

Head of Environment and Planning
Wrexham County Borough Council
16 Lord Street
Wrexham
LL11 1LG

Er sylw/For the attention of: Philip Forster

Dear Mr Forster

TOWN AND COUNTRY PLANNING ACT 1990

COLD STORE EXTENSION
FIELDS FARM BRONINGTON WHITCHURCH WREXHAM

Thank you for consulting Natural Resources Wales (NRW) about the above, which was received on 16 June 2017.

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 – Great Crested Newt: The Reasonable Avoidance Measures submitted in the ecological report (Reference: Knight, T. (2008) should be implemented

Condition 2: Biosecurity: No development shall take place until a Biosecurity Risk Assessment has been submitted and approved to the satisfaction of the LPA.

Ecology

The applicant has submitted an ecological report for the purposes of informing the public decision making process.

(Reference: Knight, T. (2008). Proposed Extension to Cold Store, Fields Near Bettisfield~: Great Crested Newt Reasonable Avoidance Measures Method Statement: Marches Ecology . Unpublished.

Great Crested Newt

The application site was subject to a preliminary assessment in respect of great crested newt. This was based on assessing the suitability of a possible breeding site located close to the application site. Although originally submitted in 2008, we consider the proposed approach to be in this case proportionate and therefore satisfactory.

The assessment and conclusions of the report confirm the potential presence of the species within in the environs of Bronington. As a consequence the report advocates non-licensed best practice Reason Avoidance Measures (RAMS). We concur with this conclusion and subsequent recommendations.

The great crested newts and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2010 (as amended). Any development that would contravene the protection afforded to newts under the Regulations will 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, 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 great crested newt on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied.

We consider that in 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.

Therefore, we do not object to the proposal. However we advise the submitted avoidance measures described in the ecological submission be subject to suitable planning conditions and/or a Section 106 agreement to ensure appropriate implementation.

Condition 1: Protected Species – Great Crested Newt: The Reasonable Avoidance Measures submitted in the ecological report (Reference: Knight, T. (2008) should be implemented

This advice applies to the proposal in its present form. If the plans are changed in ways that may harm or disturb the newts or their breeding sites and resting places at this site, you would need a revised ecology report that takes account of such changes.

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 future consent includes the imposition of a condition requiring the submission and implementation of a Biosecurity Risk Assessment to the satisfaction of the LPA.

Condition 2: Biosecurity: No development shall take place until a Biosecurity Risk Assessment has been submitted and approved 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.

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.

Yours sincerely

Meryl Read

MRS MERYL W READ
Technical Specialist

Direct dial 03000 653785

Direct e-mail meryl.read@cyfoethnaturiolcymru.gov.uk

