Cyfoeth Naturiol Cymru
Natural Resources Wales

Ein cyf/Our ref: CAS-19094-K0Y2
Eich cyf/Your ref: P/2016/0458

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Wrexham County Borough Council
Planning Officer
16 Lord Street
Wrexham
LL11 1LG

Date: 19TH May 2016

Dear Sir/Madam,

OUTLINE PLANNING TO ERECT 1 NO DETACHED DWELLLING WITH ASSOCAITED PARKING AND NEW ACCESS
LAND NORTH OF INGLENEWKE NORTH ROAD PONCIAU WREXHAM

Thank you for consulting Natural Resources Wales (NRW) about the above, which was received on 17th May 2016.

NRW does not object to the proposal. In our opinion, as explained below, the proposal is not likely to adversely affect any of the interests listed.

Protected Species

We have identified the possibility that protected species may be present. Therefore, we recommend that your Authority screens the application to see if there is a reasonable likelihood of protected species being present and the need for a survey in accordance with Technical Advice Note 5: Nature Conservation and Planning (paragraph 6.2.2).

Protected species and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2010 (as amended). 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 protected species on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied.

Please consult us again if the survey finds that protected species are present at the site. In the meantime, we cannot confirm that the proposal would not harm or disturb protected species, or their breeding site or resting place. Therefore, nor can confirm that the proposal would not be detrimental the maintenance of a population of protected species in a favourable Conservation status in its natural range.

Natural Environment and Rural Communities (NERC) Act 2006

Please note that we have not considered possible effects on all species and habitats (including nesting birds) listed in section 42 of the Natural Environment and Rural Communities (NERC) Act 2006, or on the Local Biodiversity Action Plan or other local natural heritage interests. 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 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).

Please don't hesitate to contact me if you require clarification on the above.

Yn gywir / Yours' faithfully,

Ruth Prichard
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Deialu uniongyrchol/Direct dial: (0300) 065 3787 **Siaradwr Cymraeg / Welsh Speaker**

cc: