

FAO Kevin Hughes

16/08/2018

Dear Kevin,

TOWN AND COUNTRY PLANNING ACT 1990  
DEDDF CYNLLUNIO GWLAD A THREF 1990

**BWRIAD / PROPOSAL: LISTED BUILDING CONSENT TO REPLACE EXISTING  
FAILED SCOUR PROTECTION APRON TO ABUTMENT OF MASONRY ARCH BRIDGE  
SPANNING THE RIVER CEIRIOG AND CARRY OUT REPAIR WORKS TO OTHER  
EXISTING SCOUR PROTECTION APRON WHICH IS UNDERMINED (APPROX 300MM)  
LLEOLIAD / LOCATION: Pontfadog Bridge, Pontfadog, Llangollen**

Thank you for consulting Natural Resources Wales (NRW) about the above, which was received on 06/08/2018.

We recommend that you should only grant planning permission for the scheme if it can meet the following requirements, to address significant concerns that we have identified. Provided these requirements are met, we would not object to the scheme.

Requirement 1: Protected Sites: 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.

### **Protected Sites**

We have concerns that a significant effect from the proposed development on the River Dee and Bala Lake SAC cannot be ruled out. The application is located adjacent 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: Protected Sites: 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.

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.

## **Protected Species**

We recommend you seek the advice of your in-house ecologist to determine if there is a reasonable likelihood of bats, a European Protected Species, being present within the application site. If so, in accordance with Technical Advice Note 5: Nature Conservation and Planning (paragraph 6.2.2) a bat survey may be required.

The survey should be carried out in accordance with 'Bat Surveys; Good Practice Guidelines 3rd Edition' published by the Bat Conservation Trust 2016.

Please consult us again if any survey undertaken finds that bats are present at the site and you require further advice from us.

## **Pollution Prevention**

The applicant is advised to follow the guidance within the Guidance for Pollution Prevention 5 "Works and maintenance in or near water":

[http://www.netregs.org.uk/media/1418/gpp-5-works-and-maintenance-in-or-near-water.pdf?utm\\_source=website&utm\\_medium=social&utm\\_campaign=GPP5%2027112017](http://www.netregs.org.uk/media/1418/gpp-5-works-and-maintenance-in-or-near-water.pdf?utm_source=website&utm_medium=social&utm_campaign=GPP5%2027112017)

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.

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 operator is to ensure that no silt 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.

Please can the operator notify the local Flintshire and Wrexham Natural Resources Management (NRM) team at NRW when the works are due to commence.

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

*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/planning-and-development/planning-and-development/?lang=en>). 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. 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.*

## **Advice to Applicant**

### **Floodrisk**

The river Ceiriog at this location is classed as that of a designated main river. As such the works as proposed will require a prior bespoke Flood Risk Activity permit (Environmental Permitting (England and Wales) Regulations 2016).

We are generally satisfied with the proposed design/concreting works but will require additional details with the application for a permit which detail the temporary works associated with the casting of the concrete and measures taken to protect the environment along with timing. We usually request that no in-stream works occur between mid October until the following April due fish spawning/increased flood risk. The working area must be isolated from the river whilst casting. The Regulations allow two months to determine an application, guidance and application forms are available from:

<http://naturalresourceswales.gov.uk/permits-and-permissions/flood-risk-activities/?lang=en>

Yn gywir / Yours sincerely,

*Daniel Davies*

Daniel Davies

Cynghorydd Cynllunio Datblygu / Development Planning Advisor

Cyfoeth Naturiol Cymru / Natural Resources Wales