



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-157818-J7T0
Eich cyf/Your ref: P/2021/0384

Maes Y Ffynnon,
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LL572DW

Wrexham County Borough Council,
The Guildhall,
Wrexham,
LL11 1AY

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

16/07/2021

Dear Sir/Madam,

PROPOSAL: APPROVAL OF RESERVED MATTERS PURSUANT TO OUTLINE PLANNING PERMISSION P/2018/0933 (APPEARANCE, LANDSCAPING, LAYOUT AND SCALE) - ERECTION OF 51 DWELLINGS

LOCATION: BRITISH LEGION SOCIAL CLUB, WATTS DYKE, LLAY, WREXHAM

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the additional information in relation to the above, which we received on 05/07/2021.

We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome if the documents identified below are included in the approved plans and documents condition on the decision notice.

Approved documents:

- Overstall, L. 2021. Land at Royal British Legion, Llay, Wrexham: Bat Survey. Cheshire Ecological Services. Unpublished
- Mellish, K. (2021). Land at Royal British Legion, Llay, Wrexham: Biosecurity Risk Assessment. Cheshire Ecological Services. Unpublished

Please note, without the inclusion of these documents we would object to this planning application. Further details are provided below.

Protected Species

We note that the Bat Survey submitted in support of the application (Overstall, L. 2021. Land at Royal British Legion, Llay, Wrexham: Bat Survey. Cheshire Ecological Services. Unpublished) has concluded:

6.1 There are no known implications regarding bats and the demolition of Building 1, 2 and 4, the moving of Building 3, or felling of the cherry tree. The development of the site is unlikely to impact upon bats in the local area or increase the level of disturbance for bats locally...

6.3 However, bats can and do change their roost sites. In view of this, if bats are subsequently discovered roosting, all works should cease and CES be contacted for advice on how to proceed.

6.4 Bat roosting in trees is often extremely transient and evidence of bat roosting in trees does not persist like it does within buildings due to environmental factors. It is therefore recommended that the cavity within the cherry tree be subject to a pre-start check by a licensed bat ecologist immediately prior to the tree being felled.

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 amended).

As this is a lower risk case for bats, we consider that the development is not likely to be detrimental to the maintenance of any 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.

Biosecurity

We have reviewed the following document:

- Mellish, K. (2021). Land at Royal British Legion, Llay, Wrexham: Biosecurity Risk Assessment. Cheshire Ecological Services. Unpublished

We confirm the submission is satisfactory. The Biosecurity Risk Assessment should also be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

Other Matters

Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is

published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our [website](#) for further details.

Advice for the Developer

Environmental Management

All works at the site must be carried out in accordance with PPG6: 'Working at construction and demolition sites' which are available on the following website:

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

The activity of importing waste into the site for use as, for example hardcore, must be registered with Natural Resources Wales as an exempt/permittable activity under the Environmental Permitting Regulations 2016. The developer should contact Natural Resources Wales to discuss the necessity for an exemption/permit for any material imported to and exported from the site.

If during construction/excavation works any contaminated material is revealed, then the movement of such material either on or off site should be done in consultation with Natural Resources Wales. Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 34 of the Environmental Protection Act 1990. Carriers transporting waste from the site must be registered waste carriers and movement of any Hazardous Waste from the site must be accompanied by Hazardous waste consignment notes.

Waste produced during construction

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>

If you have any queries on the above, please do not hesitate to contact us.

Yours faithfully,

Tristan Williams

Cynghorydd - Cynllunio Datblygu / Advisor - Development Planning
Cyfoeth Naturiol Cymru / Natural Resources Wales