



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-44682-Q8P9
Eich cyf/Your ref: P/2017/0874

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06/11/2017

Er sylw / For the attention of: Mared Rees

Annwyl / Dear Ms Rees,

TOWN AND COUNTRY PLANNING ACT 1990
DEDDF CYNLLUNIO GWLAD A THREF 1990

**BWRIAD / PROPOSAL: RELOCATION OF EXISTING VEHICULAR ACCESS AND
EXTENSION TO CAR PARK**

LLEOLIAD / LOCATION: LINDOP GARAGE GLANLLYN ROAD BRADLEY WREXHAM

Thank you for consulting Natural Resources Wales (NRW) on the application above, which was received on the 20th of October 2017.

NRW recommends that you should only grant planning permission if you attach the following condition. This condition would address significant concerns that we have identified and we would not object provided you attach them to the planning permission.

Condition 1: implementation of the recommendations contained in the applicant's ecological submission.

European Protected Species

NRW note that the ecology report submitted in support of the above application (Marches Ecology, 2017) has identified the potential for bats and great crested newt (GCN) to be present at the application site. We are satisfied that the report was carried out to an acceptable standard and concur with its conclusions and recommendations.

Bats, GCN and their respective breeding and resting spaces are protected under the Wildlife and Countryside act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended).

Any development that would contravene the protection afforded to these species under the Regulations would require a derogation licence from Natural Resources Wales. A licence may only be authorised if:

- i. There is no satisfactory alternative; and
- ii. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. In addition,
- iii. The development works to be authorised must be for the purposes of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.

Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning (TAN5) states that your Authority should not grant planning permission without having satisfied itself that the proposed development either would not impact adversely on any European Protected Species (EPS) such as bats and GCN on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied.

We do not consider that the proposal is likely to harm or disturb bats, GCN or their breeding sites and resting places at this site. We therefore consider the proposal is not likely to be detrimental to the maintenance of the favourable conservation status of any local populations of EPS.

Therefore, we do not object to the proposal. However, we advise that implementation of the proposed precautionary recommendations and therefore request that consent be subject to the following condition:

Condition 1: implementation of the recommendations contained in the applicant's ecological submission.

This advice applies to the proposal in its present form. Please consult us again if the plans are changed in ways that may harm or disturb EPS or their breeding sites and resting places at this site. The applicant should be advised that should protected species be discovered at any stage during the works, all work should stop immediately and NRW contacted for further advice.

Pollution Prevention

Due to the proximity of the site to watercourses, all works at the site must be carried out in accordance with GPP5 and PPG6: 'Works in, near or over watercourses' and '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/>

Construction Waste

The activity of importing waste into the site for use as, for example hardcore, must be registered with Natural Resources Wales as an exempt/permittable activity under Environmental Permitting Regulations 2010. The developer should contact Natural Resources Wales to discuss the necessity for an exemption/permit for any material imported to and exported from the site. For further information please visit the website <https://www.gov.uk/government/collections/waste-exemptions-using-waste> and contact our Customer Centre on 0300 065 3000 (Mon-Fri, 9am-5pm).

If during construction/excavation works do go ahead and any contaminated material is revealed, then the movement of such material either on or off site should be done in consultation with Natural Resources Wales. Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 34 of the Environmental Protection Act 1990. Carriers transporting waste from the site must be registered waste carriers and movement of any Hazardous Waste from the site must be accompanied by Hazardous waste consignment notes. These notes must be kept for at least two years.

Please do not hesitate to contact us if we can be of any further assistance to you or if you wish clarification on the above.

Our comments above only relate specifically to matters that are included on our checklist "Natural Resources Wales and Planning Consultations" (March 2015) which is published on our website: (<https://naturalresources.wales/planning-and-development/planning-and-development/?lang=en>). 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,



Holly Tomlinson

Cynghorydd Cynllunio Datblygu / Development Planning Advisor

Cyfoeth Naturiol Cymru / Natural Resources Wales