

Maes Y Ffynnon,
Penrhosgarnedd,
Bangor,
Gwynedd
LL572DW

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

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

28/09/2020

Dear Sir,

PROPOSAL: CONSTRUCTION OF NEW ACCESS ROAD FOR DWELLING

LOCATION: Cheshire Cheese, Overton Road, Penley, Wrexham

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales with further information in relation to above, which we received on 18 September 2020.

We continue to have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if you include the following documents within the condition identifying approved plans and documents on the decision notice:

Elite Ecology, Cheshire Cheese, Penley V1, April 2020, Desktop Study

Protected Species

We note that the ecology report submitted in support of the above application (Levesley, A. Elite Ecology, April 2020) has identified the potential for protected species such as bats to be present at the application site. The report recommends further survey.

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.

Although an ecology report has been submitted, we consider that there currently is insufficient 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

The report must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted to ensure that further survey will be carried out prior to commencement of development.

Please consult us again if any further information shows that this is no longer a lower risk case.

Flood Risk

We have no objection to the proposals on flood risk grounds. The requirement within our letter dated 26 August 2020 has been met as we have received a flood consequences assessment (FCA) which has satisfied our concerns.

The FCA details the flood risk on site and outlines mitigation measures for the access road which include a reduction in levels to provide flood compensation and lateral pipes beneath the access road to allow free flow of water beneath the road structure.

We note that the existing access that is to be removed is entirely within flood zone A and will be replaced with an access in flood zone C2. Mitigation is proposed for this, however you may wish to consult with emergency planners (NWCREPS).

Whilst we have no records of flooding from this river and the site is not located in a flood warning/alert area. There is always an inherent risk of flooding associated with development proposals adjacent to watercourses. The applicant may wish to develop a flood plan due to the proximity to the river. Further guidance on this can be found on our ['How to prepare you home, business for farm for a flood'](#) webpage.

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

Land Drainage Act - Ordinary Watercourse Consent

We recommend that the applicant speak to the LLFA in order to determine whether an Ordinary Watercourse Consent would be required for the proposed works which involve crossing the Houghton Mill Brook which is classified as an ordinary watercourse in this location.

Works near Watercourse / Construction or Demolition sites

Due to the proximity of the site to watercourses, all works at the site must be carried out in accordance with GPP5 and PPG6: 'Works in, near or over watercourses' and 'Working at construction and demolition sites' which are available on the following website: <http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-andreplacement-series/guidance-for-pollution-prevention-gpps-full-list/>

Only clean, uncontaminated surface water should be discharged to surface waters.

It is to be ensured that prior to any works occurring, a method statement detailing the works is developed taking account of any pollution risks and ensuring that steps are put in place to mitigate against any adverse impact.

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

Yours faithfully

Meryl Read

Meryl Read

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