

Matthew Phillips
Planning Control Department
Wrexham County Borough Council
16 Lord Street
Wrexham
LL11 1LG

Date: 19th November 2015

Dear Mr Phillips,

**CONSTRUCTION OF MENAGE
CAE BRYNNER COTTAGE, HOLT ROAD, ISYCOED, LL13 9RL**

Thank you for consulting us on the above application, which we received on the 26th October 2015.

We have no objection to the application, but have the following comments:

Our main concern regarding this application is the potential impact on the great crested newt. The great crested newt is protected under the Wildlife and Countryside Act 1981 (as amended) and the EC Habitats and Species Directive (as implemented in Great Britain by the Conservation of Habitats and Species Regulations 2010 (as amended)).

We can confirm that this species has been recorded in ponds present within the environs of the application site. The proposal therefore has the potential to cause disturbance to individuals and/or cause damage or destruction to their terrestrial resting places.

In our view, the proposal is not likely to be detrimental to the maintenance of the favourable conservation status of any local populations of this species.

If the great crested newt is recorded within the boundary of the application site, operations may only proceed after an appropriate licence has been issued by Natural Resources Wales (NRW) and any conditions complied with. This licence can only be issued for the purposes of preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature, and beneficial consequences of primary importance for the environment. Furthermore, this specific licence can only be issued by NRW if it complies with the following criteria that there is no satisfactory alternative, and the development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

The presence of a protected species is listed as a material planning consideration under the provisions of Planning Guidance Wales and Technical Advice Note (TAN) Number 5. Therefore, to ensure that amphibians are not affected by the implementation of the proposal, we would recommend that the applicant should be conditioned to propose and deliver amphibian mitigation

proposals to the satisfaction of the local planning authority. We anticipate that appropriate mitigation measures will entail the implementation of Reasonable Avoidance Measures (RAMs), such as the erection of a 1-way amphibian fence, prior to and throughout the duration of construction operations. However, if works are undertaken without an appropriate licence, we advise that works must immediately stop in the event of the great crested newt being found. Operations can recommence on receipt of the appropriate licence issued by NRW.

Please note that we have not considered possible effects on all local or regional interests, including those relating to the upkeep, management and creation of habitat for wild birds. Therefore, you should not rule out the possibility of adverse effects on such interests, which would be relevant to your Authority's general duty to have regard to conserving biodiversity, as set out in section 40 of the Natural Environment and Rural Communities (NERC) Act (2006). This advice includes any consideration of the planned provision of "linear" and "stepping stone" habitats as defined in Article 10 of the Habitats Directive.

To comply with your Authority's duty under section 40 of the NERC Act, to have regard to conserving biodiversity, your decision should take account of possible adverse effects on such interests. We recommend that you seek further advice from your authority's internal ecological adviser and/or third sector nature conservation organisations such as the local wildlife trust, RSPB, etc. The Wales Biodiversity Partnership's web site has guidance for assessing proposals that have implications for section 42 habitats and species (www.biodiversitywales.org.uk).

The importing of inert waste onto the site for storage or use in construction, maintenance or improvement works, for example hardcore, soils, must be registered with Natural Resources Wales under The Environmental Permitting (England and Wales) Regulations 2007 and comply with the conditions of the relevant permit. It should be noted that the registration of some exempt activities for the use of waste material for relevant works require a 25 working day consultation period. This is to allow assessment, determination and authorisation prior to commencement of any activity authorised under the relevant permit from The Environmental Permitting (England and Wales) Regulations 2007.

Any manure storage should be sited on an impermeable surface at least 10m away from any watercourse or spring. Spreading of manure should be carried out in accordance with the MAFF "Code of Good Agricultural Practice."

Yn gywir / Yours' faithfully,



Mr. GARETH THOMAS

Swyddog Cyswllt Cynllunio / Planning Liaison Officer

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