

FAO Philip Forster

16/08/2018

Dear Philip,

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

BWRIAD / PROPOSAL: DEMOLITION OF THE EXISTING SINGLE AND TWO-STOREY BUILDINGS IN THE SOUTH EAST CORNER OF THE YALE CAMPUS SITE, CONSTRUCTION OF A NEW THREE-STOREY BUILDING REPLACING THE EXISTING CATERING, PERFORMING ARTS, SPORTS AND EXAMINATION FACILITIES. ADDITIONALLY PROVIDING GENERAL CURRICULUM CLASSROOMS AND ANCILLARY FACILITIES TO SUPPORT THE DEVELOPMENT
LLEOLIAD / LOCATION: Coleg Cambria, Yale Campus, Gorve Park Road, Wrexham

Thank you for consulting Natural Resources Wales (NRW) about the above, which was received on 07/08/2018.

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

Summary of Requirement

Requirement 1: EPS: Additional information to assess potential effects of the proposal on protected species.

Protected Species

We note that the ecology report submitted in support of the above application (reference Anon. (2018). Grove Park – Preliminary Ecological Appraisal. TACP. Unpublished) has identified the potential for bats to be present at the application site. It recommends that further survey is required for the purposes of informing the planning decision making process.

Bats and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2017. Any development that would contravene the protection afforded to bats under the Regulations would require a derogation licence from Natural Resources Wales. A licence may only be authorised if:

- i. There is no satisfactory alternative and
- ii. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. In addition,
- iii. the development works to be authorised must be for the purposes of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.

Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning (TAN5) states that your Authority should not grant planning permission without having satisfied itself that the proposed development either would not impact adversely on any bats on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied.

Although a bat report has been submitted, we consider that there currently is not enough information to assess potential effects of the proposal on any species of the bat that may be present at this site. We therefore concur with the recommendations of the ecological report that further survey is required for the purposes of informing the planning decision making process.

Requirement 1: EPS: Additional information to assess potential effects of the proposal on protected species.

Therefore, we recommend planning permission is not granted until it can be demonstrated that the proposed development will either not harm or disturb the bats or their breeding sites and resting places at this site, or all 3 conditions for the eventual grant of a licence under the Conservation of Habitats and Species Regulations 2017 are likely to be satisfied.

NRW would refer the Planning Authority to the letter from the Welsh Government to Chief Planning Officer's dated 01 March 2018 which advises Local Planning Authorities to attach an informative regarding licence requirements to all consents and notices where European Protected Species are likely to be present on site.

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 for the Applicant / Developer:

During the construction phase of the proposals, any waste material which is to be removed from the site should be done so via a registered waste carrier. The waste must be taken to a facility which holds an appropriate exemption or environmental permit to accept the specified waste.

Any waste material which is removed from the site should be carried out in accordance with the duty of care requirements. All appropriate paperwork and documentation should be completed by the parties involved. Details of all waste carriers, permitted and exempt sites can be found electronically via the public registers section of our website www.naturalresourceswales.gov.uk or by contacting our customer contact centre on 0300 065 3000.

Any work which is to take place should be done so with pollution prevention in mind. Pollution prevention advice and guidance can be found via this link:

<http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

Should any pollution occur during the operational phase, Natural Resources Wales should be notified via the incident hotline – 03000 65 3000.

Yn gywir / Yours sincerely,

Daniel Davies

Daniel Davies

Cynghorydd Cynllunio Datblygu / Development Planning Advisor

Cyfoeth Naturiol Cymru / Natural Resources Wales