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12/02/2020

FAO Matthew Phillips

Annwyl / Dear Matthew,

BWRIAD / PROPOSAL: DEMOLITION OF DERELICT BUILDING AND ERECTION OF 4 NO. SEMI-DETACHED DWELLINGS

LLEOLIAD / LOCATION: LAND ADJACENT TO LLAY HALL, RIVERSIDE BUSINESS PARK, WREXHAM

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 28/01/2020.

We have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if the following requirements is met and you attach the following condition to the permission. Otherwise, we would object to this planning application.

Requirement 1: Protected Species: We advise that further information is required to assess the extent of adverse effects on the bats and any avoidance or mitigation measures required.

Condition 2: Any consent includes the imposition of a condition requiring the submission and implementation of a Biosecurity Risk Assessment to the satisfaction of the LPA

Protected Species

Bat

We note that the bat report submitted in support of the above application (Preliminary Ecological Appraisal Report, Land adj. to Llay Hall Riverside Business Park, Pearce Environment, October 2018) has identified that there is a reasonable likelihood of bats being present at the application site. Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017.

Requirement 1: Protected Species: We advise that further information is 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.

As mentioned in the Preliminary Ecological Appraisal Report presented in support of this application, Emergence Surveys are required in order to establish the presence of bats from the structure, as well as the use.

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.

Biosecurity

We consider biosecurity to be a material consideration owing to the nature and location of the proposal. In this case, biosecurity issues concern invasive non-native species (INNS) and diseases.

Condition 1: Any consent includes the imposition of a condition requiring the submission and implementation of a Biosecurity Risk Assessment to the satisfaction of the LPA.

We consider that this assessment must include

- i (i) appropriate measures to control any INNS on site; and
- ii (ii) measures or actions that aim to prevent INNS being introduced

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

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-ppps-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>

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

Yn gywir / Yours faithfully

Daniel Davies

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