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14/07/2020

Dear Sir/Madam,

PROPOSAL: VARIATION OF CONDITIONS 3, 4, 5 AND 30 OF APPEAL APP/H6955/A/15/3135730 (P/2013/0545) - EXTEND RESERVED MATTERS SUBMISSION DATE AND REMOVAL OF ROUNDABOUT.

LOCATION: LAND AT BANGOR ROAD, JOHNSTOWN, WREXHAM

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 2nd July 2020.

We have significant concerns with the application as submitted. We do not recommend your Authority varies condition 5 and 30 for the following reasons.

Condition No. 5 and No. 30

Further details are required in respect of measures designed to prevent the incidental capture/injury and killing of amphibians in roadside gullypots.

Protected Sites

Special Area of Conservation

We have concerns that a significant effect from the proposed development on the Johnstown Newt Sites Special Area of Conservation (SAC) cannot be ruled out. The application is located adjacent to the Johnstown Newt Sites SAC. This site supports a nationally important population of great crested newt (*Triturus cristatus*).

The following requirements need to be met before allowing the proposed development to proceed. We would object to the variation of condition 5 and 30 if the requirements are not met.

Further information is submitted to carry out a Habitats Regulations Assessment (HRA) under regulation 63 of the Conservation of Habitats and Species Regulations 2017 prior to the determination of the planning application.

The applicant has submitted an ecological addendum letter (Reference: Newbold, S.(2020). Great Crested Newt Reasonable Avoidance Measures for Vauxhall Court, Vauxhall Ind Estate, Ruabon. Kingdom Ecology. Unpublished). However, the ecological addendum fails to consider impacts of existing and proposed surface water management systems on amphibian populations. Gullypots are known to cause the incidental entrapment, injury and/or killing of amphibians including the great crested newt. Surveys carried out in 2019 identified amphibian dispersal across Bangor Road.

We consider that roadside gullypots may have implications on the great crested newt site feature. We therefore advise that details are required of evidence that proposed surface water management schemes have been designed to allow safe amphibian access and egress.

The further information will need to consider the SAC conservation objective that specifically refers to the impacts of roadside gullypots on great crested newt.

Should you also conclude that the proposed development is likely to have a significant effect on the European site, we look forward to being consulted on your appropriate assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

Site of Special Scientific Interest

NRW consider the proposals have the potential to impact upon the Stryt Las a'r Hafod Site of Special Scientific Interest (SSSI) and its amphibian features for the reasons explained above. Providing the impact pathways referenced above for the SAC are adequately addressed for the amphibian features associated with the Stryt Las a'r Hafod SSSI, NRW consider the features of the SSSI will also be adequately safeguarded.

Condition No. 3

We have no objection to the variation of condition 3 for the above proposal.

Condition No 4

We have no objection to the variation of condition 4 for the above proposal.

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](https://www.naturalresourceswales.gov.uk). 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](https://www.naturalresourceswales.gov.uk) for further details.

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

Yours faithfully,

Ruth Prichard

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