



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-173537-V2N9
Eich cyf/Your ref: P/2020/0325

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29/11/2021

Annwyl Syr/Madam / Dear Sir/Madam,

BWRIAD / PROPOSAL: DISCHARGE OF CONDITIONS 8 AND 9 (ECOLOGY) OF PLANNING APPEAL DECISION APP/H6955/A/19/3233167 (P/2018/0997) - ERECTION OF 23 AFFORDABLE RESIDENTIAL UNITS WITH ASSOCIATED PARKING, LANDSCAPING AND ANCILLARY WORKS

LLEOLIAD / LOCATION: LAND COMPRISING PART OF FORMER WOODLANDS FARM, DODDS LANE, WREXHAM

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 08/11/2021.

We have concerns with the application as submitted. We do not recommend your Authority discharges Condition 9 (Ecology) of Planning Appeal Decision App/H6955/A/19/3233167 (P/2018/0997) for the following reasons.

We have no objection to the discharge of condition 8.

Condition 8

Condition 8 states *"No development shall commence until a scheme of Reasonable Avoidance Measures (RAMs) in respect of Great Crested Newts has been submitted to and approved in writing by the Local Planning Authority"*.

As stated in our response letter dated 23/09/2020 (CAS-123867-G7N0), we have no objection to the discharge of condition 8.

Condition 9

Condition 9 states the following:

“No development shall commence until the following have been submitted to and approved in writing by the Local Planning Authority:

- a) A detailed plan of mitigation area for Great Crested Newts;*
- b) An Ecological Method Statement including a timetable for the implementation of the habitat mitigation measures;*
- c) A long-term Management and Monitoring Plan for the mitigation area; and,*
- d) A Bio-security Risk Assessment”.*

We note the submission of the following ecological report in support of the discharge of condition 9: Woodlands Farm on behalf of Wales and West Housing Association Condition 9: Great Crested Newt Mitigation Strategy. Avian Ecology, 21/10/2021.

Overall, the submitted great crested newt mitigation strategy does not address our concerns and we advise that condition 9 is not discharged until additional information is provided, as explained further below.

- a) A detailed plan of the mitigation area for Great Crested Newts:*

In our view, the location and size of the proposed mitigation area is not satisfactory.

The ecological submission is therefore unsatisfactory in respect of this specific provision.

- b) An Ecological Method Statement including a timetable for the implementation of the habitat mitigation measures:*

We note the submitted timetable and have no specific objections to this.

However, the submitted measures designed to prevent the accidental capture/killing of newts (amphibians) during operational (and decommissioning) phases of the scheme (i.e. post construction) are inadequate. These should include the installation and maintenance of an amphibian-friendly surface water management system that does not include gully pots (or other similar features).

The ecological submission is therefore unsatisfactory in respect of this specific provision.

- c) A long term Management and Monitoring Plan for the mitigation area*

We advise the submission of a long term site management plan (for a duration of not less than 25 years) that includes:

1. defined aims and objectives;
2. habitat management prescriptions;
3. contingency measures if fish or invasive non-native species (INNS) are detected;
4. proposals that are capable of being implemented in the event of failure to undertake or to appropriately implement identified or contingency actions;
5. site liaison and wardening;
6. licensing requirements for undertaking habitat management and surveillance;
7. current and any proposed changes to tenure of the compensation area;

8. [freehold] tenure of the compensation to be approved by the LPA in consultation with NRW;
9. persons or bodies responsible for undertaking management and surveillance together with required skills and competencies;
10. reporting requirements; and proposed dates for updating or revising the management plan;
11. Post construction monitoring and record dissemination for a period of not less than 25 years. All ponds to be added to the Wales Great Crested Newt Monitoring Scheme, (see <https://www.cofnod.org.uk/LinkInfo?ID=7>) with individuals/bodies identified as being responsible for monitoring and reporting works. Methodology shall include annual or biennial abundance counts and Habitat Suitability Index (HSI) assessments. Each water body shall be individually numbered on site. In respect of biennial surveillance, frequency of monitoring visits shall be increased in the event that fish and or aquatic invasive non-native species are detected;

We also advise that provisions of the overall plan include an ecological compliance audit.

The ecological submission is therefore unsatisfactory in respect of this specific provision.

d) Biosecurity Risk Assessment. Great Crested Newt mitigation shall therefore be provided and thereafter permanently retained and managed in strict accordance with the detailed as approved:

In our view this component submission is acceptable.

We can provide further advice once in receipt of additional information as explained above.

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.

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