

13/12/2018

Er sylw / For the attention of Philip Forster

Dear Mr Forster,

BWRIAD / PROPOSAL: Outline application for residential development

**LLEOLIAD / LOCATION: 11 Penygelli Avenue, Coedpoeth, Wrexham -
P/2018/0969**

Thank you for consulting Natural Resources Wales about the above, which was received on 26/11/2018.

NRW has no objection to the above scheme.

Protected Species

We note that the bat report submitted in support of the above application (Ref: Susan Worsfold BSc. Ecological Appraisal and Impact Assessment for Land at 11 Penygelli Avenue, Coedpoeth, Wrexham LL11 3RL. October 2018.) has identified that bats may be 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 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.

Please consult us again if any further information shows that this is no longer a lower risk case.

Land Contamination

According to our records, the proposed development site is located near to land that is, or has been, used for the deposition of waste material. In this case, 190m from historic landfill site - Rhosberse - Pengelli Avenue. We would therefore advise you to consult with the local authority's Environmental Health and Building Control Departments, as they may hold detailed records, and may wish to make appropriate recommendations in respect of landfill gas investigation/remedial work.

The developers should be made aware of the existence of the landfill site(s) so that they can decide whether or not to make their own investigations into the presence of landfill gas. It should also be noted that Waste Management Paper 27 states "It has been found that many sites which have taken only supposedly 'inert' waste have produced gas".

Bedrock Aquifer

The proposed development is in an area of bedrock aquifer. This designation is consistent with the Water Framework Directive and reflects the importance of aquifers in terms of groundwater as a resource (drinking water supply) and also their role in supporting surface water flows and wetland ecosystems.

In the event that surface water from the development discharges to ground, we refer the developer to the Groundwater Protection: Principles and Practice (Environment Agency, 2013) Position Statements. In particular, the developer should be aware that the advice under Position Statements G11 (Discharge from areas subject to contamination) and G13 (Sustainable drainage systems) applies to this development:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/658135/LIT_7660.pdf

Please do not hesitate to contact us if you require further information or clarification of any of the above.

Our comments above only relate specifically to matters that are listed in our 'Consultation Topics' document (September 2018) which is published on our website:

<https://cdn.naturalresources.wales/media/686847/dpas-consultation-topics-august-2018-eng.pdf?mode=pad&rnd=131819256840000000>

(<https://cdn.naturalresources.wales/media/686847/dpas-consultation-topics-august-2018-eng.pdf?mode=pad&rnd=131819256840000000>). 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

Waste:

The importation of waste to the site for use in construction (e.g. to make the bases of the dwellings or access areas) needs to be registered as an exempt activity under

the Environmental Permitting Regulations 2016, or a permit sought. The following link will take the applicant to the relevant NRW webpage for registering such an exemption, or applying for a waste permit: <https://naturalresources.wales/apply-for-a-permit/waste/?lang=en>

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>

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 faithfully,

Joy Evans

Ms Joy Evans
Cynghorydd Cynllunio Datblygu /
Development Planning Advisor