



**Cyfoeth  
Naturiol  
Cymru  
Natural  
Resources  
Wales**

Ein cyf/Our ref: CAS-172120-L2R6  
Eich cyf/Your ref: P/2021/0870

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28/10/2021

Annwyl Syr/Madam / Dear Sir/Madam,

**BWRIAD / PROPOSAL: EXTENSION AND REFURBISHMENT OF EXISTING YSGOL YR HAFOD SCHOOL. CHANGE OF USE, EXTENSION AND REFURBISHMENT OF SCHOOL HOUSE RESIDENTIAL DWELLING - 4 BANGOR ROAD FROM C3A (DWELLING HOUSE) TO D1 (NON-RESIDENTIAL INSTITUTIONS). ASSOCIATED EXTERNAL WORKS, BOUNDARY TREATMENT AND HIGHWAYS IMPROVEMENTS**

**LLEOLIAD / LOCATION: JOHNSTOWN JUNIOR SCHOOL, BANGOR ROAD, JOHNSTOWN**

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales on the additional information about the above, which we received on 28/10/2021.

**We have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following condition to any planning permission granted and the document identified below should be included in the approved plans and documents condition on the decision notice. Without the inclusion of this condition and document we would object to this planning application.**

**Condition:**

- **Biosecurity Risk Assessment**

**Document:**

- **Bat Mitigation Report, Ysgol y Hafod, Wrexham. Atmos Consulting. 26613/R5/Rev1. September 2021**

**Protected Species**

**Bats**

We note that the ecological report submitted in support of the above application (Bat Mitigation Report, Ysgol y Hafod, Wrexham. Atmos Consulting. 26613/R5/Rev1. September 2021) has identified that bats are present at the application site. From the information submitted, we consider that the proposed development represents a lower risk for bats, as defined in our guidance document '*Natural Resources Wales Approach to Bats and Planning (2015)*'. Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended).

As this is a lower risk case for bats, 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.

Furthermore, we advise that the proposed development is not likely to harm or disturb the bats or their breeding sites and resting places at this site, provided the avoidance measures described in the bat 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.

#### Great Crested Newt (GCN)

An ecological report has been submitted in support of the above application (Extended Phase 1 habitat Survey Report: Ysgol y Hafod (Junior School), Johnstown, Wrexham. Atmos Consulting. No 26613 R4 Rev 1. September 2021). We consider the submitted assessment to be satisfactory for the purpose of informing the public decision-making process in relation to GCN.

We consider biosecurity to be a material consideration owing to the nature and location of the proposal and that the amphibian Chytrid fungus has been recorded at Johnstown. In this case, biosecurity issues concern invasive non native species (INNS) and diseases.

We therefore advise that any consent includes the imposition of a condition requiring the submission and implementation of a Biosecurity Risk Assessment to the satisfaction of the LPA.

We consider that this assessment must include:

- appropriate measures to control any INNS on site; and
- measures or actions that aim to prevent INNS being introduced to the site for the duration of construction and operational phases of the scheme.

#### **Protected Sites**

##### Johnstown Newt Sites Special Area of Conservation (SAC)

From the information provided, NRW consider that the proposals may affect the Johnstown Newt Sites SAC. The application is located within 95m of the SAC.

We have identified the following potential impact pathways to features of this site:

- Diseases (Chytrid fungus), and;
- Accidental killing, injuring or trapping of GCNs.

The above pathways may not result in an adverse effect if the following measures are adhered to/implemented:

- Biosecurity Risk Assessment, and;
- Reasonable Avoidance Measures (RAMs)

No assessment of likely significant effect under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) has been undertaken by your authority or it has not been forwarded to NRW for consideration. Should you conclude that the proposed development is likely to have a significant effect on the European site, we look forward to being re-consulted. In the absence of this assessment, NRW cannot offer assurances that the proposals would not result in an adverse effect upon the SAC.

#### Stryt Las a'r Hafod Site of Special Scientific Interest (SSSI)

We consider the proposals have the potential to impact upon the above SSSI. Providing the mitigation measures referenced above for the SAC are adequately addressed, we consider the features of the SSSI will also be adequately safeguarded.

#### **Protected Sites and Foul Drainage**

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 21<sup>st</sup> 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.

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