

Maes Y Ffynnon,
Penrhosgarnedd,
Bangor,
Gwynedd
LL572DW

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

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

04/10/2021

Dear Sir/Madam,

**BWRIAD / PROPOSAL: ESTYNIAD I'R UNED DDIWYDIANNOL BRESENNOL /
EXTENSION TO EXISTING INDUSTRIAL UNIT**

**LLEOLIAD / LOCATION: JB FABRICATION, BRYN LANE, WREXHAM INDUSTRIAL
ESTATE, WREXHAM**

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 20th September 2021.

We 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Approved Document: Fuller, L. 13/08/21 - JB Fabrication Ltd, Bryn Lane, Etive Ecology Ltd (unpublished)

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

Protected Species

We note that the Preliminary Ecological Assessment (PEA) report submitted in support of the above application (Fuller, L. 13/08/21 - JB Fabrication Ltd, Bryn Lane, Etive Ecology Ltd (unpublished)) has identified that protected species are not present at the application site.

However, we note that the PEA report has identified habitats suitable for Great Crested Newts (*Triturus cristatus*) 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 advise that the proposed development is not likely to harm or disturb Great Crested Newts or their breeding sites and resting places at this site, provided the avoidance measures described in the PEA report are implemented.

The PEA report also identifies that the site is suitable for use by foraging and commuting bats. Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). 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.

We note that no information has been submitted in respect of external lighting proposals and therefore advise that your internal ecologist considers any potential impacts on bats and that the recommendations of the PEA report are implemented.

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

Biosecurity

We consider biosecurity to be a material consideration owing to the location and nature of the proposal. We would therefore welcome any subsequent consent including the imposition of a condition requiring the submission and implementation of a Biosecurity Risk Assessment to the satisfaction of the LPA.

We advise this assessment includes:

- (i) appropriate measures to control any identified Invasive Alien Species (IAS) Invasive Non-native Species (INNS) on site; and
- (ii) measures or actions that aim to prevent INNS/identified diseases being introduced to the site for the duration of construction (and operational phases) of the scheme.

NRW does not require any further consultation in respect of biosecurity.

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.

However, 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.

Waste produced during construction

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:

<https://naturalresources.wales/permits-and-permissions/waste/?lang=en>

<https://naturalresources.wales/permits-and-permissions/waste/waste-permits/?lang=en>

Further guidance can be found on the GOV website here:

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

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