

Maes Y Ffynnon,
Penrhosgarnedd,
Bangor,
Gwynedd
LL572DW

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

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

10/11/2021

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 2nd November 2021.

We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome if the document identified below is included in the approved plans and documents condition on the decision notice:

Approved Document: Jones, B. (2021). RAMs for Great Crested Newts: Land at Bryn House, Pen-y-Lan, Ruabon, Wrexham, LL14 6HW. Greenscape Environmental Ltd.

Please note, without the inclusion of this document 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).

We have considered the Reasonable Avoidance Measures for Great Crested Newts: Land at Bryn House, Pen-y-Lan, Ruabon, Wrexham, LL14 6HW. (Jones, B. (2021). Greenscape Environmental Ltd) document submitted in support of the above application. Based on the information submitted we consider that the development is not likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status

in its natural range. However, we advise that the proposed development has potential to harm or disturb Great Crested Newts or their breeding sites and resting places at this site and, therefore, we advise that all avoidance and mitigation measures described in the submitted RAMS document must be undertaken.

The document must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

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.

NRW would refer the Local Authority to the Chief Planning Officer's letter 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.

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