



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-69026-J0N2

Eich cyf/Your ref: P/2018/0795

Ebost/Email: northplanning@cyfoethnaturiolcymru.gov.uk

Ffôn/Phone: 03000 65 4099

FAO Sharon Holman

04/10/2018

Annwyl / Dear Sharon,

TOWN AND COUNTRY PLANNING ACT 1990
DEDDF CYNLLUNIO GWLAD A THREF 1990

BWRIAD / PROPOSAL:

Erection of a detached dwelling and garage with associated parking

LLEOLIAD / LOCATION:

Land South of Boundary House, Horsemans Green Road, Horsemans Green

Thank you for consulting Natural Resources Wales (NRW) about the above, which was received on 20/09/2018.

We recommend that you should only grant planning permission if you attach the following condition. This condition would address significant concerns that we have identified, and we would not object provided you attach it to the planning permission.

Summary of Conditions

Condition 1: EPS: Submission and implementation of GCN Reasonable Avoidance Measures (RAM's) scheme to the satisfaction of the LPA.

Protected Species

We note that the ecology report submitted in support of the above application have identified the likelihood of great crested newts (GCN) being present at the application site.

GCN's and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2017. Any development that would contravene the protection afforded to GCN's under the Regulations would require a derogation licence issued by Natural Resources Wales. A licence may only be authorised if:

i. There is no satisfactory alternative and

ii. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. In addition,

iii.the development works to be authorised must be for the purposes of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.

Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning (TAN5) states that your Authority should not grant planning permission without having satisfied itself that the proposed development either would not impact adversely on any GCN on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied.

Subject to implementation of appropriate reasonable avoidance measures, we do not consider that the proposal is likely to harm or disturb GCN or cause damage or destruction to their breeding sites and resting places at this site. We consider the proposal is not likely to be detrimental to the maintenance of the favourable conservation status of the local population of great crested newts.

Therefore, we do not object to the proposal, subject to the imposition of a planning condition requiring the submission and implementation of GCN Reasonable Avoidance Measures (RAM's) scheme to the satisfaction of the LPA.

Condition 1: EPS: Submission and implementation of GCN Reasonable Avoidance Measures (RAM's) scheme to the satisfaction of the LPA.

This advice applies to the proposal in its present form. Please consult us again if the plans are changed in ways that may harm or disturb GCN's or their breeding sites and resting places at this site.

Please also note that any changes to plans may affect the need for a licence from Natural Resources Wales.

NRW would refer the Planning Authority to the letter from the Welsh Government to Chief Planning Officer's dated 01 March 2018 which advises Local Planning Authorities to attach an informative regarding licence requirements to all consents and notices where European Protected Species are likely to be present on site

Please do not hesitate to contact us if you require further information or clarification on any of the above.

Our comments above only relate specifically to matters that are listed in our 'Consultation Topics' document (September 2018) which is published on our website: (<https://cdn.naturalresources.wales/media/686847/dpas-consultation-topics-august-2018-eng.pdf?mode=pad&rnd=131819256840000000>). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance.

Advice for the Applicant / Developer:

With respect to the proposed septic tank, the applicant will need to apply for an environmental permit or register an exemption with NRW. The applicant must obtain any necessary permit or exemption prior to commencement of work on site. Septic tanks and small sewage treatment works may be registered as exempt from the requirement to obtain an environmental permit if certain criteria are met.

More information, including a step by step guide to registering and the relevant application forms are available on our website: <http://naturalresources.wales/permits-and-permissions/water-discharges/discharges-to-surface-water-and-groundwater/apply-for-a-new-bespoke-permit/?lang=en>

Where private sewage treatment/disposal facilities are utilised, they must be installed and maintained in accordance with BS 6297 and Approved Document H of the Building Regulations.

Pollution Prevention

Any work which is to take place should be done so with pollution prevention in mind. Pollution prevention advice and guidance can be found via this link:

<http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

Should any pollution occur during the operational phase, Natural Resources Wales should be notified via the incident hotline – 03000 65 3000.

Waste Regulation

Waste produced during the construction phase of your development must be dealt with appropriately, and be in line with all relevant waste legislation including Duty of Care Regulations and Hazardous Waste Regulations. As part of your waste duty of care you must classify the waste produced:

- before it is collected, disposed of or recovered
- to identify the controls that apply to the movement of the waste
- to complete waste documents and records
- to identify suitably authorised waste management options
- to prevent harm to people and the environment.

Any waste removed from site will be subject to waste management controls. The links below provide information on how to classify waste and register as a waste carrier or hazardous waste producer:

<http://naturalresources.wales/waste/how-to-classify-and-assess-waste/?lang=en>
<http://naturalresources.wales/apply-for-a-permit/waste/?lang=en>

Further guidance can be found on the GOV website here:

<https://www.gov.uk/managing-your-waste-an-overview/duty-of-care>

The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

Yn gywir / Yours sincerely,

Daniel Davies

Daniel Davies

Cynghorydd Cynllunio Datblygu / Development Planning Advisor

Cyfoeth Naturiol Cymru / Natural Resources Wales