

FAO Mared Rees Jones

06/08/2019

Dear Mared,

**BWRIAD / PROPOSAL: ERECTION OF FOODSTORE (USE CLASS A1), CAR
PARKING, ACCESS AND LANDSCAPING
LLEOLIAD / LOCATION: Land at Home Farm, Gresford Road, Llay Wrexham**

Thank you for consulting Natural Resources Wales (NRW) about the above, which was received on 17/07/2019.

We recommend that you should only grant planning permission if you attach the following conditions. These conditions would address significant concerns that we have identified and we would not object provided you attach them to the planning permission.

Condition 1: Protected Species: Planning permission should include conditions necessary to secure all avoidance and mitigation measures described in the Preliminary Ecological Assessment in relation to bats and GCN.

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

Bats

We note that the bat report submitted in support of the above application (Cambrian Ecology Ltd/Preliminary Ecological Assessment /Land at Home Farm, Llay/21/05/2019) has identified that there is some minimal potential for individual crevice-dwelling bats to be present within crevices in mature trees, although this is further reduced by the presence of street lighting. It is also noted the trees are the subject of a TPO they will be retained, so there should be no impact on potential roosting areas. From the information submitted, we consider that the proposed development represents a lower risk for bats, as defined in our guidance document '*Natural Resources Wales Approach to Bats and Planning (2015)*'. Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017.

As this is a lower risk case for bats, we consider that the development is not likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Furthermore, we advise that the proposed development is not likely to harm or disturb the bats or their breeding sites and resting places at this site, provided the avoidance measures described in the Preliminary Ecological Assessment are implemented.

Condition 1: Protected Species: Planning permission should include conditions necessary to secure all avoidance and mitigation measures described in the Preliminary Ecological Assessment in relation to bats and GCN.

Please consult us again if any further information shows that this is no longer a lower risk case.

Great Crested Newts

We note the mitigation measures proposed associated with GCN. We welcome implementation of these measures.

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 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.

We consider that this assessment must include

- (i) appropriate measures to control any INNS on site; and
- (ii) measures or actions that aim to prevent INNS being introduced to the site for the duration of construction and operational phases of the scheme.

Flood Risk

The site lies in DAM Zone A, we advise that the LPA refer the details of this application to their own Flood Risk/Drainage Department, who act as the Lead Local Flood Authority, so that they can comment on the surface water drainage provision:

Further information on the surface water drainage requirements for Wrexham Lead Local Flood Authority are available from Wrexham Council website link provided below.
http://www.wrexham.gov.uk/english/planning_portal/publications/surface_water.htm

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.

Advice to Applicant

Pollution Prevention

Due to the proximity of the site to watercourses, 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>

Car Park

If a car park is for more than 50 vehicles, then a fuel interceptor must be installed on the drainage from the car park – unless a Sustainable Urban Drainage System (SUDS) is implemented. PPG3 provides further guidance and is 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/>

Where SUDS is proposed for surface run-off from e.g. car parking, the applicant should be advised to refer to the Environment Agency's Position Statement G13 on groundwater protection available on the following link:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/692989/Environment-Agency-approach-to-groundwater-protection.pdf

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 Statements G11 (Discharges from areas subject to contamination) and G13 (sustainable drainage systems) applies to this development.

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