

19/06/2019

Annwyl Syr/Madam / Dear Sir/Madam,

BWRIAD / PROPOSAL: **ERECTION OF 3 NO. EXTENSIONS TO 2 NO. EXISTING INDUSTRIAL WAREHOUSE BUILDINGS WITH ADDITIONAL PARKING, SERVICE YARD AND HARD LANDSCAPING**

LLEIOLIAD / LOCATION: **TCB House, Clywedog Road, South Wrexham Industrial Estate, Wrexham**

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales on the above application, which was received on 11/06/2019.

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.

Summary of Conditions

Condition 1: EPS GCN: The submission and implementation of a dedicated long term on site or off site compensatory scheme.

Condition 2: EPS GCN: The submission and implementation of a long-term site management plan.

Condition 3: EPS GCN: Submission of details of measures designed to prevent the accidental capture/killing of newts post construction.

Condition 4: Biosecurity: Submission and implementation of a Biosecurity Risk Assessment to the satisfaction of the LPA.

Condition 5: ECA: The submission and implementation of an approved ecological compliance audit (ECA) scheme to the satisfaction of the LPA

Protected Species

We note that the report submitted in support of the above application (Sharples, A (2019) Tension Control Bolts Site, Wrexham. Ecological Survey and Assessment. ERAP (Consultant Ecologists)) has identified that GCN are present at Pond 1.

GCN and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017.

In our view, we consider that construction of the proposal has the potential to adversely affect the great crested newt at this site, we do not concur with the proposed avoidance-based approach.

However, we consider that the proposal is not likely to be detrimental to the maintenance of the favourable conservation status of the local population of GCN provided it includes long compensatory proposals such as provision of a compensation area, long term management and wardening, and measures designed to prevent the incidental capture/killing of the species.

We therefore advise that any subsequent consent is subject to the imposition of the below conditions which would address our concerns;

Condition 1: EPS GCN: The submission and implementation of a dedicated long term on site or off site compensatory scheme.

Material attributes of this scheme will, in this case, include future tenure.

Condition 2: EPS GCN: The submission and implementation of a long-term site management plan.

This submission shall include consideration of resources required to implement surveillance, management and wardening. Long term surveillance of the amphibian population to be based on the online Wales GCN monitoring scheme.

Condition 3: EPS GCN: Submission of details of measures designed to prevent the accidental capture/killing of newts post construction.

We would advise that the information submitted should be based around the careful consideration and design of an amphibian friendly surface water management system.

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.

We therefore advise that any consent includes the imposition of a condition requiring the submission and implementation of a Biosecurity Risk Assessment to the satisfaction of the LPA.

Condition 4: Biosecurity: 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.

Ecological Compliance Audit

The purpose of an Ecological Compliance Audit is to evidence compliant implementation of all ecological avoidance, mitigation and compensation works, either proposed or subject to the provisions of reserved matters conditions.

Condition 5: ECA: Submission and implementation of an approved ecological compliance audit (ECA) scheme to the satisfaction of the LPA

We advise that any future consent includes the imposition of a condition that requires the submission and implementation of an approved ecological compliance audit (ECA) scheme to the satisfaction of the LPA.

The ECA should identify Key Performance Indicators (KPI's) that are to be used for the purposes of assessing and to evidencing compliance.

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

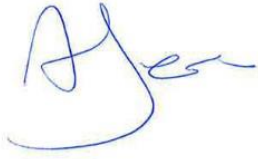
Advice for the Developer:

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.

Geoscience

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.

Yn gywir / Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Alice Jewer', with a stylized, flowing script.

Alice Jewer

Development Planning Advisor
Development Planning Advisory Service