros Dro'r Gwasanaeth Rheoli Datblygu/Interim Head of Service Development Control
Cynllunio a Rheoleiddio/Planning and Regulatory



01978 298780



Cyngor Bwrdeistref Sirol Wrecsam, Neuadd y Dref, Wrecsam, LL11 1AY



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From: North Planning <NorthPlanning@cyfoethnaturiolcymru.gov.uk>

Sent: 18 October 2021 12:20

To: Matthew Phillips <Matthew.Phillips@wrexham.gov.uk>; Emma Broad <Emma.Broad@wrexham.gov.uk>; Ellis, Matthew <Matthew.Ellis@cyfoethnaturiolcymru.gov.uk>

Subject: FW: RE: P/2021/0610 / CAS-157497-V6Y4 - Updated Landscape & Ecological Management Plan
NRW:07741028

Dear Matthew

Following our recent meeting regarding the above application, please see below our draft amended comments to Helen Clarkson's email dated 07/10/2021 (our comments in black).

I realise that further discussions are ongoing and some points may no longer be valid but thought this would be useful for your information.

I also wanted to confirm that you will be responding formally to this latest consultation, rather than ourselves.

If so, then I will email Helen Clarkson shortly to inform her that we have been discussing the matter with you and to expect a formal response from yourselves in due course.

Please get in touch if you wish to discuss.

Kind regards,

Rhys

Skills, competencies and EPS licensing requirements for identified actions, including habitat management and surveillance.

This is addressed through the existing Unilateral Planning Obligation for the site, which was signed in relation to the outline planning application (ref. P/2020/0167) (please see attached). Under the requirements of Schedule 1 of the attached, the owner will appoint a managing body to secure the long term management of the Ecological Mitigation / Landscape Areas.

To meet the requirements of the Unilateral Planning Obligation (UPO), Overlord will be appointing a known ecological contractor, ELM (used on many mitigation sites), to undertake the management works on site, under the supervision of TEP. A contractor with a proven track record on ecological mitigation works overseen by appropriately licensed ecologists provides the necessary expertise required to ensure the mitigation provided on

site will be successful.

In our view the provisions of Schedule 1 do not identify the specific skills, competencies and licensing requirements for undertaking surveillance, site management and site maintenance. Consequently, we do not concur with the above response.

To address this issue, we advise the inclusion of the following into the site management plan

Section 2: Site Management Considerations

We advise that a new paragraph is included in **Responsibility for Site Management** defining the skills competencies and licensing requirements for:

- Species-specific management
- Habitat management
- Site infrastructure maintenance
- Surveillance

We advise that a new paragraph is included in **Legal Subsection**, as follows:

All site works including countryside management, amphibian surveillance and maintenance of any site infrastructure shall only be carried out in accordance with the provisions of species protection legislation; in this instance owing to the presence and significance of the great crested newt and the provisions of the Conservation of Habitats and Species Regulations 2017 (as amended)

Proposals that regulators can utilize in the event of inappropriate, or a lack of, actions being carried out on site. We advise that further details are provided in Paragraph 2.8 in respect of what would happen in the event of the applicant ceasing trading, including commercial takeover or insolvency. We suggest that consideration should be given to the applicant signing a long-term Management Agreement under Section 39 of the Wildlife and Countryside Act 1981 (as amended) with Wrexham County Borough Council, as the relevant local authority. In our view, the provisions of this proposed agreement could represent an option for addressing outstanding issues associated with long-term delivery of countryside management at this site.

Would this not be covered by the existing Unilateral Planning Obligation, which is tied to the outline permission (and therefore runs with the land, thus accounting for any future changes in ownership)? Para. 2.8 of the attached states that references to any party of the obligation includes successors in title.

Para 6.1 (c) of the attached also identifies that the Unilateral Planning Obligation is enforceable by the Council.

Paragraph 5 of Schedule 1 establishes the timeframe for management (25 years from commencement date).

In our view, advice from Wrexham CBC is required to help answer this point since the Unilateral Planning Obligation is tied to the outline permission and hence is enforceable by the Council.

Based on our understanding of the management plan and the Unilateral Planning Obligation, we would query how Wrexham CBC would progress the implementation of any remediation of actions.

No consideration has been given to the provision of resources required by WCBC to regulate continued implementation of surveillance and management.

Clarification is required over what would happen after 25 years. To address this we suggest including a new paragraph in Section 1, as follows, subject to the LPA's agreement:

1.14: Within 12 months of commencement of works a Management Agreement shall be signed with an appropriate public body. This long term agreement shall be either a Management Agreement under Section 39 of the Wildlife and Countryside Act 1981 (as amended) or under Section 16 of the Environment (Wales) Act 2016. Overlord shall pay all reasonable costs associated with completing an agreement. The provisions of the agreement must also consider the above outstanding points.

----- Original Message -----

From: Clarkson, Helen @ Manchester <helen.clarkson@cbre.com>;

Received: Thu Oct 07 2021 11:01:05 GMT+0100 (British Summer Time)

To: North planning <northplanning@cyfoethnaturiolcymru.gov.uk>; North Planning Mailbox Queue <northplanning@cyfoethnaturiolcymru.gov.uk>; North Planning <northplanning@cyfoethnaturiolcymru.gov.uk>;

Cc: Matthew Phillips <matthew.phillips@wrexham.gov.uk>; Lee Greenhough <leegreenhough@tep.uk.com>;

Matthew.Phillips@wrexham.gov.uk <matthew.phillips@wrexham.gov.uk>; Matthew Phillips wp
<matthew.phillips@wrexham.gov.uk>; john@networldsports.com;

Subject: RE: P/2021/0610 / CAS-157497-V6Y4 - Updated Landscape & Ecological Management Plan NRW:07741028

Hi Rhys,

Please see responses below from TEP/CBRE to the points raised on application reference P/2021/0610. Please let me know if you have any further queries:

Skills, competencies and EPS licensing requirements for identified actions, including habitat management and surveillance.

This is addressed through the existing Unilateral Planning Obligation for the site, which was signed in relation to the outline planning application (ref. P/2020/0167) (please see attached). Under the requirements of Schedule 1 of the attached, the owner will appoint a managing body to secure the long term management of the Ecological Mitigation / Landscape Areas.

To meet the requirements of the Unilateral Planning Obligation (UPO), Overlord will be appointing a known ecological contractor, ELM (used on many mitigation sites), to undertake the management works on site, under the supervision of TEP. A contractor with a proven track record on ecological mitigation works overseen by appropriately licensed ecologists provides the necessary expertise required to ensure the mitigation provided on site will be successful.

Proposals that regulators can utilize in the event of inappropriate, or a lack of, actions being carried out on site. We advise that further details are provided in Paragraph 2.8 in respect of what would happen in the event of the applicant ceasing trading, including commercial takeover or insolvency. We suggest that consideration should be given to the applicant signing a long-term Management Agreement under Section 39 of the Wildlife and Countryside Act 1981 (as amended) with Wrexham County Borough Council, as the relevant local authority. In our view, the provisions of this proposed agreement could represent an option for addressing outstanding issues associated with long-term delivery of countryside management at this site.

Would this not be covered by the existing Unilateral Planning Obligation, which is tied to the outline permission (and therefore runs with the land, thus accounting for any future changes in ownership)? Para. 2.8 of the attached states that references to any party of the obligation includes successors in title.

Para 6.1 (c) of the attached also identifies that the Unilateral Planning Obligation is enforceable by the Council.

Paragraph 5 of Schedule 1 establishes the timeframe for management (25 years from commencement date).

Helen Clarkson | Associate Director

CBRE Limited | Planning & Development

10th Floor, One St Peters Square, Manchester, M2 3DE

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From: North Planning <NorthPlanning@cyfoethnaturiolcymru.gov.uk>

Sent: 30 September 2021 07:54

To: Clarkson, Helen @ Manchester <Helen.Clarkson@cbre.com>

Subject: RE: P/2021/0610 / CAS-157497-V6Y4 - Updated Landscape & Ecological Management Plan NRW:07741028

External

Hi Helen

I've sent our response to the LPA yesterday. Copy attached

Kind regards

Rhys

----- Original Message -----

From: Clarkson, Helen @ Manchester <helen.clarkson@cbre.com>;

Received: Wed Sep 29 2021 10:44:21 GMT+0100 (British Summer Time)

To: Matthew Phillips <matthew.phillips@wrexham.gov.uk>; North planning <northplanning@cyfoethnaturiolcymru.gov.uk>; Matthew.Phillips@wrexham.gov.uk <matthew.phillips@wrexham.gov.uk>; Matthew Phillips wp <matthew.phillips@wrexham.gov.uk>; North Planning Mailbox Queue <northplanning@cyfoethnaturiolcymru.gov.uk>; North Planning <northplanning@cyfoethnaturiolcymru.gov.uk>;

Cc: Matthew Ellis <matthew.ellis@cyfoethnaturiolcymru.gov.uk>; Lee Greenhough <leegreenhough@tep.uk.com>; Matthew Ellis <matthew.ellis@cyfoethnaturiolcymru.gov.uk>; Ellis Matthew <matthew.ellis@cyfoethnaturiolcymru.gov.uk>; Matthew Ellis <matthew.ellis@cyfoethnaturiolcymru.gov.uk>; Matthew Ellis <matthew.ellis@cyfoethnaturiolcymru.gov.uk>; Matthew Ellis <matthew.ellis@cyfoethnaturiolcymru.gov.uk>;

Subject: RE: P/2021/0610 / CAS-157497-V6Y4 - Updated Landscape & Ecological Management Plan
Hi Rhys,

Please can you confirm if Natural Resources Wales have any comments on the updated Landscape & Ecological Management Plan?

The Applicant is looking to start construction asap – if you are able to confirm or provide timescales for a response that would be much appreciated.

Thanks,
Helen

Helen Clarkson | Associate Director

CBRE Limited | Planning & Development

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From: Clarkson, Helen @ Manchester

Sent: 21 September 2021 11:19

To: Matthew Phillips <Matthew.Phillips@wrexham.gov.uk>; northplanning@cyfoethnaturiolcymru.gov.uk

Cc: Lee Greenhough <LeeGreenhough@tep.uk.com>; matthew.ellis@cyfoethnaturiolcymru.gov.uk

Subject: P/2021/0610 / CAS-157497-V6Y4 - Updated Landscape & Ecological Management Plan

Hi Matthew, Rhys,

Please find attached a revised Landscape and Ecological Management Plan for the proposed development off Bryn Lane, which has been updated to reflect comments from NRW.

Please let me know if you have any questions regarding the attached.

Thanks,
Helen

Helen Clarkson | Associate Director

CBRE Limited | Planning & Development

10th Floor, One St Peters Square, Manchester, M2 3DE

DDI 0161 233 5418 | T 0161 455 7666 | Internal Extension 35418 | M 07766 421 089

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Mae'r neges e-bost hon ac unrhyw atodiadau wedi eu bwriadu ar gyfer yr unigolyn neu'r sefydliad y'i cyfeirir atynt yn unig. Am yr amodau llawn ynglŷn ? chynnwys a

defnyddio'r neges e-bost hon, ac unrhyw atodiadau, cyfeiriwch at www.wreccsam.gov.uk/top_navigation/disclaimersw.htm

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Mae'r neges e-bost hon ac unrhyw atodiadau wedi eu bwriadu ar gyfer yr unigolyn neu'r sefydliad y?i cyfeirir atynt yn unig. Am yr amodau llawn yngl?n ? chynnwys a defnyddio'r neges e-bost hon, ac unrhyw atodiadau, cyfeiriwch at www.wreccsam.gov.uk/top_navigation/disclaimersw.htm

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