

From: Crump, Angharad <Angharad.Crump@cyfoethnaturiolcymru.gov.uk>
Sent: 18 June 2015 10:32
To: Jones, Hefin
Subject: FW: 3005348
Attachments: 2108_001.pdf

Hefin,

Thank you for forwarding us details of the above appeal.

Please find attached our response. As identified although the development is likely to affect Great Crested Newts, we are satisfied that the submission along with the requested conditions and obligations will ensure that the development will not have a detrimental impact on the maintenance of the favourable conservation status of GCN.

In addition the development will need to proceed under a derogation licence from NRW.

Please do not hesitate to contact us if we can be of any further assistance to you.

Regards

Angharad

Angharad Wyn Crump MRTPI
Uwch Swyddog Cadwraeth/Senior Conservation Officer
Cyfoeth Naturiol Cymru / Natural Resources Wales
03000 655 232

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Siaradwr Cymraeg

Gwefan / Website:

www.cyfoethnaturiolcymru.gov.uk / www.naturalresourceswales.gov.uk

Ein diben yw sicrhau bod adnoddau naturiol Cymru yn cael eu cynnal, eu gwella a'u defnyddio yn gynaliadwy, yn awr ac yn y dyfodol.

Our purpose is to ensure that the natural resources of Wales are sustainably maintained, enhanced and used, now and in the future.

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The Planning Inspectorate Yr Arolygiaeth Gynllunio

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Eich Cyf/Your
Ref:

Ein Cyf / Our
Ref: H6955/A/15/3005348

Dyddiad / Date: 18 June 2015

Dear Madam,

I am writing to inform you that we have received the above appeal against the decision of Wrexham County Borough Council to refuse planning permission. I enclose a copy of the appeal form, decision notice and site location plan.

Please complete the attached questionnaire by 16 July 2015.

Please note that all appeal documents are available online. These can be found by using the Planning Portal to aid you in your assessment. Please use the link below and enter the 7 digit case reference number as shown above.

<http://www.pcs.planningportal.gov.uk/pcsportal/casesearch.asp>

Please Note:

Any observations made in relation to this appeal, which will be copied by the Inspectorate to the appeal parties, could result in a request being made for your attendance at any public local inquiry that is held into the appeal.

Any comments you make which refer to the information already in published form should be given the appropriate source references or, you should provide a copy of the documents.

Yours faithfully

Hefin Jones

pp Rhys Rigby
Case Officer
Planning Inspectorate

Rydym yn Croesawu Gohebiaeth yn Gymraeg a Saesneg

We Welcome Communications in Welsh and English

<http://www.planning-inspectorate.gov.uk>



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INVESTOR IN PEOPLE





**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: 2072145
Eich cyf/Your ref: P/2014/0870

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Head of Community and Wellbeing,
Wrexham County Borough Council,
16 Lord Street,
Wrexham.
LL11 1LG

21/01/15

I sylw / For the attention of: Matthew Phillips

PROPOSAL: **Erection of 111 dwellings, provision of roundabout on Llay new road, internal access roads, public open space including wildlife area and retention of existing footpath**

LOCATION: **Land opposite St Peters Close, Off Llay New Road, Rhosrobin**

Thank you for consulting Natural Resources Wales about the above, which was received on 02/12/2014.

Natural Resources Wales brings together the work of the Countryside Council for Wales, Environment Agency Wales and Forestry Commission Wales, as well as some functions of Welsh Government. Our purpose is to ensure that the natural resources of Wales are sustainably maintained, used and enhanced, now and in the future.

NRW does not object to the proposal. However we consider that any consent given for the development should include the conditions and planning obligations noted below in order for ensure that the development does not have a detrimental impact on the maintenance of the favourable conservation status of the Great Crested Newt (GCN).

Protected Species

The great crested newt is protected under the provisions of the Wildlife and Countryside Act 1981 (as amended); the EC Habitats and Species Directive (as implemented by the Conservation of Habitats and Species Regulations 2010 (as amended).

The proposal has the potential to cause disturbance and/or loss or damage to resting places. As the application site is likely to impact on a European Protected Species, the great crested newt, we advise that development (construction) and operational (maintenance) phases may only proceed, under a licence issued by Natural Resources

Biosecurity

NRW considers 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.

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.

Ecological Compliance Audit

We advise that any consent includes the imposition of a condition that requires the submission for approval and implementation of an appropriate ecological compliance audit scheme to the satisfaction of the local planning authority in consultation with Natural Resources Wales.

Local and Regional Interests

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.

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).

Pollution Control and Waste Management

The applicant must minimise discolouration to the watercourse from the construction works. Silty water should be treated, either through the use of settlement lagoons, or tanks, or discharged across a grassed area.

For work in river channels the use of coffer dams is recommended, to keep river water out of the working area. River crossings must be kept free from mud or dust deposits. Oil and chemical storage must be kept away from the watercourse, on an impervious base, within a bund, and secured. Absorbents or a suitable spill kit must be kept on site for use in the event of an emergency. Natural Resources Wales should be notified immediately of such an occurrence. The mixing, use and washing of machinery and shuttering of wet concrete and cement must be carefully controlled to minimise the risk of any material entering the watercourse.

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.

Where an agreement or condition has been imposed which has been suggested by Natural Resources Wales or which meets Natural Resources Wales objective the Local Planning Authority should consult with Natural resources Wales to secure compliance with the agreement or condition prior to its discharge. A copy of the subsequent decision notice would be appreciated.

To conclude NRW does not object to the proposal subject to the above recommended conditions and obligations being attached to any planning consent given for the development. This will ensure that the development does not have a detrimental impact on the favourable conservation status of the Great Crested Newt.

We thank you for consulting with NRW. Please do not hesitate to contact us should you wish to discuss this matter further.

Yn gywir / yours faithfully

Angharad Wyn Crump
Uwch Swyddog Cadwraeth / Senior Conservation Officer
Tîm Gwaith Achos/Casework Team