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Head of Community and Wellbeing,
Wrexham County Borough Council,
16 Lord Street,
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19/05/2016

Dear Sir/Madam,

PROPOSAL: Outline planning application to erect 1 no. dwelling

LOCATION: Land adjacent to Yew Tree Villa

Thank you for consulting Natural Resources Wales about the above, which was received on 09/05/2016.

We have significant concerns with the proposed development as submitted.

We recommend that planning permission should only be given if the following requirements can be met. We consider it likely that the concerns can be addressed and would not object provided the proposal meets the requirements we have identified.

Summary of requirements

- | | |
|-----------------|---|
| Requirement 1 – | Condition requiring RAMS to be approved prior to commencement of development. |
| Requirement 2- | If minded to grant permission we require details of the proposed method of disposing of foul sewage if not proposed to be discharged to mains sewer |

Further details regarding our requirements are provided below.

Protected Species

We acknowledge receipt of the Ecological Assessment prepared by Jane Atkinson which supports the planning application. The Assessment includes the results of a site survey carried out on the 21st April 2016.

- Great Crested Newt

The survey report identifies a high pond density in the area surrounding the application site and concludes that it is highly likely that some of these ponds are GCN breeding ponds.

The great crested newt is a European Protected Species, protected under the Conservation of

Habitats and Species Regulations 2010.

The report recommends that the Reasonable Avoidance Measures detailed in section 6 are adopted during the work.

Requirement 1

To ensure no detrimental impact on the favourable conservation status of the GCN population, NRW requests that any permission includes a condition requiring a Reasonable Avoidance Measures Strategy (RAMS) to be submitted and agreed to the satisfaction of the local planning authority prior to the commencement of the development. The RAMS should be produced by a suitably qualified ecologist. The RAMS should include details as identified in section 6 of the survey report.

The applicant should be advised that should GCNs be discovered during the work, all work should stop immediately and NRW contacted for further advice. Where a European protected species such as the GCN is present, a development may only proceed under a licence.

- Bats

Bats are protected under the Wildlife and Countryside act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended).

NRW is satisfied that the report concludes that the existing fruit trees showed no sign of use by bats.

- Local and Regional Interests

Please note that we have not considered possible effects on all local or regional interests including any effects on reptiles. Therefore, you should not rule out the possibility of adverse effects on such interests, which would be relevant to your Authority's general duty to have regard to conserving biodiversity, as set out in section 40 of the Natural Environment and Rural Communities (NERC) Act (2006). This advice includes any consideration of the planned provision of "linear" and "stepping stone" habitats as defined in Article 10 of the Habitats Directive.

To comply with your authority's duty under section 40 of the NERC Act, to have regard to conserving biodiversity, your decision should take account of possible adverse effects on such interests. We recommend that you seek further advice from your authority's internal ecological adviser and/or third sector nature conservation organisations such as the local wildlife trust, RSPB, etc. The Wales Biodiversity Partnership's web site has guidance for assessing proposals that have implications for section 42 habitats and species (www.biodiversitywales.org.uk).

Drainage

We cannot see that the application submission includes details of the proposed means of disposing foul sewage.

Government policy states that, where practicable, foul drainage should be discharged to the mains sewer. Where this is not possible and private sewage treatment / disposal facilities are utilised, they must be installed and maintained in accordance with British Standard 6297 and Approved

Document H of the Building Regulations 2000. You should also have regard to Welsh Office Circular 10/99 in respect of planning requirements for non mains sewerage.

Requirement 2

Should it be proposed to dispose of foul sewage by means other than discharged into the mains sewer we would wish to be reconsulted with the details prior to any planning consent being given for the proposed development.

The written consent of NRW or registration for exemption by the developer will be required for any discharge e.g. foul drainage to a watercourse/ditch etc, from the site and may also be required for certain categories of discharges to land. All necessary NRW consents, or exemptions must be obtained prior to works progressing on site.

The applicant will need to apply for a Permit or Exemption, if they wish to discharge anything apart from uncontaminated surface water to a watercourse/ditch. They may also need to apply for a Permit from our National Permitting Team to allow certain discharges into ground. They must obtain any necessary Permit prior to works starting on site. The Welsh Government has also advised that all septic tanks and small sewage treatment plant discharges in Wales will need to be registered. More information, including a step by step guide to registering, is available on our website www.naturalresourceswales.gov.uk / www.cyfoethnaturiolcymru.gov.uk

We thank you for consulting with NRW. Please do not hesitate to contact us should you wish to discuss this matter further.

Yn gywir / yours faithfully

Angharad Wyn Crump
Uwch Swyddog Cadwraeth / Senior Conservation Officer
Tîm Gwaith Achos/Casework Team