

Maes y Ffynnon,
Penrhosgarnedd,
Bangor,
Gwynedd,
LL57 2DW

northplanning@cyfoethnaturiolcymru.gov.uk
03000 654099

Wrexham County Borough Council
The Guildhall,
Wrexham
LL11 1AY

07/01/2020

For the attention of Matthew Phillips

Dear Matthew,

**BWRIAD / PROPOSAL: OUTLINE APPLICATION FOR RESIDENTIAL
DEVELOPMENT AND DETAILED MEANS OF ACCESS WITH ALL
OTHER MATTERS RESERVED
LLEOLIAD / LOCATION: Land Either Side Of, Chain Road, Stansty, Wrexham**

Thank you for consulting Natural Resources Wales (NRW) about the above, which was received on 19/12/2019.

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

Condition 1: No development shall commence until a site wide Site Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan should include:

- Submission and implementation of a Reasonable Avoidance Measures (RAMs) Scheme relating to Great Crested Newts.
- Full details of lighting shall be submitted. The Lighting Plan must include details of the siting and type of external lighting to be used.
- Measures to protect trees with potential to support bats.

- Biosecurity Risk Assessment. The risk assessment shall include measures to control, remove or for the long-term management of invasive species both during construction and operation.

The site management plan shall be carried out in accordance with the approved details.

Condition 2: Unsuspected contamination: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Protected Species

The consultation is supported by an ecological report (Land at Mold Road and Stansty Chain Road, Wrexham: Ecological Assessment, TEP, October 2019).

In our view surveys and assessments in respect of bats, great crested newt, otter and water vole are appropriate. We consider the ecological report is satisfactory for the purposes of informing the planning decision making process.

In this case, the ecology report concludes that the proposed development is not likely to harm or disturb the GCN or their breeding sites and resting places at this site, provided avoidance measures are implemented. We do not consider that the development is likely to be detrimental to the maintenance of the favourable conservation status of the local population of this species. However, we advise that an avoidance scheme is submitted

We note that the ecological report makes a number of recommendations with regards to future design of the site. We would recommend inclusion of the measures identified in the Ecological Assessment to be implemented into the detailed design.

Artificial Lighting

In line with the recommendations in the Ecological Assessment we advise a lighting plan following the guidance in [ILP Guidance Note 08/18](#) must be submitted to ensure lighting details are agreed prior to installation and to reduce the impacts of lighting in the interest of protected species and commuting corridors.

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.

Therefore, a Biosecurity Risk Assessment is required. The risk assessment shall include measures to control, remove or for the long-term management of invasive species both during construction and operation.

This is required to ensure that an approved Biosecurity Risk Assessment is implemented to secure measures to control the spread and effective management of any invasive non-native species at the site.

It is therefore recommended that a site conservation management plan be prepared. This should build upon the principles outlined in ecological report.

Condition 1: No development shall commence until a site wide Site Conservation Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan should include:

- Submission and implementation of a Reasonable Avoidance Measures (RAMs) Scheme relating to Great Crested Newts.
- Full details of lighting shall be submitted. The Lighting Plan must include details of the siting and type of external lighting to be used.
- Measures to protect trees with potential to support bats.
- Biosecurity Risk Assessment. The risk assessment shall include measures to control, remove or for the long-term management of invasive species both during construction and operation.

The site conservation management plan shall be carried out in accordance with the approved details.

Contaminated Land

To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks we advise the following condition is attached to any planning permission.

Condition 2: Unsuspected contamination: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Surface Water Drainage

We advise referring this application to the Lead Local Flood Authority (LLFA) and SuDS Approving Body (SAB) (in this case Wrexham County Borough Council) to comment on flood risk from ordinary watercourse/surface water, and to advise in respect to the SAB requirements.

Other Matters

Please note, if further information is prepared to support an application, it may be necessary for us to change our advice in line with the new information.

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.

In addition to planning permission, you are advised to ensure all other permits/consents/licences relevant to the development are secured. Please refer to our [website](#) for further details.

Further advice on the above matters could be provided prior to your planning application being submitted, however there would be a charge for this service. Additional details are available on our [website](#).

Advice for the Applicant / Developer:

Pollution Prevention

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-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

Waste Regulation

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 provided information on how to classify waste and register as a waste carrier or hazardous waste producer:

<http://naturalresources.wales/waste/how-to-classify-and-assess-waste/?lang=en>

<http://naturalresources.wales/apply-for-a-permit/waste/?lang=en>

Further guidance can be found on the GOV website here:

<https://www.gov.uk/managing-your-waste-an-overview/duty-of-care>

Surface Water Drainage

We refer the developer to the Environment Agency (2017) 'Approach to groundwater protection' position statements which have been adopted by Natural Resources

Wales. In particular the developer should be aware of the advice under Position Statement G13 (Sustainable drainage systems) which applies to this development.

Ordinary Watercourse Consent

Any works affecting the ordinary watercourse may require an Ordinary Watercourse Consent from the relevant Lead Local Flood Authority, in this case Wrexham County Borough Council.

Landfill

According to our records the proposed development site is located near to land that is, or has been, used for the deposition of waste material. We would therefore advise you to consult with the local authority's Environmental Health and Building Control Departments, as they may hold detailed records, and may wish to make appropriate recommendations in respect of landfill gas investigation/remedial work. The developers should be made aware of the existence of the landfill site(s) so that they can decide whether or not to make their own investigations into the presence of landfill gas. It should also be noted that Waste Management Paper 27 states "It has been found that many sites which have taken only supposedly 'inert' waste have produced gas".

Yn gywir / Yours faithfully,

Daniel Davies

Daniel Davies

Cynghorydd, Cynllunio Datblygu / Advisor, Development Planning

Cyfoeth Naturiol Cymru / Natural Resources Wales