

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

13/08/2014

I sylw/ For the attention of: Sharon Holman

Dear Sir Madam

Land South of Boundary House, Horseman's Green Road, Horseman's Green, Wrexham.

Outline application for residential development (2 Dwellings).

Thank you for consulting Natural Resources Wales about the above, which was received on 16/06/2014.

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 would object to issue of consent for this proposal unless additional information can show it would not have adverse effects. In our opinion, as explained below, the proposal may affect protected species (Great Crested Newts).

Protected Species - Great Crested Newts

Great Crested Newts (GCN) are protected under the Wildlife and Countryside act 1981 (as amended), and Schedule 2 of The Conservation of Habitats and Species Regulations 2010 (as amended).

NRW are in receipt of the Phase 1 Environmental Survey (Greenscape Environmental Ltd, February 2014). The report identifies that the site of the proposal is located within an area of high numbers of ponds. GCN have been confirmed within one pond within 130m of the site of the proposal, and several others had unconfirmed GCN presence due to access problems.

Unfortunately, there is not enough information to rule out possible adverse effects, nor to make changes or design a mitigation/conservation scheme to avoid possible effects.

Therefore, we advise that additional information is needed to inform assessments of the impact of the proposed work on the maintenance of the favourable conservation status of GCN.

Where a European protected species is present, a development may only proceed under a licence issued by Natural Resources Wales having satisfied the three requirements set out in the Conservation of Habitats and Species Regulations 2010. One of these requires that there should be no detriment to the 'favourable conservation status' of the species concerned.

Please note that we have not considered possible effects on all species and habitats listed in section 42 of the Natural Environment and Rural Communities (NERC) Act 2006, or on the Local Biodiversity Action Plan or other local natural heritage interests. 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.

Ecology

We request that the recommendations on retention of mature trees and ditches, as identified in the Ecological Report, are adopted as planning conditions if your Authority grants consent.

Pollution Control

In relation to the installation of a package sewage treatment tank and soak-away system, the applicants should refer to the following guidance to ensure that the system you install is fit for purpose. This assists in determining the appropriate size of treatment system required to serve the number of properties/bedrooms. A permit would be required for such activities following the completion of detailed porosity tests which prove the suitability for such a system.

<https://brand.environment-agency.gov.uk/mb/CwJgUx>
<http://www.britishwater.co.uk/Document/Download.aspx?uid=0c1e19cd-7497-4a8a-bdf8-cb2062e9ba08>

In relation to the construction activities involved, the applicants should refer to our Pollution Prevention guidelines available at:

<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>

In particular, they should pay particular attention to the information provided within the following:

PPG1: General Guide to the Prevention of Pollution.

PPG4: Treatment and disposal of sewage where no foul sewer is available.

PPG5: Works in, Near or Liable to Affect Watercourses.
PPG6: Working at Demolition and Construction Sites.

Regarding the Waste Management aspect of the construction, the applicants may require a permit or an exemption for importing wastes such as hardcore for access tracks. When the waste is removed from the site they must ensure that the appropriate paperwork is in place to fulfil the Duty of Care, such as waste transfer notes. If appropriate, a Hazardous Waste Registration may be required.

To conclude, we can give further views on this proposal once the above assessment has been completed and forwarded to us for review.

Yn gywir / Yours faithfully

A black rectangular box redacting a signature.

Peter Evans
Swyddog Rhywogaethau a Warchodir/Protected Species Officer
Tîm Gwaith Achos/Casework Team