

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

24 January 2017

Er sylw / For the attention of: Matthew Phillips

Annwyl / Dear Mr Phillips

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

**BWRIAD / PROPOSAL: Erection of Industrial Building to be Sub-Divided to Form 3
Light Industrial Units**

LLEOLIAD / LOCATION: Vauxhall Court, Vauxhall Industrial Estate, Ruabon

Thank you for consulting Natural Resources Wales (NRW) about the above, which was received on 16 January 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: Implementation of proposed amphibian avoidance measures to the satisfaction of the LPA.

Condition 2: Implementation of an amphibian 'Reasonable Avoidance Measures Scheme (RAMS)

Condition 3: Submission and implementation of a Biosecurity Risk Assessment to the satisfaction of the LPA.

The applicant has submitted an ecological survey and assessment

(Reference: Roe, R (2016). Great Crested Newt Reasonable Avoidance Measures for Vauxhall Court, Vauxhall Ind Estate, Ruabon. Kingdom Ecology. Unpublished.

Statutory Sites

The application site is located within 150m of Johnstown Newt Sites Special Area of Conservation (SAC). This site support a nationally important population of great crested newt (Triturus cristatus).

We advise that the proposal may have implications for the SAC, SPA or Ramsar sites listed above and you should carry out a test of likely significant effects under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended).

We remind you that, as a competent authority for the purposes of the 2010 Regulations, your authority must not normally agree to any plan or project unless you are sure beyond reasonable scientific doubt that it will not adversely affect the integrity of a SAC, SPA or Ramsar site.

Without prejudice to your assessment, we consider that the above submitted proposal, when considered in combination with other plans and projects in the environs of Johnstown, is not likely to have a significant effect on the Johnstown Newt Sites SAC.

The application site is also located within 150m of the boundary of Stryt Las a'r Hafod Site of Special Scientific Interest (SSSI). This site supports a nationally important population of great crested newt (Triturus cristatus), and an assemblage of amphibian species.

Great Crested Newts

Condition 1

Owing to the proximity of the application site to the SSSI, we therefore advise that any consent is subject to the imposition of a condition requiring the implementation of proposed amphibian avoidance measures to the satisfaction of the LPA.

NRW considers that the submitted assessment in respect of the great crested newt is satisfactory for the purpose of informing the public decision making process and also concurs with the advice cited in the ecological submission in respect of this species, including the recommendation concerning the implementation of amphibian 'Reasonable Avoidance Measures Scheme' (RAMS) during the construction phase of the proposals.

Condition 2

It is advised that the proposed amphibian 'Reasonable Avoidance Measures Scheme' (RAMS) is subject to condition to ensure appropriate implementation

Biosecurity

Biosecurity is considered to be a material consideration owing to the nature and location of the proposal.

Condition 3

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.

It is considered 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 development and restoration

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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Uwch-gynghorydd Cynllunio Datblygu / Senior Development Planning Advisor
Cyfoeth Naturiol Cymru / Natural Resources Wales