

Maes Y Ffynnon,
Penrhosgarnedd,
Bangor,
Gwynedd
LL572DW

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

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

07/01/2022

Dear Sir/Madam,

PROPOSAL: FIRST FLOOR EXTENSION AND EXTERNAL ALTERATIONS

LOCATION: IPSEN BIOPHARM LTD, ASH ROAD NORTH, WREXHAM INDUSTRIAL ESTATE, WREXHAM, LL13 9UF

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 22/12/2021.

We have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following conditions to any planning permission granted:

Condition 1: Protected Species

Condition 2: Biosecurity

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

Protected Species

Great Crested Newt

We have reviewed the following submission:

- Williamson, K. (2017). Ipsen Biopharm Ecological and Protected Species Surveys. Cambrian Ecology. (Unpublished).

The ecological report is over four years old, and we are aware of Great Crested Newt (GCN) records and a licensed mitigation scheme within 250m of the application site.

GCN and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended).

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.

We consider that there currently is not enough information to assess potential effects of the proposal on any GCN that may be present at this site.

We would therefore advise that a precautionary pre-construction survey and the following condition regarding the submission of reasonable avoidance measures would be appropriate in this instance, should you be minded to grant planning consent.

Condition 1: No development shall commence until a GCN Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Method Statement should include, but not necessarily be limited to:

- the submission of details and plan concerning GCN reasonable avoidance and mitigation measures including fence construction and maintenance;
- details of timing, phasing and duration of construction activities and conservation measures;
- a timetable for implementation demonstrating that works are aligned with the proposed phasing of the development; and
- persons responsible for implementing the works.

The Method Statement shall be carried out in accordance with the approved details.

Justification: To ensure that an approved GCN Method Statement is implemented, which protects GCN affected by the development.

NRW would refer you to the Chief Planning Officer's letter dated 1 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.

Biosecurity

The ecological report states:

"Elodia canadensis is included in the list of alien invasive species covered by the Wildlife & Countryside Act 1981. Under this legislation, the introduction of any of the species listed, or allowing them to spread into the wild could constitute an offence."

We consider biosecurity to be a material consideration owing to the nature and location of the proposal. In this case, biosecurity issues concern invasive non-native species and diseases.

Condition 2: No development with the potential to impact on invasive species, shall commence until a Biosecurity Risk Assessment has been submitted to and approved in writing by the Local Planning Authority. The risk assessment shall include measures to control, remove or for the long-term management of invasive species both during construction and operation. The Biosecurity Risk Assessment shall be carried out in accordance with the approved details.

Justification: To ensure that an approved Biosecurity Risk Assessment is implemented to secure measures to control the spread and effective management of any invasive non-native species at the 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.

However, recognising the specific nature of the application submitted (the application form states: “no new connection is required as there will be no additional discharge”), we are satisfied that it 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.

If you have any queries on the above, please do not hesitate to contact us.

Yours faithfully,

Tristan Williams

Cynghorydd - Cynllunio Datblygu / Advisor - Development Planning
Cyfoeth Naturiol Cymru / Natural Resources Wales