



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-159384-V7K8
Eich cyf/Your ref: P/2021/0559

Maes Y Ffynnon,
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Wrexham County Borough Council,
The Guildhall,
Wrexham,
LL11 1AY

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

05/08/2021

Dear Sir/Madam,

**PROPOSAL: DISCHARGE OF CONDITION 6 (ECOLOGY) OF PLANNING PERMISSION
P/2019/0898**

LOCATION: CARETAKER HOUSE, HAFOD, RUABON, WREXHAM

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 15th July 2021.

We have concerns with the application as submitted. We do not recommend that your Authority discharges Condition 6 for the following reasons.

Condition 6 states:

"No development shall commence until a site GCN Conservation Plan has been submitted to and approved in writing by the Local Planning Authority. The Conservation Plan should:

- (a) Build upon the principles outlined in the ecological report (reference: Molesworth, J. (2020). Habitat Suitability Index (HSI) Report. Pearce Environment Ltd. Unpublished);*
- (b) Submission of details concerning amphibian avoidance measures during the construction phase of the proposal;*
- (c) Submission of further details including location plans of habitats to be retained created and/or enhanced specifically for amphibians. Details shall be provided in respect of timescales for implementing habitat schemes;*
- (d) Submission of a long term management plan for the amphibian habitats, details to include management prescriptions, person responsible for undertaking habitat*

management works, licensing requirements, monitoring and reporting of management actions;

(e) Details of timing, phasing and duration of construction activities and conservation measures;

(f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of the development;

(g) Ecological Compliance Audit, including key performance indicators;

(h) Persons responsible for implementing the works;

(i) Biosecurity Risk Assessment.

The Conservation Plan shall be carried out in accordance with the approved details."

NRW's comments on each of the above are as follows:

(a) Build upon the principles outlined in the ecological report (reference: Molesworth, J. (2020). Habitat Suitability Index (HSI) Report. Pearce Environment Ltd. Unpublished);

We have no outstanding concerns with this component provision but please see our advice on the additional submissions below.

(b) Submission of details concerning amphibian avoidance measures during the construction phase of the proposal;

We advise that the submitted Site Development and GCN Conservation Plan: Section 7 Reasonable Avoidance Measures (DMS Architectural Services (July 2021) are not satisfactory for the following main reasons:

1. We disagree with the proposal to not use fencing;
2. No searches of working areas for amphibians by appropriately licenced ecologists are proposed prior to the commencement of works;
3. No plans illustrating the proposed or defined working area during the construction phase of the proposals have been provided;
4. There is no consideration or apparent inclusion of other amphibian species as a feature of the Stryt Las a'r Hafod Site of Special Scientific Interest (SSSI)
5. At least one reference to a proposed prescription uses the term 'should' and hence raises uncertainty in respect of which proposed reasonable avoidance measures would actually be implemented; and
6. There is inadequate consideration of evidencing compliance as a material component of the amphibian conservation measures. We advise that compliance is carried out by a suitably experienced and licenced ecologist

(c) Submission of further details including location plans of habitats to be retained created and/or enhanced specifically for amphibians. Details shall be provided in respect of timescales for implementing habitat schemes;

We advise that sufficient information has been provided in respect of habitats to be created or enhanced. We therefore consider the submission to be satisfactory in respect of this component provision.

(d) Submission of a long-term management plan for the amphibian habitats, details to include management prescriptions, person responsible for undertaking habitat management works, licensing requirements, monitoring and reporting of management actions;

We advise that insufficient detail has been provided for the purposes of discharging this component requirement. We note the proposals in Section 6 of the submitted Development and GCN conservation plan, but we do not consider the current submission to be satisfactory for the following reasons:

1. No detail has been provided in respect of the management prescriptions for terrestrial and aquatic habitats in the short and long term;
2. No consideration has been given to potential derogation licensing requirements for identified management prescriptions;
3. No consideration has been given to monitoring and the use and application of monitoring results for informing the implementation of habitat management; and
4. No details concerning reporting have been included within the provisions of the ecological submission.

(e) Details of timing, phasing and duration of construction activities and conservation measures;

Whilst we acknowledge that limited information has been provided, we advise that insufficient information has been submitted to satisfy this specific provision.

(f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of the development;

Whilst we acknowledge that limited information has been provided, we advise that insufficient information has been submitted to satisfy this specific provision.

(g) Ecological Compliance Audit, including key performance indicators;

Whilst we acknowledge that limited information has been provided, we advise that insufficient information has been submitted to satisfy this specific provision.

(h) Persons responsible for implementing the works;

We acknowledge that sufficient information has been submitted to discharge this component provision. However, we advise that an appropriately licenced and trained ecologist supervises material components of this overall proposal.

(i) Biosecurity Risk Assessment

We note the submitted biosecurity protocol under Section 11 of the Site Development and GCN Conservation Plan and we have previously stated that we are satisfied with the

submitted proposals. We note that biosecurity has additionally now been included as part of the site induction under Section 7: Reasonable Avoidance Measures, point 5.

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

Yours faithfully,

Ruth Prichard

Cynghorydd - Cynllunio Datblygu / Advisor - Development Planning

Cyfoeth Naturiol Cymru / Natural Resources Wales