



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-90977-T5T5
Eich cyf/Your ref: P/2019/0460
Ebost/Email: northplanning@cyfoethnaturiolcymru.gov.uk
Ffôn/Phone: 03000 65 4099

FAO Matthew Phillips

17/07/2019

Dear Matthew,

**BWRIAD / PROPOSAL: 71 NO. DWELLINGS), EXTENSION TO COMMUNITY PARKING FACILITY (IN ASSOCIATION WITH NORTHERN PARCEL) WITH ASSOCIATED MEANS OF ACCESS AND OFF-SITE HIGHWAY IMPROVEMENTS WITH ALL OTHER MATTERS RESERVED BUT INDICATIVE PROVISION MADE FOR PEDESTRIAN CROSSING, PEDESTRIAN LINKAGES, PUBLIC OPEN SPACE, LANDSCAPING AND AFFORDABLE HOUSING (RE-SUBMISSION OF PLANNING APPLICATION REFERENCE NO. P/2018/0560)
LLEOLIAD / LOCATION: Land to The North and South of Lane Farm, Rossett**

Thank you for consulting Natural Resources Wales (NRW) about the above, which was received on 17/06/2019.

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.

Condition 1: External lighting/internal light spillage assessment compliant with the provisions of the Institution of Lighting Professionals and Bat Conservation Trust: Guidance Note 08/18: Bats and Artificial Lighting in the UK.

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

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

The application is supported by an ecological report (Reference: Roe, R. (2016). Holt Road, Rossett: Ecological Assessment. Kingdom Ecology. Unpublished). It is NRW's view that the ecological submission is satisfactory for the purposes of informing the planning decision making process.

NRW consider the proposal is:

- not likely to be detrimental to the maintenance of the favourable conservation status of any local populations of European protected species; and
- not likely to adversely affect any local populations of British 'fully' protected species

We note that the report identifies two trees as having potential as bat roosts. The Masterplan drawing (ref 100-37-SMP-01) indicates that the two trees are to be retained.

We note that the report makes recommendation for a bat sensitive lighting site for the plan at detailed design stage. In line with the recommendations in the above document we recommend a condition in relation to the lighting scheme for the proposal.

Condition 1: External lighting/internal light spillage assessment compliant with the provisions of the Institution of Lighting Professionals and Bat Conservation Trust: Guidance Note 08/18: Bats and Artificial Lighting in the UK.

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 entirely in Zone A which is defined by TAN15: Development & Flood Risk, and is considered to be at little or no risk of fluvial or tidal/coastal flooding. We therefore offer no flood risk objections or requirements in relation to this development.

We are however aware of local flood risk concerns associated with this development and potential flooding from the River Alyn. We are satisfied that the current flood risk information demonstrates that fluvial flood risks at the site are low. For your awareness, we have received additional information from a Local Action Group in relation to historic flooding (we understand that a copy of the letter has also been received by the LPA). We have reviewed this information in some detail, and we do not consider that the information shows that fluvial flooding from the River Alyn will affect the site. The information is not sufficient for us to update our Flood Map information nor the Development Advice Map. We remain satisfied that the fluvial flood risks to the site are low, and that our flood mapping information does not need to be updated to reflect recent information provided by members of the public.

Within the information, anecdotal evidence has been provided which indicates that surface water flooding has affected land within the application area. We recommend that you consult your Flood Risk Team, who act as the Lead Local Flood Authority, for further advice in relation to this local sources of flood risk. They will also advise on recent statutory changes relating to the management of surface water runoff from new development sites.

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 Developer

Construction or Demolition sites

All works at the site must be carried out in accordance with PPG6: 'Working at construction and demolition sites' which 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/>

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>

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.

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 / Development Planning Advisor

Cyfoeth Naturiol Cymru / Natural Resources Wales