

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

8 February 2017

Er sylw / For the attention of: Kevin Hughes

Annwyl / Dear Mr Hughes

TOWN AND COUNTRY PLANNING ACT 1990
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**BWRIAD / PROPOSAL: Erection Of 1 No. Bungalow With Detached Garage, 1. No
Dormer Bungalow With Linked Double Garage And 1 No. Dormer Bungalow With
Detached Triple Garage**

LLEOLIAD / LOCATION: Land south of Lane End, Penley, Wrexham

Thank you for consulting Natural Resources Wales (NRW) about the above, which was received of 17 January 2017.

We recommend that you should only grant planning permission if you attach the following condition. 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: Submission of method statement incorporating reasonable avoidance measures with respect to Great Crested Newts

Condition 2: Submission and implementation of a Biosecurity Risk Assessment

Condition 3: Foul drainage must connect to the public sewerage system

Ecology

The applicant has submitted ecological reports for the purposes of informing the public decision making process. (Reference:

Ellson, M and Thomson, J (2014) Proposed Residential Development, Lane End, Penley, Wrexham – Daytime Inspection & Assessment in Relation to Bats, Marches Ecology and Tyrer Partnership . Unpublished.

Ellson, M. (2014) Proposed Residential Development, lane end, penlwey, Wrexham – Great Crested Newt Pond Scoping Exercise and reasonable Avoidance Measures Method Statement. Marches Ecology. Unpublished.

Holmes, L. (2014) Ecological Scoping Report. Solum Environmental Limited. Unpublished.

Great Crested Newts

We note that the ecological submissions submitted in support of the above application have identified the presence of the great crested newts within the environs of the application site.

Great crested newts (GCN)s 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 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 newts on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied.

Condition 1:

Subject to implementation of the reasonable avoidance measures cited in the submission, we do not consider that the proposal is likely to harm or disturb the newts or their breeding sites and resting places at this site and, therefore, 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, subject to all avoidance measures described above being set out in a method statement and secured through the inclusion of a suitable planning condition and/or Section 106 agreement.

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 the newts or their breeding sites and resting places at this site.

Please also note that any changes to plans may affect the need for a licence from Natural Resources Wales.

Bats

NRW consider that the submitted bat survey and assessment have been carried out to a satisfactory standard and concur with the conclusions.

The ecological submissions are satisfactory, for the purposes of informing the planning decision making process.

Biosecurity

Condition 2:

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.

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.

Foul Sewage

The proposed method for disposal of foul drainage from the site is unclear as the applicant has indicated both mains drainage and septic tank on the application form.

The site is within a publicly sewered area. The installation of private sewage treatment facilities within publicly sewered areas is not considered environmentally acceptable. We are therefore opposed to such facilities and connection should be made to the DWR Cymru/Welsh Water public foul sewer.

The applicant should be made aware that should it be intended to install a private foul drainage system for the proposal an Environmental Permit under the Environmental Permitting Regulations 2010, from Natural Resources Wales would be required. In view of the proximity of the public sewer a permit may not be granted.

Condition 3: Foul drainage must connect to the public sewerage system.

Please don't hesitate to contact me if you require 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

Meryl Read

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