

Wrexham County Borough Council
The Guildhall,
Wrexham
LL11 1AY

21/01/2020

For the attention of Mared Rees-Jones:

Dear Mared,

**PROPOSAL: Land Adjoining Bryn Rhedyn Farm, Bronwylfa Road, Legacy, Wrexham
LOCATION: Demolition Of Existing Stable Block And Outline Application For
Residential Development Comprising 3 No. New Dwellings**

Thank you for consulting Natural Resources Wales (NRW) about the above, which was received on 26/12/2019.

We have significant concerns with the proposed development as submitted. We recommend that you should only grant planning permission if the scheme can meet the following requirements. Otherwise, we would object to this planning application.

Requirement 1: Protected Species: Further information is submitted to satisfactorily demonstrates that the proposal is not likely to be detrimental to the maintenance of the favourable conservation status of the local population of GCN at this locality.

Requirement 2: Protected Species: We advise that presence / absence surveys are required to assess the extent of adverse effects on the bats and any avoidance or mitigation measures required. This must demonstrate that the proposed development would not be likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Protected Species

An ecological report has been submitted to inform the planning decision making process (Preliminary Ecological Appraisal, Land Adjoining Bryn Rhedyn Farm, Bronwylfa Road, Legacy, Wrexham, Tyrer Ecological Consultants, 26/11/2019).

In our view, the overall proposal has the potential to cause disturbance to great crested newts (GCN) and/or loss or damage to their resting places. We consider that it is possible that the species utilizes the site for foraging, dispersal or sheltering purposes. We hold multiple records of the species directly adjacent the site, within 29m of the site, and within approximately 180m of the site.

We advise that the current ecological report is unsatisfactory.

Requirement 1: Protected Species: Further information is submitted to satisfactorily demonstrates that the proposal is not likely to be detrimental to the maintenance of the favourable conservation status of the local population of GCN at this locality.

Material issues include:

- Absence of background searches on extant ecological information;
- Fails to include details or approaches to amphibian avoidance e.g. newt fencing /mitigation;
- Fails to provide any mitigation/compensatory proposals;
- Fails to consider biosecurity issues.

In conclusion, we do not consider the ecological report satisfactorily demonstrates that the proposal is not likely to be detrimental to the maintenance of the favourable conservation status of the local population of GCN at this locality. Further information is required to assess the extent of adverse effects on GCN and any avoidance or mitigation measures required.

Bats

We note that the bat report submitted in support of the above application (Preliminary Ecological Appraisal, Land Adjoining Bryn Rhedyn Farm, Bronwylfa Road, Legacy, Wrexham, Tyrer Ecological Consultants, 26/11/2019) has identified potential roost features. From the information submitted, we consider that the proposed development represents a risk for bats, as defined in our guidance document '*Natural Resources Wales Approach to Bats and Planning (2015)*'. We note that the bat report has identified the need to undertake additional survey work to assess the need for avoidance / mitigation measures. Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017.

Requirement 2: Protected Species: We advise that presence / absence surveys are required to assess the extent of adverse effects on the bats and any avoidance or mitigation measures required. This must demonstrate that the proposed development would not be likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

In the meantime, we are unable to give you any assurance that the proposal would not be likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

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, including environmental interests of local importance.

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 to Developer

Pollution Prevention

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/>

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>

Foul Drainage

No information has been provided regarding the disposal of foul waters from the proposed development. We refer you to WG Circular 008/2018 on the use of private sewerage in new developments, and specifically paragraphs 2.3-2.5, which stress the first presumption must be to provide a system of foul drainage discharging into a public sewer. Please consult us again if foul sewage from the proposed development is to be disposed of by a private sewerage system.

Yn gywir / Yours sincerely,

Daniel Davies

Daniel Davies

Cynghorydd Cynllunio Datblygu / Development Planning Advisor

Cyfoeth Naturiol Cymru / Natural Resources Wales