

Wrexham County Borough Council
The Guildhall,
Wrexham
LL11 1AY

20/02/2020

For the attention of Sharon Holman:

Dear Sharon,

PROPOSAL: CONVERSION OF REDUNDANT OUTBUILDINGS INTO 5 NO DWELLINGS
LOCATION: THE DRURY DRURY LANE TYBROUGHTON WHITCHURCH

Thank you for consulting Natural Resources Wales (NRW) about the above, which was received on 06/02/2020.

We have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if the following requirements are met and you attach the following condition to the permission. 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.

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.

Protected Species

Great Crested Newts

An ecological report has been submitted to inform the planning decision making process (Ecological Appraisal, Drury Lane Farm, October 2019, Greenscape Environmental Ltd.).

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 note that the Ecological Appraisal has identified the need to undertake additional survey work (phase 2 GCN surveys):

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.

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 (Ecological Appraisal, Drury Lane Farm, October 2019, Greenscape Environmental Ltd.) 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.

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, 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

With respect to the discharge of effluent to ground or surface water, the Applicant will need to apply for an environmental permit or register an exemption with us. Septic tanks and small sewage treatment works may be registered as exempt from the requirement to obtain an environmental permit if certain criteria are met. Please note, should a permit be required, further information may be required as part of that application and the Applicant is therefore advised to hold pre-application discussions with our Permitting Team on 0300 065 3000, at the earliest opportunity, to try to ensure that there is no conflict between any planning permission granted and the permit requirements. It is important to note that a grant of planning permission does not guarantee that a permit will be granted, should a proposal be deemed to be unacceptable (either because of environmental risk or because upon further investigation, a connection to mains sewer was feasible). The Applicant should ensure that they have all the required permissions, consents, permits and any other approvals in place prior to commencement of works on the site.

More information, including a step by step guide to registering and the relevant application forms are available on our [website](#). Where private sewage treatment/disposal facilities are utilised, they must be installed and maintained in accordance with British Standards 6297 and Approved Document H of the Building Regulations. We also refer the Applicant to the Guidance for Pollution Prevention 4 on the [NetRegs website](#), which provides further information.

Yn gywir / Yours sincerely,

Daniel Davies

Daniel Davies

Cynghorydd Cynllunio Datblygu / Development Planning Advisor

Cyfoeth Naturiol Cymru / Natural Resources Wales