

17/09/2019

FAO Matthew Phillips

Dear Matthew,

**BWRIAD / PROPOSAL: APPLICATION FOR VARIATION OF CONDITION NO. 2
IMPOSED UNDER PLANNING PERMISSION P/2015/0843 TO ALLOW MINOR
AMENDMENTS TO THE PLANS AND ELEVATIONS AND REMOVAL OF CONDITION
NO. 17 RELATING TO THE AIR HANDLING PLAT WHICH HAS BEEN REMOVED
FROM THE DEVELOPMENT
LLEOLIAD / LOCATION: Land Off Ash Road, South Wrexham Industrial Estate,
Wrexham**

Thank you for consulting Natural Resources Wales (NRW) about the above, which was received on 28/08/2019.

We have significant concerns with the variation of Condition no. 2 as submitted. We recommend that you should only grant planning permission if the scheme can meet the following requirements. We would object if the scheme does not meet these requirements.

Requirement 1: additional information provided to demonstrate how the reduction in the amount of habitat area, compared to the amount originally approved, will be compensated for, and how this would be legally secured in the long term.

Protected Species

In relation to proposal to allow minor amendments to the plans, we understand that the approved proposal (details approved under applications P/2015/0843 and P/2016/0797) provides 2245 square metres of habitat area to the site frontage onto Ash Road, and the amendments to the site layout would result in a reduction to 1662 square metres (a 583m² reduction).

The original planning application and derogation licence were granted on the basis of an equivalent area of habitat to the size of the development provided as components of the scheme. We understand that the approval of details relating to Condition 7 – Ecological Management and Monitoring Plan were approved under application P/2016/0797. The plan shown in the appendices of the Biodiversity Management Plan, (Scales Consultancy, final version 3 October 2016) submitted in support of application P/2016/0797, corresponds with the original approved layout (approved drawing no 04 Revision B).

Consequently, the amended proposal is contrary to the details agreed as part of application P/2016/0797 and statements included in the Protected Species Derogation Licence Application.

In these circumstances, we advise:

1. Alternative land is secured for compensatory purposes; and/or
2. A commuted sum is paid to support targeted species conservation action within 5km of Wrexham Industrial Estate.

A derogation licence amendment will be required that reflects the changes together with revised compensation/off setting proposals.

The application should therefore provide additional information, in line with the above requirement, demonstrating how the reduction in the amount of habitat area, compared to the amount originally approved, will be compensated for and how this would be legally secured.

NRW has no comment with regards to the removal of condition no. 17.

Please do not hesitate to contact us if you require further information or clarification on any of the above.

Our comments above only relate specifically to matters that are listed in our 'Consultation Topics' document (September 2018) which is published on our website: (<https://cdn.naturalresources.wales/media/686847/dpas-consultation-topics-august-2018-eng.pdf?mode=pad&rnd=131819256840000000>). 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

The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

Yn gywir / Yours sincerely,

Daniel Davies

Daniel Davies

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