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OUTLINE APPLICATION FOR THE ERECTION OF 9 DWELLINGS WITH ACCESS ON TO ELLESMERE LANE - ALL MATTERS RESERVED EXCEPT ACCESS AND LAYOUT LAND OFF AND EAST OF ELLESMERE LANE, PENLEY, WREXHAM, LL13 0LP

Thank you for consulting us on the above application, which we received on the 10th June 2015.

We recommend that any permission includes the following conditions:

Protected Species

We consider the ecological survey and assessment in this case to be satisfactory.

We consider the proposal will not be detrimental to the maintenance of the favourable conservation status of any populations of the great crested newt. However, we advise that any consent is subject to the imposition of conditions that ensure the effective safeguard and protection of this species during the implementation of the construction phase of the proposal. We advise that conditions address the following issues:

- 1) Implementation of great crested 'reasonable avoidance measures' shall be in accordance with the provisions of the submitted scheme; and
- 2) The submission for approval and compliant implementation of contingency measures that will be implemented in the event of one or more great crested newts being found. This scheme to include any subsequently required mitigation, compensation or off-setting measures.

Bats are known within the vicinity of the proposal. Trees and hedges should be retained as they have been identified as bat foraging and commuting lines (in particular hedges at the north corner, and west side). There should be minimal lighting, and directed away from the trees and hedges. The lighting scheme should be approved by the Local Planning Authority.

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 permission 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 phase of the scheme.

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.

Statutory Sites

The proposal will not affect the features, ecological integrity or functionality of any statutory sites of ecological, geological and/or geomorphologic interest. The proposed scheme will not affect the character or integrity of any statutory protected or nationally important landscapes.

Flood risk

The site is in Zone A as defined by TAN 15 Development and Flood Risk (July 2004) and shown on the Welsh Government's Development Advice Map (DAM). However, Natural Resources Wales' Flood Map for Surface Water shows that some areas of the site are shown to be at risk of surface water flooding. In addition, the applicant's submitted Phase 1 Contamination Report Preliminary Risk Assessment indicates that the site is prone to surface water flooding.

The proposed development has potential to increase flood risk to developments offsite, because it will increase the surface area of impermeable ground, thus reducing percolation and increasing rapid surface water runoff. In accordance with Section 8 of TAN 15, in all zones, development should not increase flood risk elsewhere.

RECOMMENDATION: Prior to the grant of any planning permission, we recommend the production of a surface water management plan to outline the methods for surface water disposal. The plan should include information on how rates of runoff will be restricted and how volumes will be attenuated on site.

Natural Resources Wales' general requirement for surface water is that, for the range of annual flow probabilities from 1 in 1 year up to and including the 1% (1 in 100 year) event plus an allowance for climate change, the developed rate of run-off should be reduced in comparison to the undeveloped rate for the same event.

Natural Resources Wales encourages the use of Sustainable Drainage Systems (SuDS), i.e. using techniques to control surface water runoff as close to its origins as possible. Techniques used may include infiltration devices such as soakaways, swales and infiltration trenches; filter drains and permeable and porous pavements; or basins and ponds which may also be a feature of a development. Appendix 4 of TAN 15 contains information on Sustainable Drainage Systems and links to other useful references.

Waste Management

We recommend that a Site Waste Management Plan (SWMP) is drawn up prior to scheme's commencement in order to ensure full duty of care is complied with. Waste should be reused on site where possible. The SWMP should incorporate a monitoring system for wastes removed from site for reuse or disposal.

Historic Landscape

The proposal is within or may affect the Maelor Landscape of Outstanding/Special Historic Interest. While this is not a statutory designation, chapter 6 of Planning Policy Wales (PPW) states that it is a material consideration in the planning process and must be given due regard when reaching a determination.

Where a condition has been imposed which has been suggested by NRW or which meets NRW's objective, the Local Planning Authority should consult with NRW to secure compliance with the condition prior to its discharge. A copy of the subsequent decision notice would be appreciated.

Yn gywir / Yours' faithfully,



Mr. GARETH THOMAS

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cc: OM Architecture & Design