

30th August 2018

Dear Sir/Madam,

**CHANGE OF USE OF LAND FROM AGRICULTURAL TO TOURISM USE FOR THE
SITING OF 3 SAFARI TENTS AND 2 CAMPING PODS, FORMATION OF
ASSOCIATED ACCESS TRACK AND ALL ASSOCIATED WORKS**

FORGE FARM, PONT Y BLEW, CHIRK, WREXHAM

Thank you for consulting Natural Resources Wales about the above, which was received on 16th August 2018.

We have significant concerns with the proposed development as submitted. We recommend that you should only grant planning permission if the scheme can meet the following requirements and you attach the conditions listed below. Otherwise, we would object to this planning application.

Summary of Requirement

Requirement 1: The Authority should carry out a Habitat Regulation Assessment (HRA) under regulation 63 of the Conservation of Habitats and Species Regulations 2017 prior to the determination of the planning application

Summary of Conditions

Condition 1: The submission of a landscape and planting scheme, and erection of fence and planting prior to first beneficial use to the satisfaction of the Local Planning Authority.

Condition 2: The submission and implementation of an external lighting scheme to the satisfaction of the local planning authority.

Condition 3: The submission and implementation of a biosecurity risk assessment to the satisfaction of the Local Planning Authority.

Protected Sites

The River Ceiriog forms part of the River Dee and Lake Bala SAC as well as being notified as a SSSI.

We have concerns that a significant effect from the proposed development on the River Dee and Bala SAC. The application is located on the edge of the SAC.

The following requirements need to be met before allowing the proposed development to proceed. We would object to the planning application if the requirements are not met.

Requirement 1: The Authority should carry out a Habitat Regulation Assessment (HRA) under regulation 63 of the Conservation of Habitats and Species Regulations 2017 prior to the determination of the planning application

HRA consider possible impacts of disturbance from lighting and increased human access to the river bank.

Should you also conclude that the proposed development is likely to have a significant effect on the European site, we look forward to being consulted on your appropriate assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

The proposed site layout indicates dense planting of an area up to 7 m from the river bank. However, it is not clear whether this planted area is separated from the campsite by a fence to prevent access or not or which species are intended for planting. NRW would prefer it to be fenced out to prevent increased recreational use / disturbance

Condition 1: The submission of a landscape and planting scheme, and erection of fence and planting prior to first beneficial use to the satisfaction of the Local Planning Authority.

European Protected Species

The application is supported by an ecological submission (reference Jenkinson, H/. (2018). Extended Phase One Habitat Survey: Land at Forge Farm, Pont-y-blew, Chirk, Arbor Vitae Environment. Unpublished.

In NRW's view the survey and assessment is both appropriate and proportionate and consequently it is satisfactory and from our perspective, it is a low risk scheme.

The proposal is not likely to be detrimental to the maintenance of the favourable conservation status of any local populations of European protected species; and not likely to adversely affect any local populations of British 'fully' protected species

NRW agree that illumination of the river corridor is avoided; and recommend that any consent is subject to the imposition of a condition requiring the submission and implementation of an external lighting scheme to the satisfaction of the local planning authority.

Condition 2: The submission and implementation of an external lighting scheme to the satisfaction of the local planning authority.

Condition 3: The submission and implementation of a biosecurity risk assessment to the satisfaction of the Local Planning Authority.

We also advise that any consent is subject to the imposition of a condition in respect of the submission and implementation of a biosecurity risk assessment.

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 (INNS) and diseases. We therefore advise that any future 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

- (i) appropriate measures to control any INNS on site; and
- (ii) measures or actions that aim to prevent INNS

being introduced to the site for the duration of construction phase of the scheme.

Thanks for consultation on this one. I've also now cc'd Gethin Morris who is the fisheries officer covering the Ceiriog in case he has any comments.

Flood

The site boundary as shown on the submitted drawings is partially within zone C2 as per the Development Advice maps for TAN15: Development and Flood Risk. TAN15 is applicable for planning applications in Wales where flood risk is a material consideration. The submitted Design and Access Statement (Roger Parry & Partners. May 2018) refers to flood risk in section 10. Reference is made to Flood/Planning policies in England rather than in Wales and the sequential and exception tests. It is suggested that the equivalent to these in TAN 15 would be section 6.2 and the justification tests. We would advise that the proposal is deemed to be a highly vulnerable development type as per Figure 2 in the TAN.

We note the positioning of the tents/pods as shown on document number 4045292, Proposed site layout (Dwng No. RPP/RC-JOB42-03 Rev A) and should your authority determine that planning permission can be granted then reference to this drawing/positioning should be included in any final decision. We note the 7m right of way along the river bank.

The river Ceiriog is classified as that of a main river. Any work in, over, under or within 8m of a main river may be subject to a Flood Risk Activity Permit (Environmental Permitting Regulations (2016)). Further details available from our website at <http://naturalresourceswales.gov.uk/permits-and-permissions/flood-risk-activities/?lang=en>

Our comments above only relate specifically to matters that are included on our checklist "Natural Resources Wales and Planning Consultations" (March 2015) which is published on our website:

(<https://naturalresources.wales/media/5271/150302-natural-resources-wales-and-planning-consultations-final-eng.pdf>). 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 Developer:
Environment Management**

Please refer to Guidance for pollution prevention 5: Works and maintenance in or near water.

Any movement of waste from the site must be carried out by a registered waste carrier and taken to a site that is permitted to accept the waste. Waste transfer notes should be kept for a minimum of 2 years.

Any hazardous material uncovered during the works must be disposed of to a site that is permitted to accept the hazardous waste, and require hazardous consignment notes, these should be kept for a minimum of 3 years.

Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls at least 10 metres from the river. Refuelling should be supervised at all times - and preferably done on an impermeable surface.

The River Ceiriog is currently achieving a 'good' status under the categorisation of the water framework directive. The operator must ensure that there is no deterioration to the status of the water body as a result of the works that are carried out.

The operator is to ensure that no contamination enters the River Ceiriog.

Should any contaminated water or materials enter or pollute the watercourse, methods must be put in place to contain the contamination and Natural Resources Wales must be notified on 03000 65 3000.

The applicant please be made aware of the requirement to register the discharge from the package treatment plant with NRW through our website

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.

Yours sincerely,



Ruth Prichard
Development Planning Advisor