

16 Lord Street,
Wrexham,
LL11 1LG

Ein cyf/Our ref: TH/CAS-26390-B5V1

Eich cyf/Your ref: P/2016/0953

09/12/2016

Er sylw / For the attention of Philip Forster

Annwyl Syr/Madam / Dear Sir/Madam,

TOWN & COUNTRY PLANNING ACT 1990

**BWRIAD / PROPOSAL: CHANGE OF USE OF CROSS LANES COUNTRY HOTEL
(USE CLASS C1) AND THE LODGE (USE CLASS C3) TO
CHILDREN'S ACTIVITY CENTRE (USE CLASS C2 TO INCLUDE
EXTENSION TO EXISTING HOTEL BUILDING, ERECTION OF
BUILDINGS AND EQUIPMENT FOR CHILDREN'S ACTIVITIES WITH
ASSOCIATED CAR PARKING, COACH PARKING, LANDSCAPING
AND RAILINGS**

**LLEIOLIAD / LOCATION: FORMER CROSS LANES HOTEL, BANGOR ROAD,
CROSS LANES**

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above.

Further information was sent to NRW and the LPA on the 15/11/2016. NRW considers that the response dated 21/10/2016 remains generally applicable. Specifically that NRW has significant concerns with the proposed development as submitted. We recommend that you should only grant planning permission if the scheme can meet the following requirements. We would object if the scheme does not meet these requirements.

Requirement 1: Protected Species: submission of appropriate mitigation strategy including biosecurity measures

Protected Species:

GCN

In Appendix A attached to this letter, NRW has provided a detailed assessment of the survey/ strategy provided by the applicant. We would strongly encourage the applicant to discuss the proposals with NRW and the LPA ecologist prior to any further information being produced.

In summary, NRW considers that the applicant has failed to demonstrate that the proposed development is not be likely to be detrimental to the maintenance of the favourable conservation status of the GCN population at this site.

Any appropriate scheme will need to include, but not be restricted to the submission of the following further information:

- The submission and implementation of detailed great crested newt avoidance and mitigation measures;
- The submission and implementation of long term compensatory proposals including, appropriate sized compensation area (based on 'like for like') and appropriate tenure;
- The submission and implementation of long term management, surveillance and wardening proposals;
- The submission of proposals that evidence the long term long term provision of resources for future management, wardening and surveillance;
- The inclusion of a planning condition to any planning permission that prevents the commencement of development works until your authority has been provided with a licence that has been issued to the applicant by Natural Resources Wales pursuant to Regulation 53 of the Conservation of Habitats and Species Regulations (2010) authorizing the specified activity/development to ahead, or Natural Resources Wales has informed the applicant that such a licence is not required
- We advise that any future consent includes the imposition of a condition that requires the submission and implementation of an approved ecological compliance audit scheme to the satisfaction of the local planning authority. The purpose of this condition is to facilitate the provision of evidence that demonstrates implementation of the proposal accords with the provisions of planning (and other) statutory consents

Therefore, we object to the development as currently proposed, and recommend planning permission is refused until it can be demonstrated that the proposed development satisfies derogation provisions under the Habitats Directive and the Conservation of Habitats and Species Regulations 2010 (as amended).

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.

We consider that this assessment must include:

- appropriate measures to control any INNS on site; and
- 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 you require further information or clarification of any of 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,

Tomos Hughes

Mr T P L Hughes

Uwch Gynghorydd Cynllunio Datblygu / Senior Development Planning Adviser
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Appendix A-

1	Need for off site translocation	NRW agree that the need for an off site translocation scheme is unlikely. There is sufficient land to design an appropriate scheme What we do however require is the identification of retained /off setting areas to be managed specifically for GCN
2	Barriers	NRW concur with these comments
3	Derogation criterial	NRW concur with these points
4	NE Standing Advice	NE is not the relevant regulatory body for EPS in Wales No apparent attempt has been made to consult with NRW or WCBC regarding the detail of this scheme
5	Detailed Scheme	A detailed scheme is advised to be submitted to WCBC and NRW An appropriate Framework document is now advocated. Current submissions raise issues of uncertainty and are therefore considered to be unsatisfactory
6	Impacts	We agree that impacts cannot be avoided We consider that there will be habitat loss during construction and on completion of the scheme A losses and gains table is advocated to inform impact assessment As a further consideration, the environs of Wrexham Ind. Estate are considered to support a nationally important population of GCN that is considered to be decline
7	Major impact	We are unsure what is meant by major impact. The legal criterion is demonstrated no detriment to the maintenance of the FCS of the affected local population of GCN. At present the submission is considered to fail this mandatory test
8	Long Term	We agree that an appropriate scheme could be devised and that this is regulated by planning condition, obligation
9	Impacts	We agree that the proposal will result in the

		loss of habitat. In our view the loss must be offset by the dedication of a GCN compensatory site. We are at present unclear where this is located and what scale is required.
10	Other impacts	Incidental capture killing impacts is not considered (e.g. gullypots) Biosecurity impacts have not been considered
11	Habitat modification	In our view, an appropriately designed scheme could result in an overall increase in habitat suitability, provided long term issues such as management, wardening, surveillance and tenure of the offsetting area are appropriately addressed
12	New Lake	It is NRW's opinion that the lake will result in loss of habitat. Also it is considered to represent a risk in (1) In attracting potential predators (fish); and (2) Biosecurity We are uncertain as to what is meant by stabilization of the water table. NB Typically ponds in NE are fed by surface water (as opposed to ground water).
13	Temporary Fencing	No specific comment. Note the specification in the EN GCN Mitigation Guidelines is too shallow
14	Trapping Strategy	NRW agree with the approach. However, we advise that a dedicated compensation/retained area is now identified Note that there appears to be 6 ponds within 250m of the application site
15	Habitat Mitigation/Compensation	In our view, the proposals will result in the net loss in the extent of habitats. As the species utilizes underground tunnels, voids and chambers, habitat assessment is too simplistic. Improved grassland can be used for foraging Statutory sites for the species include amenity grassland

		However, given the overall extent of application, it is considered that a dedicated GCN conservation area can be identified
16	Long Term Surveillance	Proposals are not considered to be satisfactory. It is advocated that surveillance is carried out annually and the results uploaded into the ARC/Cofnod on-line system
17	Long term management	No data provided
18	Newt fencing	Fencing should be checked every 24 hours. Maintenance to be carried out within 24 hours of check
19	Ecological compliance audit	Has not considered