

EXPIRY DATE: 25/11/2008

FILE 2

TARGET COMMITTEE DATE: 03/11/2008

COMMUNITY: BRO	APPLICATION NO: P/2008/1066	CASE OFFICER: MP	APP TYPE: Full Planning Application
DESCRIPTION OF DEVELOPMENT:	APPLICATION FOR ACCESS ROADS, FOUL AND STORM WATER SEWERS, FOUL WATER PUMPING STATION, GROUND REMEDIATION AND GENERAL ACCOMMODATION WORKS TO ALLOW RESIDENTIAL DEVELOPMENT TO COMMENCE IN A PHASED PROGRAMME.		
LOCATION OF DEVELOPMENT:	FORMER GATEWEN COLLIERY SITE GATEWEN ROAD NEW BROUGHTON WREXHAM		

CONSULTATIONS:	DATE:
COMMUNITY COUNCIL & LOCAL MEMBER	
CHIEF HOUSING & PUBLIC PROTECTION OFFICER	
CHIEF TRANSPORTATION & ASSET MANAGER	
WELSH WATER	
ENVIRONMENT AGENCY	
ADJOINING OCCUPIERS	
WREXHAM ACCESS GROUP	
WACS	
RCAHWW	
FHS	
DHS	
CPRW	

POSTED

EXPIRED

SITE NOTICE:		
LOCATION OF NOTICE(S):		
PREVIOUS FILES:	ACKNOWLEDGED:	
	SITE FEATURES	
	SITE AREA	

DELEGATED	
COMMITTEE	
SITE VISIT	
DEFERRED	
LISTED BUILDING	

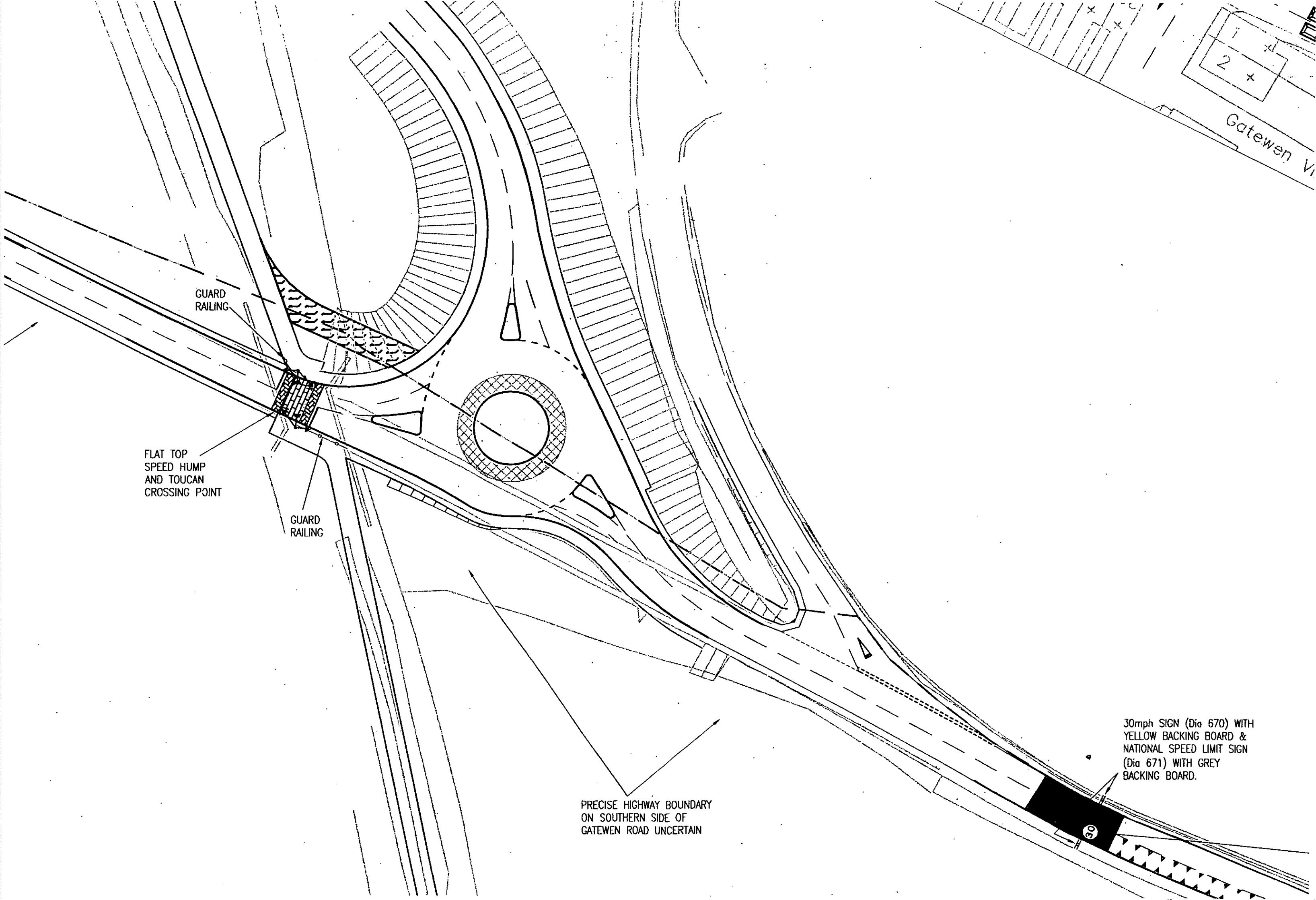
INTERNAL CIRCULATION

POLICY	
TREES	
ECOLOGY	
LANDSCAPE	
BUILT	
CONSERVATION	

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

THE CONTENTS OF THIS FILE DATED ON OR BEFORE _____

CONSTITUTE THE BACKGROUND PAPERS IN RESPECT OF THE APPLICATION CONSIDERED AT THE MEETING OF THIS COUNCIL'S PLANNING COMMITTEE ON _____



GUARD
RAILING

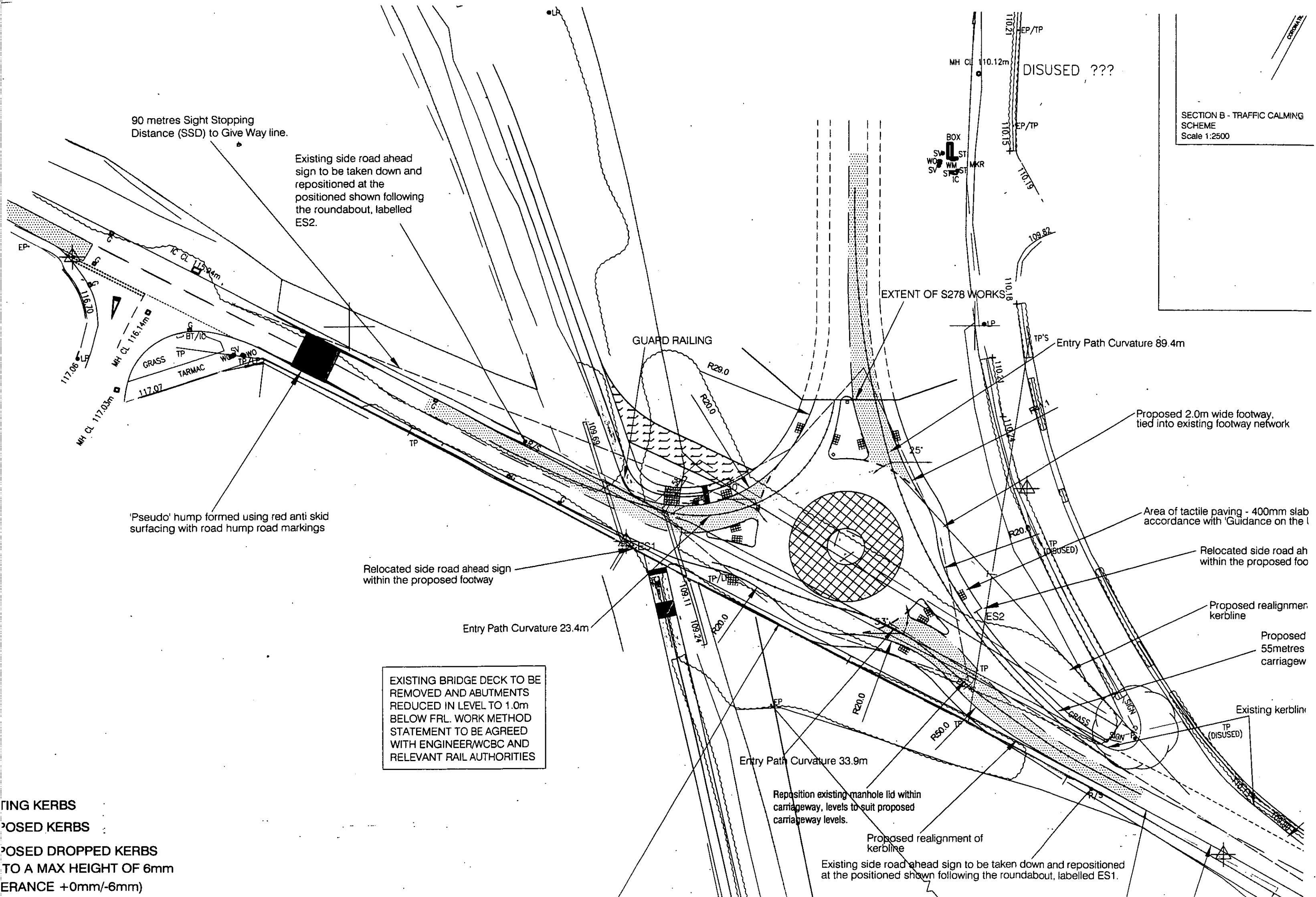
FLAT TOP
SPEED HUMP
AND TOUCAN
CROSSING POINT

GUARD
RAILING

PRECISE HIGHWAY BOUNDARY
ON SOUTHERN SIDE OF
GATEWEN ROAD UNCERTAIN

30mph SIGN (Dia 670) WITH
YELLOW BACKING BOARD &
NATIONAL SPEED LIMIT SIGN
(Dia 671) WITH GREY
BACKING BOARD.

Gatewen Vi



90 metres Sight Stopping Distance (SSD) to Give Way line.

Existing side road ahead sign to be taken down and repositioned at the positioned shown following the roundabout, labelled ES2.

DISUSED ???

SECTION B - TRAFFIC CALMING SCHEME
Scale 1:2500

EXTENT OF S278 WORKS

TP'S Entry Path Curvature 89.4m

Proposed 2.0m wide footway, tied into existing footway network

Area of tactile paving - 400mm slab accordance with 'Guidance on the l

Relocated side road ahead sign within the proposed footway

Proposed realignment kerblines

Proposed 55metres carriageway

Existing kerblines

'Pseudo' hump formed using red anti skid surfacing with road hump road markings

Relocated side road ahead sign within the proposed footway

Entry Path Curvature 23.4m

EXISTING BRIDGE DECK TO BE REMOVED AND ABUTMENTS REDUCED IN LEVEL TO 1.0m BELOW FRL. WORK METHOD STATEMENT TO BE AGREED WITH ENGINEER/WCBC AND RELEVANT RAIL AUTHORITIES

Entry Path Curvature 33.9m

Reposition existing manhole lid within carriageway, levels to suit proposed carriageway levels.

Proposed realignment of kerblines

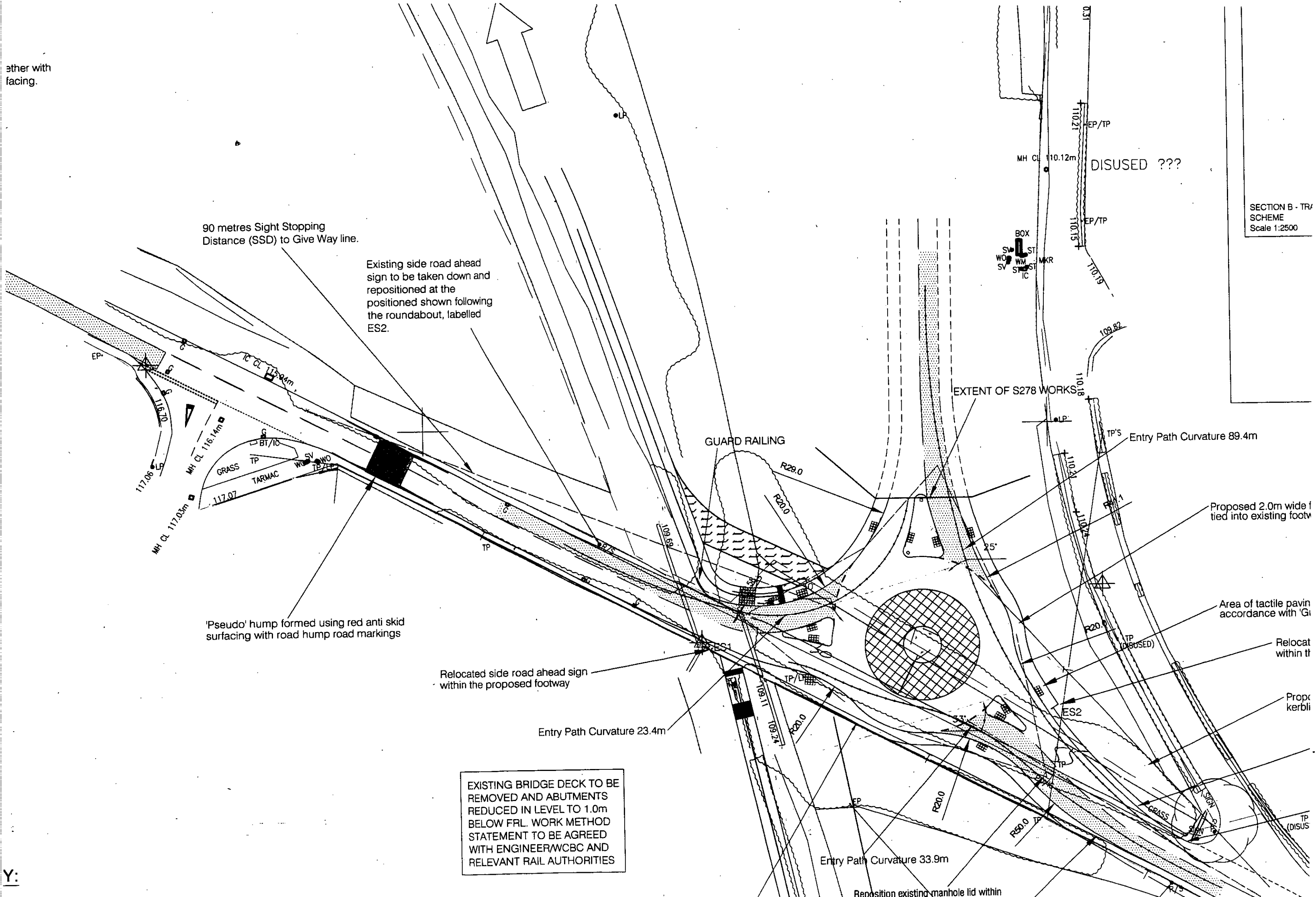
Existing side road ahead sign to be taken down and repositioned at the positioned shown following the roundabout, labelled ES1.

ING KERBS

POSED KERBS

POSED DROPPED KERBS
TO A MAX HEIGHT OF 6mm
ERANCE +0mm/-6mm)

Y:



Draft conditions, as revised
P1208/1066

1. The development hereby permitted shall be begun before the expiry of five years from the date of this permission.

2. Unless otherwise agreed in writing by the Local Planning Authority, development shall not take place on any part of the site until a programme of archaeological work has been implemented in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. The archaeological work shall be undertaken to the standards laid out by the Institute of Field Archaeologists. Upon completion of the works and any post site excavation analysis, a report on the investigation shall be submitted to and approved in writing by the Local Planning Authority.

3. Notwithstanding the BSP Drainage Strategy dated December 2008, development shall not commence until a detailed scheme to dispose of surface water has been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter take place in strict accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

4. Unless otherwise agreed in writing by the Local Planning Authority development shall not commence (to include any earthworks, excavations, changes in ground levels or formation of the access road hereby granted permission) until a scheme to deal with potential contamination risk to human health and controlled waters at the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include

a) A detailed assessment of the risk to all receptors that may be affected by the development and/or provide details of measures to remediate contamination, including those located outside of the development site.

Specifically to include:

· Detailed assessment of the risk to controlled waters and SSSI including further groundwater, surface water analysis and assessment of groundwater regime.

· Environment Agency P20 risk assessment for soils (including ballast) and groundwater to derive cleanup targets to satisfaction of Environment Agency including revised Conceptual Site Model.

b) A remediation strategy giving full details of the remediation measures required and how they are to be undertaken;

c) A Method Statement for the treatment of the mine shaft and fan drift.

d) Proposals for contingency action if contamination not previously identified is found to be present whilst development is taking place.

e) Provision of the order of phasing for the implementation of the remediation works.

Site remediation works shall thereafter be carried out in strict accordance with details as approved unless otherwise agreed in writing by the Local Planning Authority.

5. Unless otherwise agreed in writing by the Local Planning Authority, no phase of development shall take place within the site (to include earth works, excavations and changes in ground levels), other than works required to implement remediation measures (undertaken in accordance with Condition 4) until a validation report associated with a specific phase of works has been submitted to and approved in writing by the Local Planning Authority.

demonstrating that the remediation measures proposed in that scheme have been completed

6. No piling shall take place on any part of the site unless otherwise agreed in writing by the Local Planning Authority.

7. Upon completion of the construction of the proposed roundabout junction and of the proposed road to at least base coat standard as far Areas 1 and 2 (as shown on approved drawing no 1491/1J), Gatewen Lane the northern end of Gatewen Lane shall be closed to all vehicular in accordance with the approved plans. Thereafter the only means of vehicular access to the site subject to this permission shall be via the access road hereby granted permission.

8. No connection shall be made between the sewers shown on drawing no. 06435-150 and the existing off-site public sewers until a scheme for essential off site infrastructure work has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out to a timescale that shall be agreed in writing with the Local Planning Authority (in consultation with Welsh Water).

9. The erection of fencing for the protection of trees, hedges and shrubs shall be undertaken before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. The above mentioned fencing shall consist of a scaffold framework in accordance with Figure 2 of British Standard 5837:2005 comprising a vertical and horizontal framework, well braced to resist impacts, with vertical tubes spaced at a maximum interval of 3 metres. Onto this, 2.1 metre weldmesh panels shall be securely fixed with wire or scaffold clamps. This fencing shall be erected at the extent of each trees Root Protection Area, as set out in British Standard 5837:2005. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written permission of the Local Planning Authority.

10. No development shall take place until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall include a specification for tree protection fencing and ground protection measures that complies with British Standard 5837:2005; a plan showing the location of retained trees with their crown spreads, root protection areas, construction exclusion zones and the location of protective fencing and ground protection plotted. A full specification for any access, driveway, path, underground services, wall or fence foundations within retained trees root protection areas, including any related sections, details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires; details of the frequency of supervisory visits and procedures for notifying the finding of such visits to the Local Planning Authority and method statement for protecting retained trees during demolition works should also be included. Works shall be carried out in accordance with the approved method statement.

11. Works to form or construct the cycleway/footway shown on the approved plans shall not commence until full details of its siting, design and means of

construction have been submitted to and approved, in writing, by the Local Planning Authority. The cycleway/footway shall thereafter be constructed in strict accordance with the details as approved.

12. The proposed roundabout junction or proposed access road shall not be brought into use until the traffic calming measures along Gatewen Lane, as shown on the approved plans, have been completed to a standard suitable for adoption by the Highways Authority.

13. The proposed access road shall not be brought into use until a scheme of traffic calming for the road from the proposed roundabout junction as far as Area 1 (as shown on approved drawing 1491/1K) has been submitted to and approved in writing by the Local Planning Authority. The traffic calming measures shall be installed in accordance with a timescale to be submitted with the scheme of details.

14. Development shall not commence until a detailed scheme for the provision and implantation of mitigation (to include Reasonable Avoidance Measures) and habitat compensation measures for protected species within the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details for the monitoring of species within any areas of habitat to be retained or created, and details of measures for the long-term security of those habitat areas. Development shall be carried out in strict accordance with the scheme as approved unless otherwise agreed in writing by the Local Planning Authority.

REASON(S)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. The site is considered to be of considerable archaeological interest and it is important that the opportunity created by the development to expose the history of the land is not lost.
3. To prevent pollution of the water environment.
4. To ensure the development will not cause pollution of controlled waters and in the interests of future occupiers of the site.
5. To ensure the development will not cause pollution of controlled waters and in the interests of future occupiers of the site.
6. To prevent pollution of the water environment.
7. To ensure a satisfactory vehicular access is provided to the development site in the interests of highway safety.
8. To protect the integrity of the public sewerage system and prevention of pollution to the environment.
9. To protect the trees which are of significant amenity value to the area.
10. To protect the trees which are of significant amenity value to the area.
11. In the interests of ensuring satisfactory long term provision for pedestrians and cyclists is made

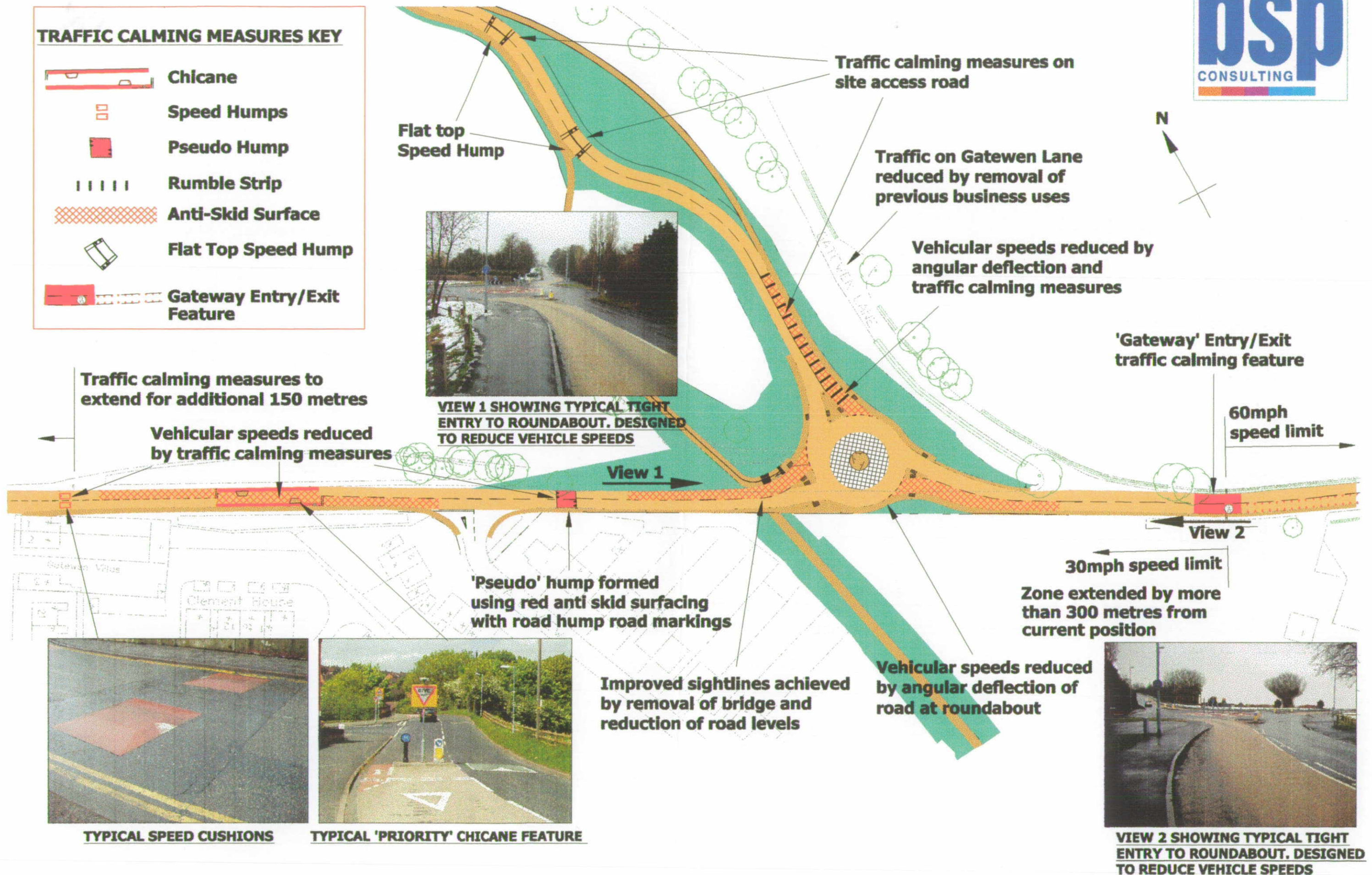
12. In the interests of Highway safety.
13. In the interests of Highway safety.
14. In order to protect wildlife interests, which are afforded special protection.

GATEWEN ROAD PROPOSED HIGHWAY LAYOUT



TRAFFIC CALMING MEASURES KEY

-  Chicane
-  Speed Humps
-  Pseudo Hump
-  Rumble Strip
-  Anti-Skid Surface
-  Flat Top Speed Hump
-  Gateway Entry/Exit Feature



GATEWEN ROAD EXISTING HIGHWAY LAYOUT

CURRENT ROAD LAYOUT ALLOWS TRAFFIC TO SPEED THROUGH
AND BEYOND THE EXISTING 30mph LIMIT WITHOUT RESTRICTION



Planning Department

Planning Application: Internal Comment Sheet



Application Number **P/2008/1066**

Previous Application Number

P/2007/1174

Case Officer **MDP**

Received by Planning	06/10/2008	Address	Former Gatewen Colliery, Gatewen Road, New Broughton
Deadline	27/10/2008		
Complete		Description	Access roads and associated works to allow commencement of development

Circulation

Policy	08/10/2008	☒	CS	Landscape	17/10/2008	☒	RS
Trees	03/11/2008	☒	MS	Built Conservation		☐	
Ecology	28/10/2008	☒	ZL				

Comments

Policy - the principle of development is accepted subject to compliance with GDP1 and the terms of permission P/2007/0700. I am not aware as to who will provide the cycle path through the spine of the site, if it is the developer I would expect to see this detailed here, if minded to grant permission for this application permission should not prejudice the delivery of this cycle way.

Landscape

Additional supporting information is required, before I can provide full comments

The concept road layout plan presents a very different development pattern to the one presented with the previous application P/2007/1174.

It would be very useful to have sight of any other interim site master plan submission, to understand the applicant's concept approach to place making through built character and open space provision. At the moment, I see the development layout being lead by the road layout, which is not an appropriate way to masterplan the site.

Things I can comment on:

1. The emergency access / cycleway is not achievable without removing much of an area shown to be 'existing wooded area reserved as open space'. Revise route to follow the existing linear disused railway corridor.

Ecology:

Ecology phase 1 habitat survey submitted dated September 2008.

Findings:

Areas of semi-natural woodland are present along the northern boundary (TN1) and western (TN2) boundaries of the site. Notable ground flora consists of bluebell and sanicle.

Significant areas of trees are located within the site that have potential for bat roosting.

Hedgerow (H1) is considered as being a nature conservation priority (although it did not qualify under the hedgerow regulations criteria) and every effort should be made for its retention.

There are waterbodies within 500 m of the site consisting of ponds and a stream flowing southwards.

The potential of the above habitats is to support the following species and present future ecological constraints:

1. Bats - bat roost (soprano pipistrelle) within the bridge however its loss with mitigation/ licence is not considered significant. Compensation to be provided in other bridge 30 m outside northern boundary along the disused railway. Alternative might need to be considered if this bridge is to be lost with the proposal for Western Gateway and the new spine road. Bat tubes and boxes will need to be provided as previous inspections did not produce evidence of cracks/ crevices used by this species of bat in the compensatory bridge habitat. Works to the existing bridge should avoid vulnerable times of year for bat when they are breeding or hibernating. Therefore, works should commence between 1st March to 30th April or 1st October to 30th November retrospectively. Once final checks have been made by qualified bat consultant then works can commence.

2. Great crested newts - one recorded in pond W2 during survey in May in sweep net. Method statement (licence required) needs to be submitted to identify a mitigation plan including reasonable avoidance measures. CCW to

approve method statement.

3. Invertebrates - rare data book invertebrates were recorded as well as *Suillia dumicola* - nationally scarce

Habitats to be protected in entirety due to high nature conservation value:

1. Semi-natural woodland
2. Buffers to statutory designated sites Gatewen Marshes SSSI & WS

Condition of planning permission:

1. Retention of habitats considered of high nature conservation value e.g hedgerows, veteran trees, semi-natural woodland' buffers to adjoining designated sites or natural features such as woodlands, streams, ponds or grassland
2. The surrounding natural habitats should not be fragmented and so the development site should provide for areas dedicated to nature conservation and habitat corridors throughout to aid migration/dispersal and genetic exchange between animal and plant populations.
3. That no vegetation/ site clearance should commence during the bird-nesting season from 01 March to 30 September extended slightly due to milder winters and multiple broods.
4. Further assessments of several trees on the site (refer to fig.3) to assess whether they are being used for bat roosting. Protection of this sort would be necessary if trees require management works or felling which would be carried out outside the breeding and hibernation period.
5. The disused railway will need protecting to provide foraging and commuting corridors for bats as it is considered a significant resource
6. Proposed habitats have been provided to include the creation of a pond area, creation of newt hibernacula, tussocky grassland for foraging purposes, management for existing ponds, and the management of a wildlife corridor. A map with proposed wildlife habitats and their size should be submitted for approval with a management plan for these areas.

Trees

The site is extensively wooded, however the applicant has not submitted a tree survey or arboricultural implication assessment, thus I am unable to fully assess the developments impact on the trees on site. I will require a BS5837:2005 tree survey and arboricultural implication assessment to be submitted, as set out in LPG 17, before commenting further.

UDP Policies

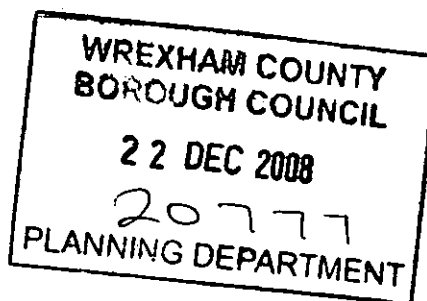
PS	☒	2
GDP	☒	
EC	☐	
H	☐	
E	☐	
S	☐	
CLF	☐	
T	☐	
MW	☐	

Within Settlement Limit ☐

Urban Capacity Site ☐

Check Boxes

SLA	☐	Historic Park/Garden	☐
Green Barrier	☐	Listed Building	☐
Protected Species	☒	Building at Risk	☐
Protected Sites	☒	Grant Funded	☐
Flood Plain	☐	Conversion	☐
TPO	☐	Demolition	☐
Hedgerow	☐	Industrial	☐
Loss of Vegetation	☐	Commercial/Retail	☐
Archaeology	☐	Conservation Area	☐
Mineral Safeguard	☐	+15m High	☐
Contact CCW	☐	Date CCW Contacted	
World Heritage Site	☐		



fpcr

Our Ref: JSE/3194

17th December 2008

Attn Matthew Phillips
Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

architecture ■
landscape ■
ecology ■
environmental assessment ■
masterplanning ■
urban design ■

Faulks Perry Culley & Rech
Lockington Hall
Lockington
Derby DE74 2RH

Tel: 01509 672772
Fax: 01509 674565
mail@fpcr.co.uk
www.fpcr.co.uk

Dear Mr Phillips

Re: Planning Application – Former Gatewen Colliery – Your Ref: P/2007/0700 & P/2008/1066

Please find enclosed the supporting information documents in relation to a European Protected Species licence application to the Welsh Assembly Government for the above mentioned site. If you need any further information in order to complete the questionnaire, please don't hesitate to contact me.

Yours sincerely

James Eales
Associate
Faulks Perry Culley & Rech

james.eales@fpcr.co.uk

1 x Welsh Assembly licence application in respect to bats – Gatewen Colliery

Application for a Licence – European Protected Species Local Planning Authority Consultation Document



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

If planning permission is required then this consultation document **must** be completed by the relevant Local Authority Planning Officer and a signed copy returned to the applicant before being submitted by the applicant to the Welsh Assembly Government.

Site Name	
Local Planning Authority (LPA)	
Planning Application Reference Number	

If you have any problems filling in this form or require an electronic copy of the form then please contact the Welsh Assembly Government at the contacts provided below:

Y Gangen Cadwraeth Natur Yr Amgylchedd - Cadwraeth a Rheoli Llywodraeth Cynulliad Cymru Adeilad y Goron, Stryd y Dollborth SY23 2JS	Ffon : 01970 653825 : Tel Facs: 01970 653900 :Fax e-bost: chris.worker@wales.gsi.gov.uk :e-mail	Nature Conservation Branch Environment, Conservation & Management Division Welsh Assembly Government Crown Building Northgate Street Aberystwyth SY23 3JS
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Notes for guidance (Please read the following notes carefully before completing this form)
Please ensure that you complete this document having had sight of the details of the proposed activity/development in the application for a licence in respect of European Protected Species. Please note that the activity described at Questions 9, 10 & 11 is hereafter referred to as 'the proposed activity'.

The Welsh Assembly Government, as the appropriate licensing authority under the Conservation (Natural Habitats) Regulations 1994, requires your assistance to determine this licence application. Without the Planning Authority's response to this consultation document the Welsh Assembly Government will not be able to determine the licence application. In such circumstances, no licence will be issued and the proposed activity cannot proceed.

Before the Assembly Government issues a licence it must be satisfied that the proposed activity meets all of the following:

- Regulation 44(2)(e) for the purpose 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, *and*
- Regulation 44(3)(a) that there is **no satisfactory alternative** *and*
- Regulation 44(3)(b) that the action authorised **will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status** in their natural range.

The attached consultation document has been designed to help you provide the Welsh Assembly Government/Welsh Ministers with information to assist it in assessing the licence application and reaching its licensing decision.

Notes to the Local Planning Authority.

Regulation 3(4) of the Conservation (Natural Habitats &c.) Regulations 1994 (as amended) requires all Local Planning Authorities in the exercise of their functions to have regard to the provisions of the Habitats Directive so far as they might be affected by those functions. Where the Welsh Assembly Government receives a licence application from a developer for a proposed activity that will affect a European protected species it is necessary to seek information from the Local Planning Authority in order to consider whether the licensing requirements are met.

Planning Policy Wales (2002) sets out the Welsh Assembly Government's policies for natural heritage. The draft revised Technical Advice Note 5, Nature Conservation and Planning (2006) provides further

Conservation (Natural Habitats &c.) Regulations 1994 (as amended)

detailed advice on the protection and enhancement of biodiversity and geological conservation through the planning system. These policies need to be taken into account by Local Planning Authorities in the preparation of local development plans. They may also be material to decisions on individual planning applications. Planning Policy Wales and TAN5 are available via the Welsh Assembly Government's website (<http://www.wales.gov.uk/>).

Going Wild in Wales - List of Species and Habitats of Principal Importance for the Conservation of Biological Diversity in Wales is available on the Welsh Assembly Government website.

<http://new.wales.gov.uk/docrepos/40382/4038231121/403825/613037/list-of-species-e.pdf?lang=en>

Part A - Planning Authority Consultation Document.

Please answer all of the following questions by ticking as appropriate and, where indicated, giving further details in the boxes provided.

1. In the opinion of the Local Authority, is an application for Planning Permission Listed Building Consent, or The Building Act 1984 (Sections 80 –83) required for the proposed activity? Yes ☐ No ☐

If **NO**, please disregard the remainder of Part A and B **COMPLETE PART C.**

2. Has your Authority issued the necessary consents to allow the proposed activity to be commenced (excluding Building Regulations)? Yes ☐ No ☐

If **NO**, please give brief details if a planning application is under consideration.

3. Is the consent issued by your Authority;
- a) Outline? Yes ☐ No ☐
- b) Outline subject to Reserved Matters? Yes ☐ No ☐
- If **YES**, do any of the Reserved Matters that remain outstanding relate to **wildlife issues** Yes ☐ No ☐

If **YES**, please give details of any condition(s) as Reserved Matters attached to the Planning Permission that relate to wildlife and habitats.

- c) Full Planning Permission? Yes ☐ No ☐
- d) Listed Building Consent? Yes ☐ No ☐
- e) Conservation Area Consent? Yes ☐ No ☐
- f) Tree Preservation Order? Yes ☐ No ☐

4. Was the Planning Application determined by the Planning Committee or under Delegated Powers? (*Please state which*)

5. Consideration of Designated Sites

Designated Areas : Local Nature Reserves (LNR), National Nature Reserves (NNR), Sites of Special Scientific Interest (SSSI), Special Protection Area (SPA), Special Areas of Conservation (SAC), Ramsar sites, and certain other river/lake systems.

- (a) Will any part of the proposed activity fall within an area covered by a designated site. E.g LNR, NNR, SSSI, SAC, SPA, Ramsar? Yes ☐ No ☐
- (b) Will any part of the proposed activity fall within or adjacent to a designated site? Yes ☐ No ☐
- (c) If YES to either of the above, has the Countryside Council for Wales been consulted for advice on the implications of the application on the protected site? Yes ☐ No ☐
- (d) Please give either the outcome of the consultations or the reason why there has been no consultation. Please refer to any relevant

6. Mineral Consents (if not applicable go to Q7)

- a) Does the site have the appropriate approved consents for the working/extraction of minerals? Yes ☐ No ☐
- b) Has the site been or is subject to an application for a Review of the Mineral Permission (ROMP)? Yes ☐ No ☐
- c) Has the **ROMP application** been determined? Yes ☐ No ☐
- d) If the ROMP has not been determined are your Authority content that the mineral extraction work can proceed on the land subject to the licence application prior to the determination of the review? Yes ☐ No ☐

7. Does the consent issued accord with;

- a) Local development plans? Yes ☐ No ☐
- b) Regional policy guidance? Yes ☐ No ☐
- c) National planning policy guidance? Yes ☐ No ☐

8. Was there a departure from the Local Plan Policies?

If **YES** was the matter referred to the Secretary of State? Yes ☐ No ☐

If **YES**, please provide a copy of the Secretary of State's decision letter.

If **NO**, please give details of the justification for this decision.

9. Is the site subject to a Section 106 Agreement (Town and Country Planning Act 1990)? Yes ☐ No ☐

If **YES**, has the Section 106 Agreement been completed? Yes ☐ No ☐

If **YES**, does the Section 106 include elements to benefit the long term wildlife interests of the site? Yes ☐ No ☐

10. Is the site subject to a Section 278 Agreement (Highways Act 1980)? Yes ☐ No ☐

If **YES**, has the Section 278 Agreement been completed? Yes ☐ No ☐

If **YES**, does the Section 278 include elements to benefit the long term wildlife interests of the site? Yes ☐ No ☐

11. Was a wildlife survey undertaken in support of the planning application? Yes ☐ No ☐

Does the application provide full details of mitigation agreed by the applicant? Yes ☐ No ☐

Have the survey and Mitigation Proposals been referred to the Authority's Ecologist or Biodiversity Officer for comment? Yes ☐ No ☐

If **NO** to any of the above, please explain why this was not considered necessary

12. Was the Welsh Assembly Government or the Countryside Council for Wales consulted in respect of the wildlife issues? Yes ☐ No ☐

If **NO**, please explain why it was not considered necessary

Conservation (Natural Habitats &c.) Regulations 1994 (as amended)

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Part B - Local Planning Authority Statement

Consideration of Regulations 44(2)(e) and 44(3)(a)

B.1 Bearing in mind your duty under regulation 3(4) of the Conservation (Natural Habitats, &c.) Regulations 1994, please provide a statement of the Local Planning Authority's view of the proposed activity in terms of Regulation 44(2)(e) – that it is how it is judged to be “*in the interests of preserving public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment*”. Please state against which Local Plan policies the planning application was considered.

This information will be used by the Welsh Assembly Government/Welsh Ministers to determine whether the proposed activity meets the requirements of the Regulations and thus whether a licence should be issued.

Regulation 44(2)(e) - [separate cross referenced pages may be enclosed when answering this section]. Please state which of the two broad purposes below is served by this activity and explain how it meets that purpose. (Please provide key extracts from any relevant documentation or reports for our reference).

a) Preserving public health and public safety at the site level.

b) Imperative reasons of overriding public interest, which can in particular include:

- i) Social needs at a local, regional and national level; and/or
- ii) Economic needs at a local, regional and national level; and
- iii) Whether there are beneficial consequences of primary importance for the environment.

B.2 Please provide a statement of the Local Planning Authority's view of the proposed activity in terms of Regulation 44(3)(a) – that there is “no satisfactory alternative” to the proposed activity.

Regulation 44(3)(a), that there are no satisfactory alternatives to the proposed activity. – [separate cross referenced pages may be enclosed when answering this section].

a) Having specific regard to each of the interests and/or reasons and/or consequences put forward in B1 above, please set out whether in your view there are any other satisfactory alternatives to the proposed activity, including the alternative of doing nothing.

(NOTE: please state:

- whether within the general area of need served by this activity or proposal, are there any alternative sites at which, in your opinion, the activity could reasonably have been accommodated with no, or reduced implications for European protected species and;
- could this activity or proposal on the site subject to this licence application have been achieved in a way that would mean no, or reduced implications for European protected species).

b) In relation to each alternative considered at (a), please provide an explanation of why you consider it to be satisfactory or unsatisfactory. In respect to any alternative sites please provide the location(s) and details of the alternative site(s), or your views on how the activity/proposal might have been achieved differently, and any other helpful information; e.g., pros and cons of alternative sites, or whether there is likely to be demand for all suitable sites to be used to meet an identified need. Please explain how this conclusion was reached.

Part C – Declaration

Declaration to be completed by the Officer who completed the above consultation document.

- I declare I have completed this consultation document having had sight of the licence application and Reasoned Statement for the proposed activity and that the particulars given in this response and the accompanying documents are correct to the best of my knowledge and belief.

Name

Signature

Name and Address of the Local Planning Authority

Position held in the above Authority

Date

Contact telephone number

Annexes Enclosed Please tick (as appropriate)

- | | | |
|-----------|---|--------------------------|
| D1 | A copy of Planning Permissions (if applicable) | ☐ |
| D2 | A copy of S.106 Agreement, Town and Country Planning Act 1990 (if applicable) | ☐ |
| D3 | A copy of S.278 Agreement, Highways Act 1980 (If applicable) | ☐ |
| D4 | A copy of the Welsh Minister's decision letter (if applicable) | ☐ |
| D5 | Copies of other Consents (if applicable) | ☐ |
| D6 | A copy of the report to the Planning Committee on the planning application (if applicable). | ☐ |
| D7 | A copy of the minutes of the Planning Committee meeting at which the application was decided, or the equivalent papers if the application was decided by an officer under delegated powers. | ☐ |
| D8 | Extracts from documentation used to identify the need for the proposal. | ☐ |
| D9 | Information about any modification to the planning application to take account of the presence of a European Protected Species (Mitigation Proposals and/or Method Statement). | ☐ |

**WELSH ASSEMBLY GOVERNMENT LICENCE APPLICATION
IN RESPECT TO BATS**

Gatewen Colliery, Wrexham

**Method Statement - Document 1
Background & Supporting Information**

December 2008

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A EXECUTIVE SUMMARY

- A.1 This licence application and the mitigation / compensation proposed within it, has been designed to maintain a population of soprano pipistrelle bats *Pipistrellus pipistrellus* at a favourable conservation status at the former Gatewen Colliery off Gatewen Road, Wrexham. Outline planning permission has been granted (Code Number BRO P/2007/0700) for the site which is situated approximately 1.2km to the northwest of Wrexham. Under the current planning approval, bridge B1 (Figure C.4.3) is scheduled for demolition to allow construction of a roundabout and access road off Gatewen Road. Future reserved matters applications will relate to phased residential developments within the site.
- A.2 The bat roost was confirmed in bridge B1 during bat surveys undertaken in 2007 as part of an ecological appraisal of the site and surrounding land. Further bat surveys were undertaken during 2008 to confirm the status of the roost and inform an appropriate mitigation strategy. The roost is considered to total a maximum of 20-30 individuals at any one time comprising either mothers and independent juveniles fragmented from a maternity roost or males and/or non-breeding females.
- A.3 To compensate for the loss of known roosting habitat in bridge B1, bat boxes will be installed on bridge B2 just outside the northern boundary of the site and on retained trees on the known foraging / commuting route associated with the disused railway line. This will provide roosting opportunities greatly in excess of the size of the roost that will be lost and across a wider range of environmental conditions for use throughout the year including during the hibernation period. To ensure that no bats are injured or killed during demolition operations, bats will be excluded, where necessary, from the bridge prior to any demolition works.
- A.4 To minimise post-development mortalities resulting from road vehicle collisions, landscape planting / management will create 'hop-over' features where the disused railway line will be intersected by Gatewen Road and an new internal development road. Furthermore, hedgerows along the western boundary will be extended to provide an alternate linear feature that can be utilised by commuting / foraging bats.
- A.5 Monitoring will take the form of bat box inspections once per year for 3 years. The survey will be undertaken during spring or autumn to avoid unnecessary disturbance to resident bats in sensitive breeding or hibernation periods. The species and the number of bats present will be recorded and the boxes cleaned out.

B INTRODUCTION

B.1 Background to activity

B.1.1 Hiremade Furbs and Fifers II Ltd commissioned ecologists at FPCR to undertake bat surveys on the dismantled railway bridge B1 as part of an ecological appraisal of the site and surrounding land in August and September 2007. The survey focussed primarily on determining the presence/absence of roosting bats in the structure. During the survey evidence of a small soprano pipistrelle *Pipistrellus pygmaeus* roost was observed. Further bat surveys were undertaken in June, July and August 2008 to confirm the status of the roost and inform on appropriate mitigation. It was determined that a licence was required from the Welsh Assembly Government in respect of a European Protected Species affected by development operations to legitimise the destruction of the bridge.

B.1.2 The site is situated between Southsea and Stansby, approximately 1.2 km to the north-west of Wrexham. Surrounding land-use includes the dismantled Brymo branch railway and broad-leaved woodland to the north; a wooded slope along an unnamed tributary of the River Gwenfro with open pasture and the Gatewen Marshes SSSI beyond to the east; residential development, a sports ground, a wooded embankment and a pasture compartment to the west; whilst the B5433 Gatewen Road forms the site's southern boundary.

B.2 Full details of proposed works on site that are to be covered by the licence

B.2.1 Operations that will be carried out under this licence are:

- Provision of alternative bat roosting habitat on Bridge B2 just outside the northern boundary of the site (Figure C.4.2) and on retained trees along the disused railway line,
- The exclusion of bats from the bridge B1,
- Demolition of the bridge B1 and known roosting habitat.

B.2.2 Bridge B1 has been categorised as a small, occasionally used summer roost for low numbers of non-breeding female or male, soprano pipistrelle bats.

B.2.3 The Bat Mitigation Guidelines (Natural England 2004) states that the occasionally used roost within the bridge is of a relatively low conservation importance. It is considered loss of the bridge would result in a relatively low impact on the local population following the implementation of appropriate mitigation.

C SURVEY AND SITE ASSESSMENT

C.1 Pre-existing information on species at the survey site

C.1.1 The North Wales Environmental Information Service (COFNOD) holds a number of records of bats in the local area. These include records for brown long-eared bat *Plecotus auritus*, common pipistrelle bat *Pipistrellus pipistrellus*, pipistrelle species bat *Pipistrellus sp*, lesser horseshoe bat *Rhinolophus hipposideros* and eleven unknown species records (see Figure C.4.1).

C.1.2 A search of the National Biodiversity Network Gateway for the 10km square containing the site produced records of four more species; soprano pipistrelle bat, natterer's bat *Myotis nattereri*, daubenton's bat *Myotis daubentonii* and whiskered bat *Myotis mystacinus*.

C.1.3 The information received through the consultation process shows that the landscape within 3km of the site supports a number of bat species however no bat roosts were recorded within a 2km radius of the site. No soprano pipistrelle records were reported within 3km of the site however it is likely that this is due to the species being under recorded in the region as this species is regarded as widespread and common with an estimated UK population of 1,300,000 individuals (JNCC, 2007).

C.1.4 The bat roosts identified through the consultation process included an unidentified bat species roost 2km to the northwest of the site, a lesser horseshoe bat roost 2.8km to the southwest of the site and a common pipistrelle roost 3km to the southeast of the site. Due to the large distances from the site and the small amount of suitable foraging habitat to be lost it is considered that the potential impacts on these roosts are negligible.

C.1.5 Prior to the surveys completed by FPCR, no information on usage of the site by bats was known.

C.2 Status of species in the local / regional area

C.2.1 Soprano pipistrelles are widespread throughout the majority of the UK and distribution maps indicate that this species is widespread throughout the northeast Wales area (JNCC 2007).

C.2.2 COFNOD did not provide any records for soprano pipistrelles within 3km of the site however given the suitability of the habitats and availability of suitable roost sites in

the area, it is likely that soprano pipistrelle bats are under recorded and that the roost affected by the proposed operations forms only part of a larger network of roosts. NBN Gateway did provide records of soprano pipistrelle bats within 10km of the site.

C.3 Objectives of survey

C.3.1 Surveys carried out in 2007 were undertaken to:

- determine the level and pattern of usage by bats across the whole site,
- establish the presence / absence of bat roosts in the structures and trees on site,
- assess the level of usage of confirmed roost sites and the status of the roost.

C3.2 This was achieved by undertaking thorough internal/external surveys and nocturnal surveys.

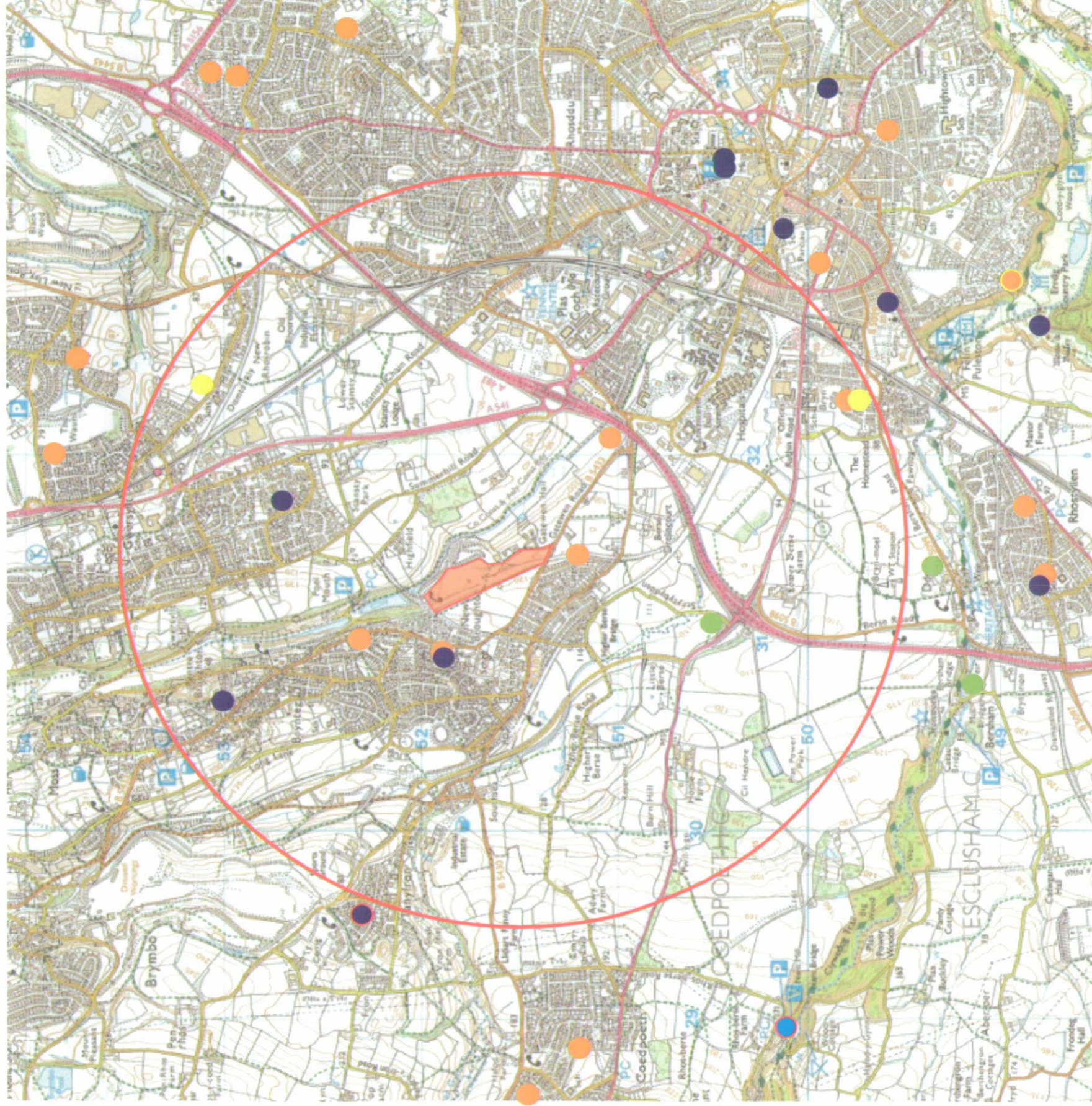
C.4 Survey area

C.4.1 Site Location Plan with Consultation Data scaled at 1:25000 at A4 (overpage)

C.4.2 Site Reference Plan, not scaled (overpage)

C.4.3 Building Reference Plan, 1:500 at A3 (overpage)

C.4.4 Building Reference Photographs, not scaled (overpage)



-  Site location
-  2km radius from centre of site
-  Pipistrelle species bat record
-  Common Pipistrelle bat record
-  Common Pipistrelle bat roost
-  Lesser Horseshoe bat roost
-  Brown long-eared bat record
-  Unidentified bat record
-  Unidentified bat roost

Figure C.4.1

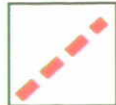


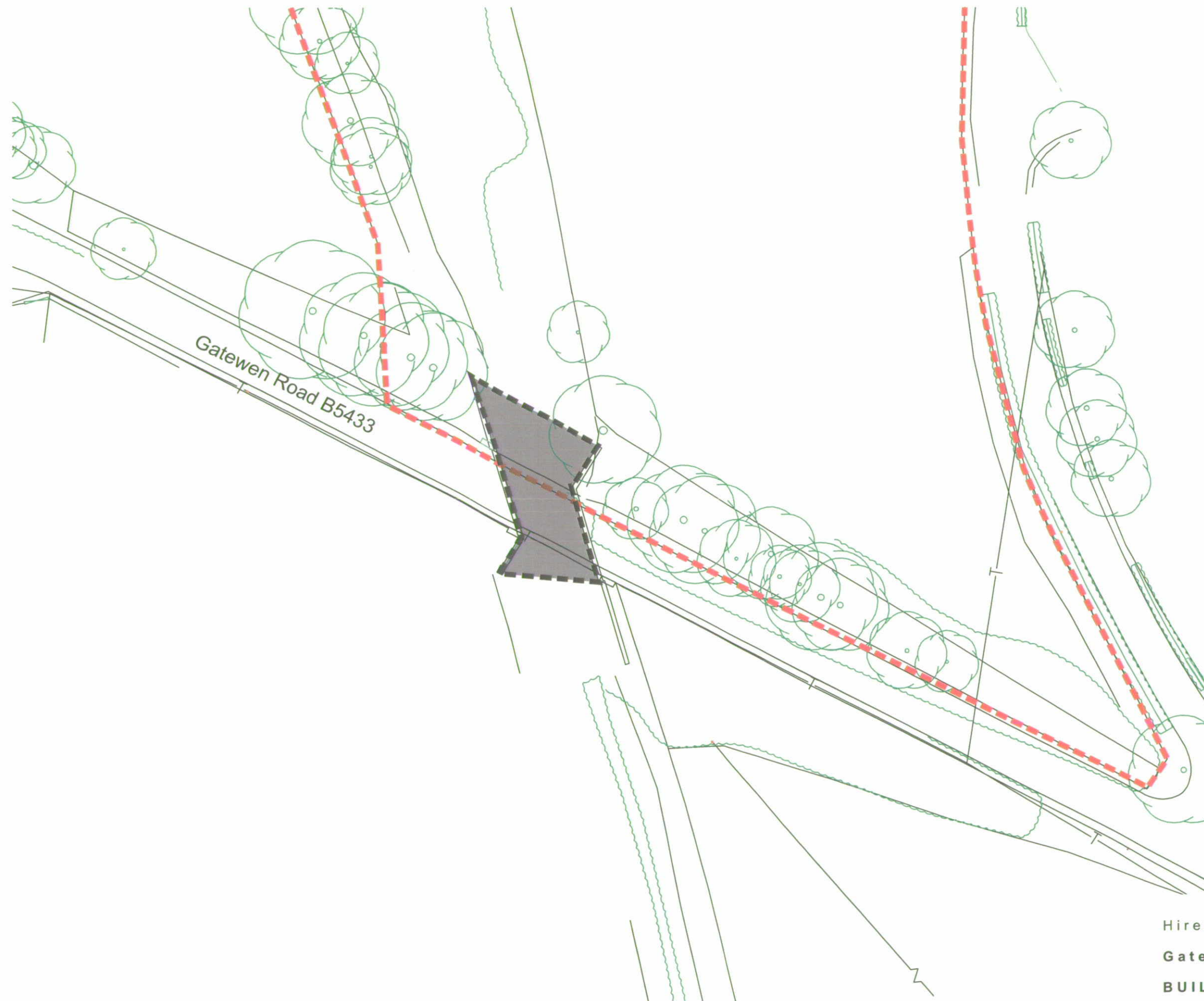


	Survey area		Short perennial / ephemeral		Waterbody with reference
	Semi-natural woodland		Bramble / continuous scrub		Watercourse with reference
	Secondary woodland		Scattered scrub		Hedgerow
	Tree group with reference		Bare ground		Trees
	Species poor, semi-improved grassland		Hard standing		Bridge reference number
	Ruderal		Building with reference		

0 100m

Hiremade Furbs & Fifers 11 Ltd
 Gatewen Colliery Wrexham
 SITE LAYOUT PLAN
 Figure C.4.2

-  Licence application building boundary
-  Site boundary



Hiremade Furbs & Fifers 11 Ltd
 Gatewen Colliery, Wrexham
BUILDING REFERENCE PLAN
Figure C.4.3



Plate 1- Bridge B1 (photograph taken from southern aspect).



Plate 2- Bridge B1 (photograph taken from northern aspect).



Plate 3- Underside of bridge B1 showing cavities.



Plate 4- Bridge B2 (photograph taken from north-eastern aspect).

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Ltd

Gatewen Colliery,
Wrexham

BUILDING REFERENCE
PLAN

Figure C.4.4

C.5 Habitat descriptions

C.5.1 The colliery site comprises a mosaic of habitats that have developed over former mine workings. Woodland and bare ground (coal spoil) dominate the northern extent of the site, with significant areas of hard standing associated with former colliery buildings within the central third. A grazed grassland compartment is located at the southern extent of the site. A further open grassland compartment is located within the western site area. Two water bodies are located within the site, whilst an un-named watercourse follows much of the edge of the eastern boundary. A dismantled railway line forms part of the western perimeter of the site.

Buildings

Bridge 1 (Figure C.4.3)

C.5.2 Bridge B1 is located on the southern boundary, supporting the existing Gatewen Road over the former railway line. The bridge comprises stone abutments with a metal deck approximately 10mx10mx4m beneath the deck. Potential usable features were present where the metal deck enters the stone abutments creating cavities. No other suitable roosting habitat or potential access points were associated with the stone abutments.

C.6 Field Survey

Methods

C.6.1.1 The exterior of bridge B1 was visually assessed for potential access points and evidence of bat activity in February 2007 by a licensed bat ecologist. The visual assessment was carried out following a period of dry weather to maximise recording of visible evidence. Features, which have potential as access points were sought, and included small gaps in mortar between bricks or stonework and cavities associated with expansion joints. Evidence that these potential access points were actively used by bats includes staining within gaps and bat droppings or urine staining under gaps, a note being made wherever these were present. Indicators that potential bat access points were likely to be inactive included the presence of heavy cob-webbing and general detritus across such features. The survey was primarily undertaken from ground level, with the aid of binoculars and an endoscope to examine potential roost sites below 3m where possible.

C.6.1.2 A second disused railway bridge B2 is located further north along the dismantled railway line, approximately 30m outside the northern boundary of the application site. Compensatory bat roosting habitat to mitigate for the loss of the bridge at the southern end of the site is proposed to be installed on this second bridge. An

assessment was, therefore, made of this bridge to determine any existing potential roosting cavities or evidence of current occupation by bats. The assessment was undertaken in February 2007 and followed the same methods as described above in C.6.1.1.

- C.6.1.3 Emergence (dusk) and re-entry (dawn) surveys were undertaken on the exterior of bridge B1. The aim of the surveys was to identify any bats exiting or entering possible roosting sites within the structure. Further nocturnal surveys were undertaken on the bridge in 2008 to further confirm the status of a roost observed during the 2007 surveys.
- C.6.1.4 Emergence / re-entry surveys were also undertaken on bridge B2 to determine whether a bat roost was present.
- C.6.1.5 Dusk surveys were undertaken from 30 minutes prior to sunset up to 90 minutes following sunset. Dawn surveys were undertaken from 90 minutes prior to sunrise up to 30 minutes following sunrise.
- C.6.1.6 Transect surveys were undertaken in 2007 to determine bat activity across the entire colliery site. On each survey occasion, two surveyors slowly walked a selected route (refer to Figures C.7.4.2 and C.7.4.3), with heterodyne bat detectors (Bat Box Duets) and minidisc recording equipment. The route included the major habitats and compartments within the site including hedgerows, grassland, railway corridor and main colliery site. The number of bat passes (defined as a continuous unbroken stream of echolocation calls) were recorded along each transect, together with the species and the time. In areas of very high activity, the use of bat 'passes' as a unit of activity are less meaningful, thus bat activity was recorded as continuous. The order in which bat transects were walked through the evening was varied to avoid any bias due to the time of night. Transect surveys were started at sunset and carried out for 2 hours.
- C6.1.7 Ultrasonic bat detectors (Bat Box Duet) were used for species identification during nocturnal counts.
- C.6.1.8 A single hibernation survey was undertaken on 28th November 2008 by a licensed bat worker thoroughly inspecting all cavities within the walls of the bridge for the presence of live or dead bats and bat droppings. Where necessary an endoscope was used. Surveys were carried out following periods of stable low temperatures.

C.6.2 Timing

C.6.2.1 The initial internal / external building inspections were conducted on 21st February 2007.

C6.2.2 The nocturnal surveys were undertaken on the following dates:

- 30th May 2007- transect survey
- 31st May 2007- transect survey
- 15th August 2007 - dusk survey of B2
- 16th August 2007 – dusk survey of B1
- 22nd August 2007 – dusk survey B1
- 23rd August 2007 – dawn survey of B1
- 29th August 2007 – dawn survey of B2
- 6th September 2007 – dusk survey of B1
- 6th September 2007- transect survey
- 30th June 2008 – dusk survey of B1
- 1st July 2008 – dawn survey of B1
- 14th August 2008 – dusk survey of B1
- 15th August 2008 – dawn survey of B1

C.6.2.3 The hibernation survey was undertaken on 28th November 2008.

C.6.3 Weather conditions

C.6.3.1 External visual assessments were only carried out following a period of dry weather to maximise recording of visible evidence.

C.6.3.2 The nocturnal surveys were carried out when the weather conditions were considered to be suitable i.e. when the ambient air temperature exceeded 10°C and when there was little/no wind or rain.

C.6.3.4 The hibernation survey was undertaken following a period of stable, low temperatures. The maximum daytime temperature on the survey occasion was 1°C.

C.6.4 Personnel

C.6.4.1 External/Internal examinations were conducted by James Eales (NE licensed bat worker reference number 20073059).

C6.4.2 The nocturnal surveys were undertaken by personnel including James Eales (NE licensed bat worker reference number 20073059), Bob Simpson (NE licensed bat

worker reference number 20080491 and CCW OTH:CSAB:80:2008) and Dan Foster (NE licensed bat worker reference number 20083621).

C.6.5 Equipment

C.6.5.1 Torches, endoscopes and binoculars were used for the detailed visual inspections.

C.6.5.2 Bat Box Duet detectors were used to aid species identification during the nocturnal surveys. Recordings of bat calls were made on minidisc for later analysis on dedicated software (namely BatSound) to aid identification.

C.6.5.3 Night vision scopes and camcorders were used to further aid the determination of roost access points within bridge B1.

C.7 **RESULTS**

C.7.1 External Building Survey

C.7.1.1 External potential bat access points were recorded in association with bridge B1. These comprised cavities created where the metal deck enters the stone abutments. No other suitable roosting habitat or potential access points were associated with the stone abutments.

C.7.1.3 No external evidence was recorded in association with bridge B1.

C.7.2 Internal Building Survey

C.7.2.1 No internal evidence was recorded in association with bridge B1.

C.7.3 Nocturnal Survey Results (Figure C.7.4.2)

C.7.3.1 A soprano pipistrelle bat roost was recorded within bridge B1 on 16th August 2007, during a dusk emergence survey. Eight individual bats were observed emerging from one of the cavities on the underside of the bridge deck, adjacent to a metal support beam. During the dawn survey undertaken on 23rd August 2007 a further 6 bats were observed entering a cavity. Due to the complex nature of the construction of the underside of the bridge and the extremely low light levels it was not possible to determine which cavity bats had emerged from or entered into.

C.7.3.2 During the nocturnal surveys undertaken during 2008 no bats were observed either emerging from or entering any cavities associated with bridge B1.

C.7.3.3 Throughout all emergence / re-entry surveys undertaken on the bridge during 2007 and 2008, small numbers of bats were observed foraging during the surveys, under the bridge deck and along the dismantled railway line to the north of the bridge. Species observed were soprano pipistrelle, noctule *Nyctalus noctula* and an unidentified myotis species. Very little foraging / commuting activity was observed south of the bridge during surveys.

C7.3.4 Transect surveys conducted across the site during 2007 also confirmed high levels of bat activity in association with the dismantled railway line. An almost constant stream of bat activity was recorded along the line with several species identified, which included; common pipistrelle *Pipistrellus pipistrellus*, soprano pipistrelle, noctule, brown long-eared *Plecotus auritus* and an unidentified myotis species *Myotis spp.* Foraging was also observed along tree groups TG1, TG2, TG1 and TG3 and in the wooded areas along the northern and western boundaries.

C.7.3.5 Daubenton's bat *Myotis daubentonii* was confirmed adjacent to the northern site boundary foraging over the large water bodies present there during newt surveys in May 2008. These bats were then observed heading towards the dismantled railway line.

Hibernation Survey

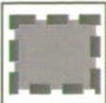
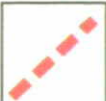
C.7.3.6 No evidence of hibernating bats was recorded at the time of survey.

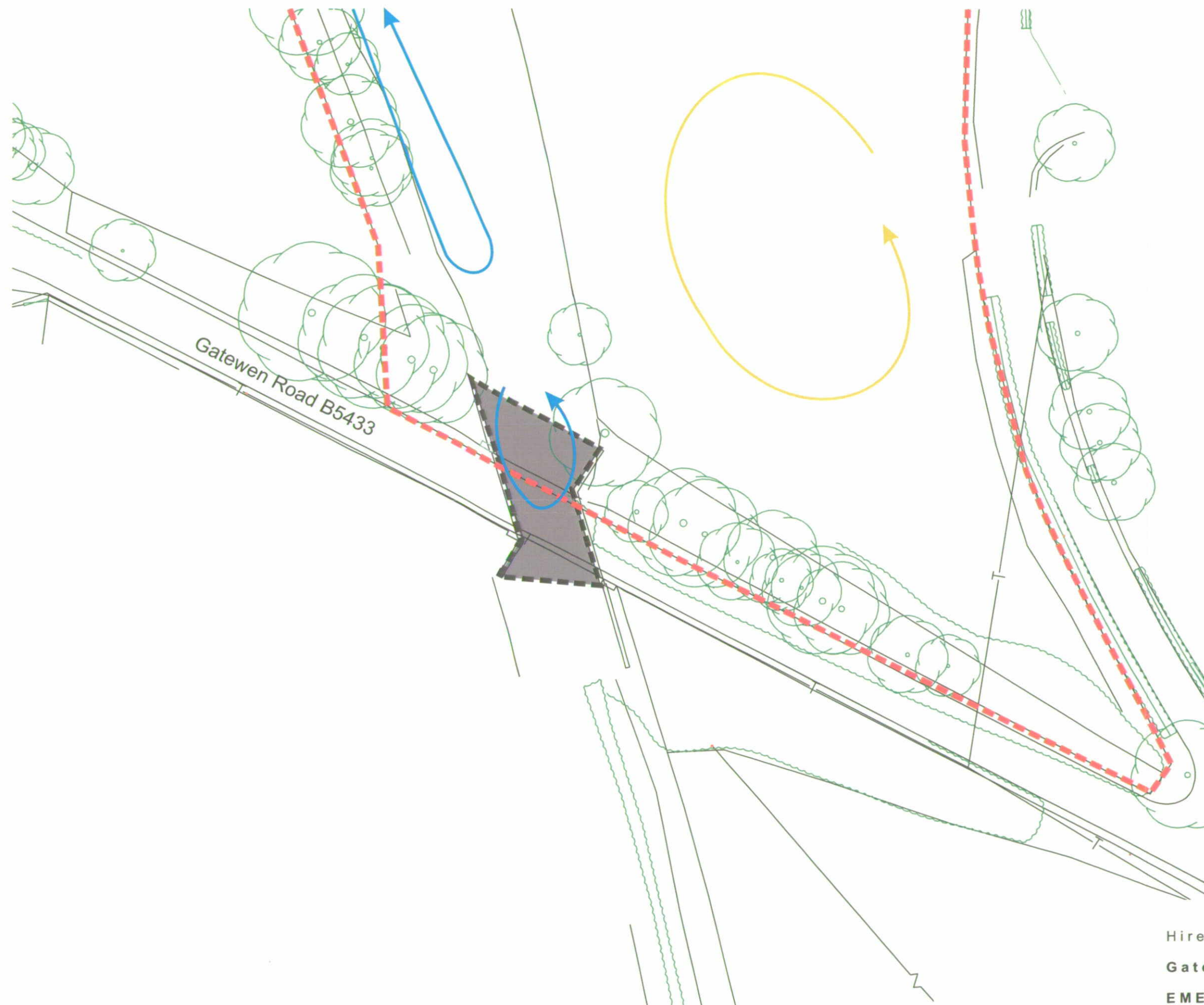
C.7.4 Survey results

C.7.4.1 Dusk / Dawn Survey Summary Plan, 1:500 at A3 (overpage)

C.7.4.2 Transect Surveys Summary Plan 1, not scaled (overpage)

C.7.4.3 Transect Surveys Summary Plan 2, not scaled (overpage)

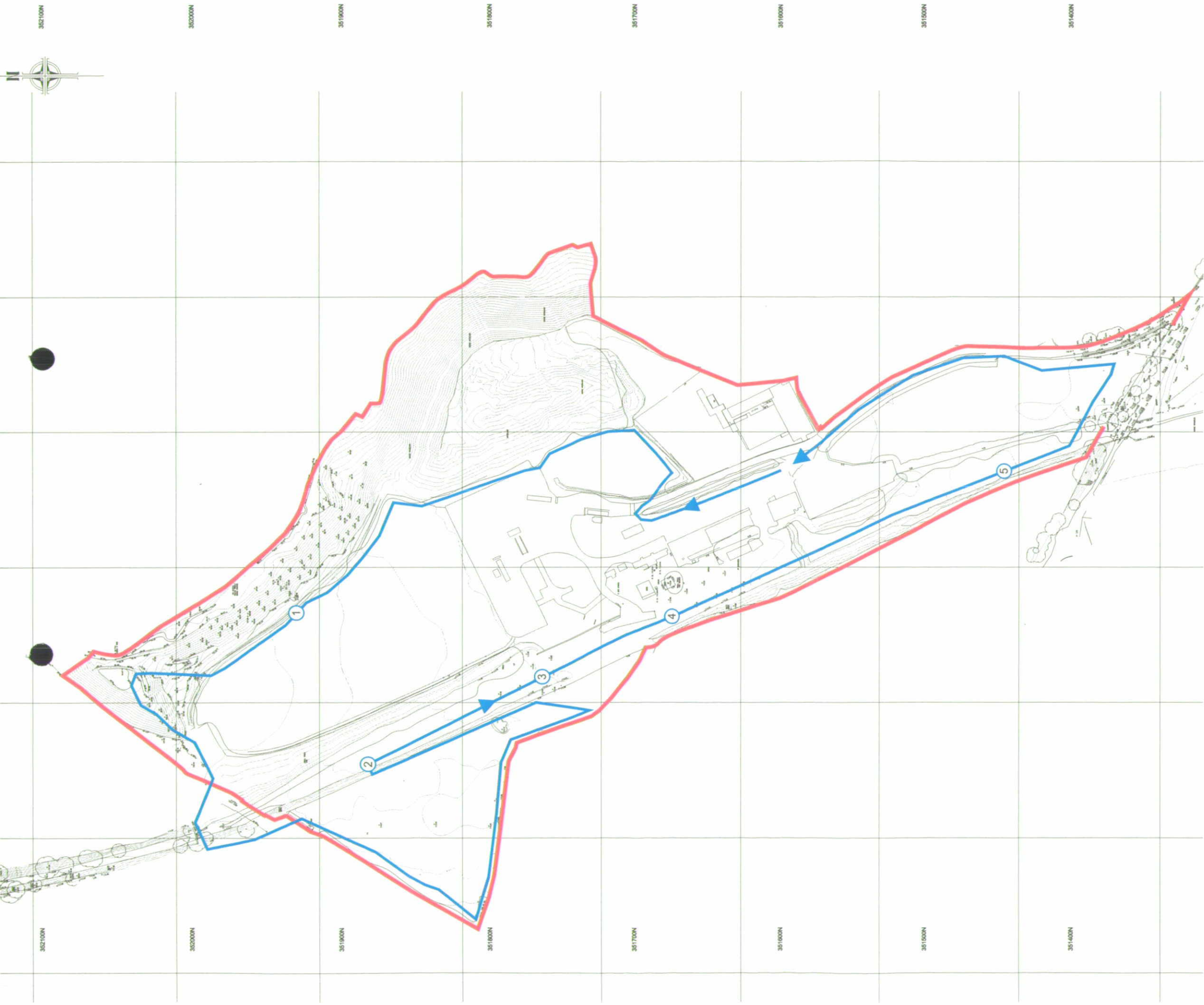
-  Licence application building boundary
-  Site boundary
-  Primary soprano pipistrelle bat foraging routes
-  Primary noctule bat foraging routes



Hiremade Furbs & Fifers 11 Ltd
 Gatewen Colliery, Wrexham
**EMERGENCE / RE-ENTRY SURVEY
 SUMMARY PLAN**

Figure C.7.4.1

1:500@A3. December 2008

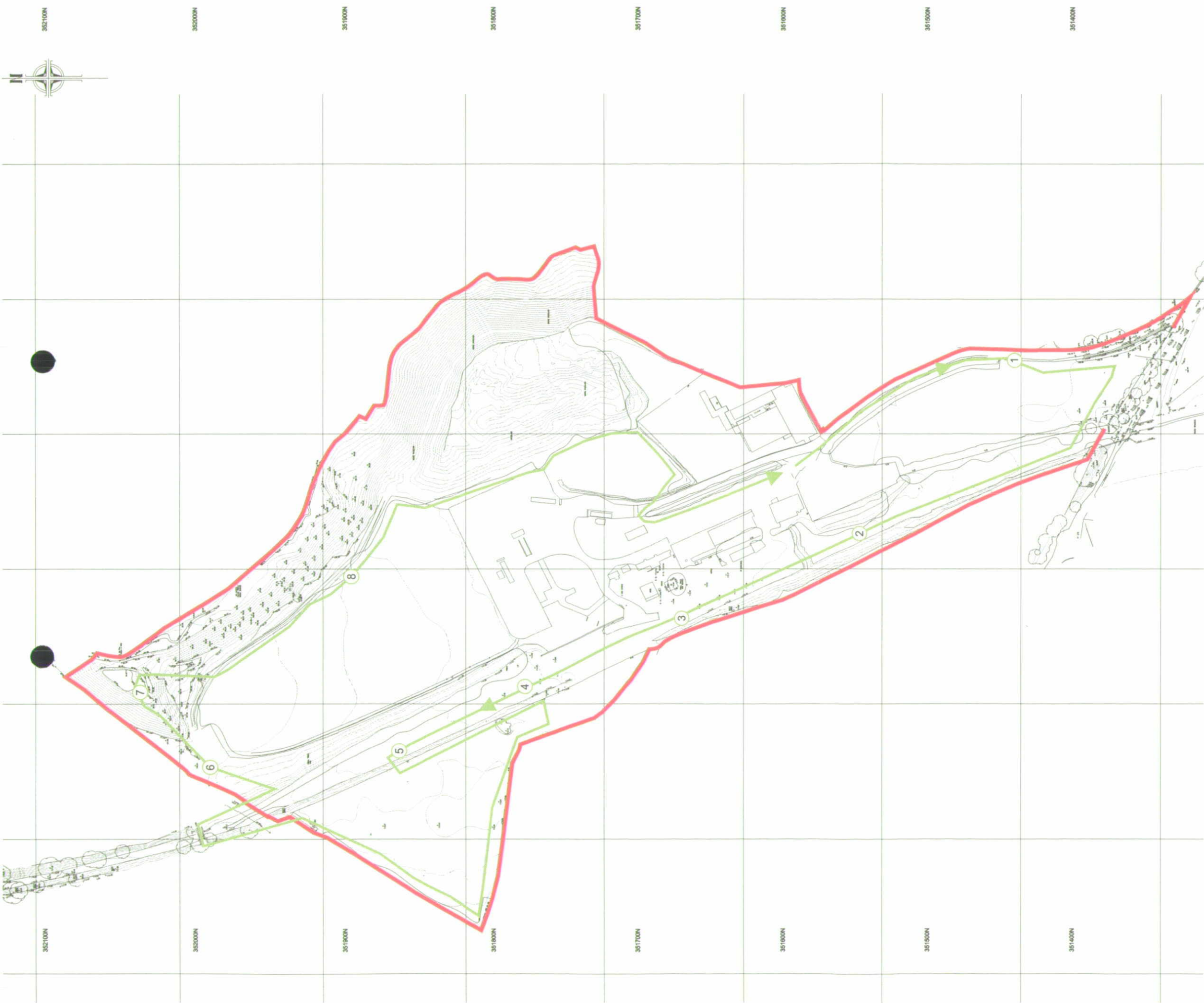


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Gatewen Colliery, Wrexham
TRANSECT 1 RESULTS PLAN

Figure C.7.4.2

Not to scale @ A3. December 2008



-  Survey area
-  Transect route
-  Bat reference number

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Gatewen Colliery, Wrexham
TRANSECT 2 RESULTS PLAN
Figure C.7.4.3
Not to scale @ A3. December 2008

C.8 Interpretation / evaluation of survey results

C.8.1 Nocturnal Surveys

C.8.1.1 Bat survey data indicates the presence of a small, occasionally used soprano pipistrelle bat roost within bridge B1 located on the southern boundary.

C.8.1.2 During the 2007 surveys a maximum count of 8 individual bats were recorded. During the following season's surveys no bats were recorded roosting within this structure.

C.8.1.3 Soprano pipistrelle roosts are typically found in relatively warm and dry locations. As such, the nature of the roosting cavity in a bridge is unlikely to provide optimal environmental conditions for a successful maternity roost.

C.8.1.4 Breeding male pipistrelle bats tend to set up solitary roosts during the summer in readiness for the autumn mating season. The almost entirely female dominated maternity roosts fragment at the end of the summer into smaller roosts comprising mothers and juveniles.

C.8.1.5 As soprano pipistrelles are known to show strong roost fidelity and will tend to use the same roost year after year, it is possible that the conditions within the bridge have been unsuitable or are not optimal for this species. As such, after a short period of occupation in 2007, the bats moved to a more favourable roost site. The species typically has alternate roosting sites and it is likely these were in use during 2008.

C.8.1.6 Furthermore, no bats were observed roosting in association with the bridge between June and August 2008 within the main maternity season. Therefore, due to the known high roost fidelity associated with soprano pipistrelle maternity colonies and the anticipated likely environmental conditions available within the bridge it is considered likely that the observed roosting bats constituted part of a fragmented maternity colony or non breeding males and / or female bats, rather than a maternity colony with dependant young.

C.8.1.7 The results of the surveys and the subsequent analysis of the roost status indicate the numbers of bats using the bridge for roosting purposes is unlikely to be greater than 30 individuals at any one time. Furthermore, bats roosting in the cavity are considered to be using the roost site on an occasional basis with alternate roost sites available in the local area.

C.8.1.8 Bridge B1 is also considered to provide suitable hibernation opportunities for bats, however during the hibernation survey in November 2008, no evidence of hibernating bats was observed. Due to the large amounts of small voids and crevices present within the main cavities inspected, the inspection of all cavities was not possible and as species such as soprano pipistrelles prefer to hibernate in small crevices it was not possible to discount the possibility of hibernating bats being present within bridge B1.

C.8.1.9 Results of the nocturnal surveys indicate that the corridor formed by the disused railway line is a relatively important resource for bats for both foraging and for commuting purposes. Although there was very little bat activity observed south of bridge B1 there was almost continuous feeding activity from a small number of bats along this corridor, to the north of the bridge B1, on all survey occasions.

C.8.1.10 It is considered that the level of survey effort and the timing of surveys were adequate to determine the size and status of the bat roost in bridge B1. Furthermore, it is unlikely that any significant roost site used by large numbers of animals could have been missed.

C.8.1.11 In summary, results of the surveys and desk study indicate that:

- soprano pipistrelle bats have a widespread distribution across England and Wales,
- the roost within bridge B1 is relatively small (a maximum of 20-30 bats at any one time),
- the roost is likely to comprise mothers and independent juveniles that have fragmented from a larger maternity roost or non-breeding male and / or female bats,
- bats did not roost at all in the bridge during 2008 surveys,
- bats were not roosting in bridge B2.

C.8.2 Functional and contextual significance of the site

Locally

C.8.2.1 Given the small size of the day roost, the availability and connectivity to other potential roosts and the lack of recent usage of the roost site by bats, it is considered that bridge B1 is not locally significant in this respect.

C.8.2.2 Nocturnal surveys indicate that the corridor formed by the disused railway line is a relatively important resource for bats for both foraging and for commuting purposes.

Although there was very little bat activity observed south of bridge B1 there was almost continuous feeding activity from a small number of bats along this corridor, to the north of the bridge B1, on all survey occasions. This feature is to be retained within the development proposals therefore impacts will not be significant. A small amount of suitable foraging habitat is due to be lost close to bridge B1, however it is considered that this will have a negligible effect on the local bat populations. Bat activity recorded within the rest of the site was low, and much of the habitat to be lost is considered to be sub-optimal for foraging / commuting bats due to the lack of vegetation cover, therefore it is considered that this will have a low impact on local bat populations.

Regionally

- C.8.2.3 Minimal data on soprano pipistrelle roosts was provided during the consultation exercise. Therefore little comment can be made on the regional significance of the roost. However, as only a small number of bats were observed the significance of the day roost in a regional context is likely to be low.

Nationally

- C.8.2.4 Soprano pipistrelle bats are widespread throughout the UK (BCT, 2001). The small size of the roost and the likely availability of similar sites on a local, regional and national level suggest the site is of low significance nationally.

C8.3 Constraints to survey

- C8.3.1 It is considered that there were no constraints to the surveys undertaken.

D Impact assessment in absence of mitigation

D.1 Short term impacts: disturbance

- D.1.1 The following are the potential impacts on the bat roost in B1 during works:
- increased noise,
 - increased dust,
 - altered environmental conditions,
 - access obstruction
- D.1.2 Due to the size and status of the roost in B1 the above are considered to constitute a low impact (Bat Mitigation Guidelines 2004).

D.2 Long-term impacts: roost modification

D.2.1 Bridge B1 will be demolished, therefore long-term impacts from the modification of the roost are not considered to be applicable.

D.3 Long-term impacts: roost loss

D.3.1 The demolition of bridge B1 will result in the loss of an occasionally used soprano pipistrelle summer roost. It is considered that bridge B1 forms part of a network of roost sites for this species in the area. Therefore in the absence of mitigation it is considered that the loss of this roost would have a medium impact at a local level. With the implementation of suitable compensation, it is considered that the loss of the roost would have a low impact at a local level and no impact at any other greater level.

D.4 Long-term impacts: fragmentation and isolation

D.4.1 Very little bat activity was observed in association with the areas of hardstanding, coal spoil and grassland in the centre of the colliery site. Loss of these habitats is considered to result in little / no impact on the bat roost or on the local bat population using the site. The majority of foraging and commuting activity within the site was associated with the disused railway line, to the north of bridge B1. This feature will be retained throughout the development and will undergo appropriate management to further enhance this resource.

D.5 Post-development interference impacts

D.5.1 The redevelopment proposals will increase the amount of anthropogenic activity in the area. The creation of new roads could cause fragmentation of habitats and external development lighting could cause increased disturbance along flight lines without appropriate mitigation. These factors are considered to constitute a medium impact on the bats currently using the site.

D.6 Predicted scale of impact

Site level

D.6.1 The development will result in the loss of an occasionally used soprano pipistrelle summer bat roost, likely to comprise female and independent juvenile bats or non-breeding male and/or female bats. This is considered likely to result in a low-medium impact on population viability in the long term as the affected individuals are likely to have alternate roost sites in the immediate locality. If the roost site is also used for hibernation, loss of this site would result in a higher impact depending on the numbers of individuals affected.

- D.6.2 Very little bat activity was observed in association with the areas of hardstanding, coal spoil and grassland in the centre of the colliery site. Loss of these habitats is considered to result in little / no impact on the bat roost or on the local bat population using the site. The majority of foraging and commuting activity within the site was associated with the disused railway line, to the north of B1. This feature will be retained throughout the development and will undergo appropriate management to further enhance this resource.

Local county level

- D.6.3 The number of affected individuals is relatively small, the population is likely to use this site in conjunction with other roosts in the vicinity and the status of the roost present is considered to be of relatively low conservation significance. However, the species is classed as having declined and as such is now listed as a priority species on the UK Biodiversity Action Plan. Therefore, impacts on the local and regional populations of soprano pipistrelle bats from the loss of the bat roost in B1 are considered to be low-medium.

- D.6.3 It is likely that the site is used in conjunction with several roosting sites in the local area and, as such, loss of this roost site is unlikely to have a significant impact on the conservation status of the local population. Furthermore, it is considered that loss of the roost will not significantly affect:

- the ability of a significant group of animals of that species to survive, breed or rear or nurture their young, or
- the local distribution or abundance of the species.

Regional level

- D.6.5 Soprano pipistrelle bats are widespread throughout England. The roost present on site is likely to be part of a network of roosts in the region and as such any regional impacts from redevelopment of the site are likely to be low.

E Land ownership – Mitigation site

Mitigation site ownership

- E.1 The application site including the disused railway line and the bridge B2 which is proposed for installation of compensatory roosting habitat is currently owned by Hiremade Furbs & Fifers 11 Ltd.
- E.2 The mitigation will be located on land which is intended either to be managed by a third party management company funded by the developer or for adoption by the

local authority on completion of works. On completion of the three year post-development monitoring period, ongoing management of the bat mitigation is considered to be minimal.

F References

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Mitchell-Jones A.J. & McLeish A.P. (1999). *The Bat Workers' Manual*

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G Annexes

**WELSH ASSEMBLY GOVERNMENT APPLICATION IN
RESPECT TO BATS**

Gatewen Colliery, Wrexham

**Method Statement - Document 2
Background & Supporting Information**

DECEMBER 2008

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A Mitigation and compensation

A.1 Summary of mitigation strategy (see Figure C.1.4.1)

A.1.1 The following mitigation strategy has been designed to compensate for the loss of a small soprano pipistrelle roost and to provide long term mitigation that will maintain the conservation status of the species affected on completion of the works. Principle impacts that the mitigation has been designed to offset, comprise the loss of occasionally used summer roost for low numbers of non-breeding female or male, soprano pipistrelle bats.

A.1.2 Short-term mitigation will involve an exclusion program to ensure that bats are not harmed during demolition works. It is not anticipated that hibernating bats will be found during works due to the timing of the works.

A.1.3 Long-term mitigation / compensation will comprise the installation of bat boxes throughout the site.

A.1.4 Habitat management will include the creation of "hop over" features over the newly created road to prevent bat mortality through road traffic collisions.

A.1.5 Development lighting will be installed so as not to disturb sensitive areas for bats.

A.1.6 Proposed site plan, scale on diagram (over page)

B Works to be undertaken by the ecologist

Capture and exclusion

- B.1.1** Short-term mitigation measures will be employed during demolition of the bridge to ensure bats are not harmed during works. The following are details of the methods to be employed.
- B.1.2** Upon receipt of the licence compensatory roosting habitat will be installed. This will include the installation of the bat boxes as described in section A1. The licensable works on bridge B1 will then begin in spring 2009 to avoid the main hibernation period. Although a hibernation survey was undertaken in late November 2008, the complex nature of the cavities within the structure prevented the presence of a hibernation roost being discounted completely.
- B.1.3** Prior to the start of exclusion works a detailed inspection will be undertaken on all potential roosting cavities on the underside of the bridge deck using endoscopes where necessary. This will be facilitated through the use of a mobile elevated work platform (MEWP) or scaffold. Any cavities that can be inspected thoroughly and the presence of roosting bats discounted will be permanently blocked immediately.
- B.1.4** If it is found that a cavity cannot be fully checked or bats are found to be present in a cavity then a program of exclusion works will be implemented outside of the main hibernation period of December to February inclusive. Standard bat exclusion devices will then be fitted to all potential bat access points. After a period of at least four days of suitable weather conditions, i.e. minimum overnight temperatures of 8°C, the excluders will be removed and the cavities re-inspected using torches and endoscopes by a licensed bat worker immediately prior to being permanently blocked.
- B.1.5** Upon completion of the exclusion program and blocking of cavities the demolition works can proceed without the need for further surveys.
- B.1.7** In the unlikely event that bats are encountered during demolition, then all works will cease immediately and FPCR contacted for further advice.

C Works to be undertaken by the developer/landowner

In-situ retention of roost(s)

C.1.1 Not applicable to this application.

Modification of existing roost(s)

C.1.2 Not applicable to this application.

New roost creation

C.1.3.1 Long-term mitigation / compensation for the loss of this roosting habitat will comprise the installation of a range of bat boxes on both the bridge B2 and the retained trees within the site. The bat boxes will provide roosting opportunities throughout the year including during the hibernation period. Six bat boxes are to be installed on bridge B2 with the three hibernation boxes to be placed on the stonework on the bridge's north-eastern aspect and the three bat boxes for general use on the south-western aspect. Four suitable mature trees in the retained tree line along the former railway line will be selected by the supervising licensed bat worker and three bat boxes will be placed on each tree. The bat boxes for summer use will be orientated in south-east, south and south-west directions to provide a range of roosting opportunities. The hibernation boxes will be orientated to the north. Bat boxes will be placed at a height of 4 to 6 metres. This tree line has already been identified as a key foraging / commuting corridor during previous survey work. The new roosts will provide habitats suitable for use by soprano pipistrelle bats and other crevice dwelling species.

C.1.3.2 The bat boxes to be installed on B2 will comprise:

- 3 x Schwegler 1FQ bat boxes, and
- 3 x Schwegler 1WQ hibernation boxes.

C.1.3.3 The bat boxes for installation on trees will comprise:

- 3 x Schwegler 1FD bat boxes,
- 3 x Schwegler 1FS colony bat boxes,
- 3 x Schwegler 2F (with double front panel) bat boxes,
- 3 x Schwegler 1FW hibernation bat boxes.

C.1.3.4 The loss of mature trees adjacent bridge B1 will remove multiple potential roosting cavities. At the time of the surveys undertaken on these trees, no evidence of roosting bats was recorded. Therefore, to mitigate for the loss of these potential

roosting cavities and further enhance biodiversity within the application site, additional bat boxes will be placed on retained trees along the dismantled railway. The exact locations of the bat boxes will be determined by the supervising licensed bat worker. The following bat boxes will be used to provide a range of roosting habitats:

- 3 x Schwegler 1FD bat boxes,
- 3 x Schwegler 1FS colony bat boxes,
- 3 x Schwegler 2F (with double front panel) bat boxes,
- 3 x Schwegler 1FW hibernation bat boxes,
- 5 x Schwegler 2FN bat boxes.

C.1.3.5 The existing retained habitat on site will be enhanced to provide and protect important foraging areas and commuting habitats for bat species. To minimise post-development mortalities resulting from road vehicle collisions, landscape planting / management will create 'hop-over' features where the disused railway line intercepts Gatewen Road at the southern boundary and where a new road intersects the railway corridor to the north of B1. Where necessary standard tree planting immediately adjacent the intersection of the railway line will be utilised to increase the vegetation height and therefore the flying height of bats as they travel across the roads. The vegetation understorey will be removed on the approach to these points to reduce the amount of low level cover and further encourage bats to increase flight height whilst travelling over the roads.

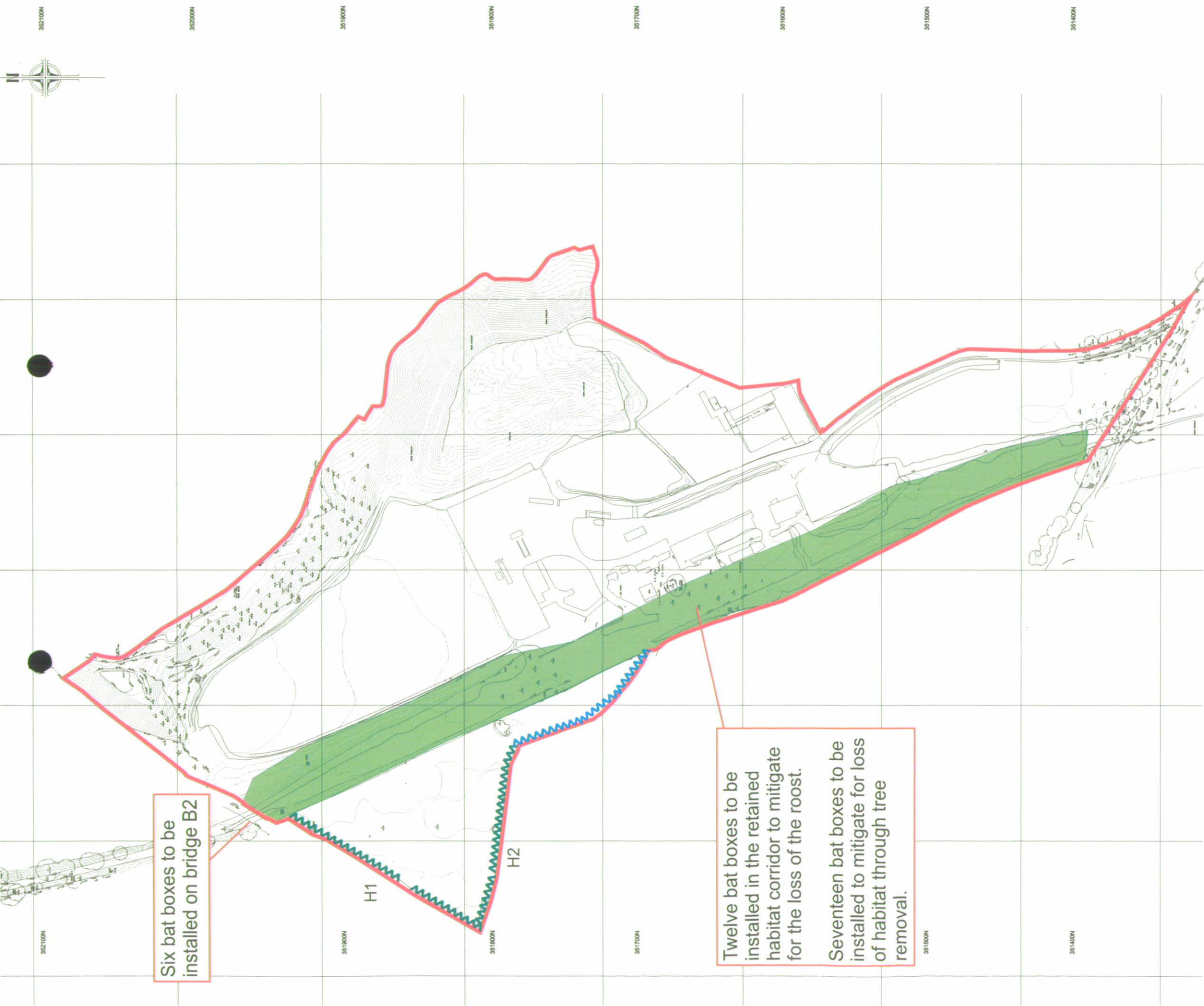
C.1.3.6 The hedgerows H1 and H2 along part of the western boundary will be extended with additional tree and shrub planting to connect to the railway line corridor. The creation of this additional linear feature will provide an alternative potential flight line for bats moving in a north-south direction.

C.1.3.7 All tree and shrub planting will utilise native species of local provenance and include nut and fruit bearing species to provide food resources for other wildlife. Further details are provided in the Management Plan (Appendix 1).

C.1.3.6 Development lighting will be installed in such a manner as to reduce the impact on commuting routes along the dismantled railway and the replacement roost sites. Where lighting is required in these areas it will be strategically located and directional to ensure sensitive areas are not disturbed.

Scaled maps / plans

C.1.4 New roost location map shown overpage in C.1.4.1.



- Survey area
- Retained habitat corridor
- Retained hedgerow with reference
- New hedgerow planting as described in management plan (FPCR 2008)

Post-development site safeguard

D.1 Habitats / site management and maintenance

D.1.1 A management plan has been produced for retained habitats within the site and is provided in Appendix 1.

D.1.2 Management of habitats retained / installed for the benefit of bats will be undertaken by the developer Hiremade Furbs & Fifers 11 Ltd in the short term. In the long term the railway corridor and cycle path and their management / maintenance will either be adopted by the local council or passed to a third-party management company with financial provision for maintenance works provided by the developer.

D.2 Population monitoring

D.2.1 Monitoring will take the form of the bat boxes being inspected and cleaned once per year for 3 years during spring or autumn to avoid unnecessary disturbance to resident bats in sensitive breeding or hibernation periods. Monitoring will start in 2010. Licensed bat workers will undertake the inspections and any evidence of bat occupation will be recorded, including the presence of live bats, with all typical precautions being taken if live bats are present.

D.3 Mechanism for ensuring delivery of post-development works

D.3.1 As both provision of mitigation measures and maintenance of public open spaces are conditioned within the planning approval this will ensure delivery of post-development works as described in this document and in documents submitted to Wrexham County Borough Council (the Bat Survey Report (FPCR 2008) and the Management Plan (FPCR 2008)).

E Timetable of works

December 2008	January 2009	February 2009	March 2009	April 2009	May 2009 – November 2010
Submit licence application to Welsh Assembly Government		Receive licence.			
		Install compensatory roosting habitat.			
			Inspect bridge cavities: block any with no bats that can be fully checked and install exclusion devices on all others		
			Following exclusion block remaining cavities to allow demolition to proceed at a later date.		Undertake tree planting as required to create 'hop-over' features adjacent the new road.

F

Appendices

3 P
C
CAMBRIAN ARCHAEOLOGICAL PROJECTS LTD.

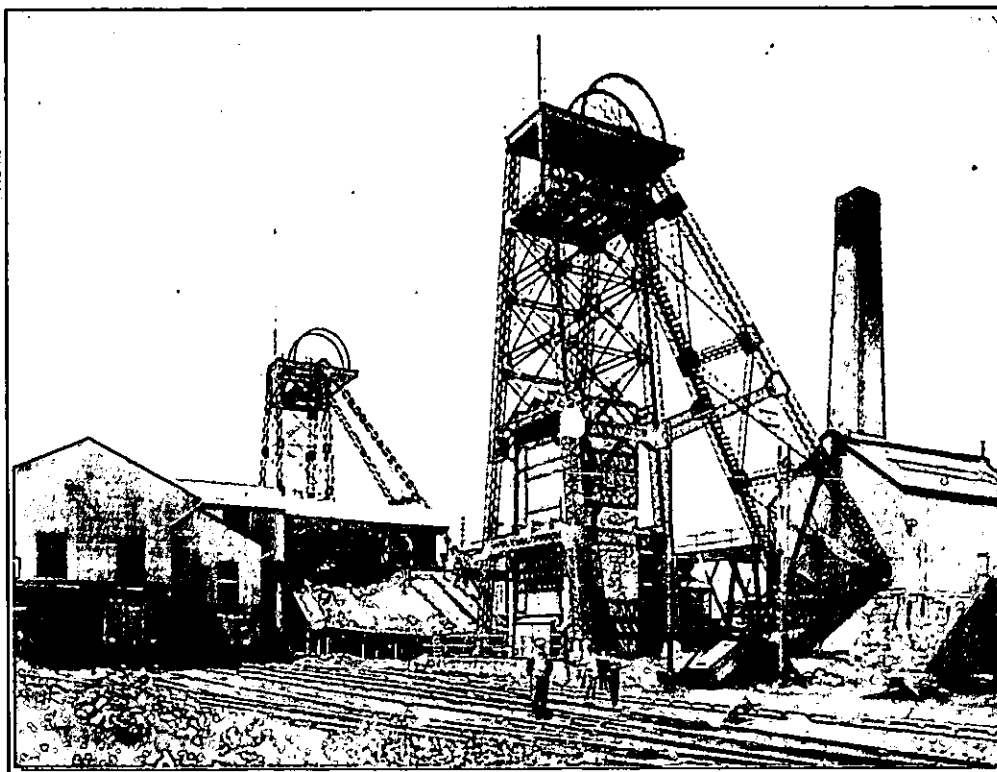
Gatewen Colliery, Moss Wrexham

Archaeological Evaluation

PLANNING DEPARTMENT

12 JAN 2009

WREXHAM COUNTY
BOROUGH COUNCIL



By
Ken Owen



CAP Report No. 542

ARCHAEOLOGICAL EVALUATION

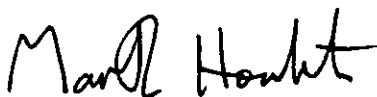
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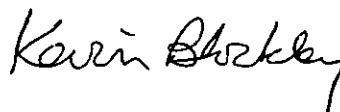
CAP Report No: 542

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Non Technical Summary

This report results from work undertaken by Cambrian Archaeological Projects Ltd (CAP) on behalf of Morston Assets Ltd. of Holt, Norfolk and managed by CgMs Consulting, Newark, Notts. The work is in advance of a development of residential units on 10 Hectares of land centred on NGR SJ 3134 5180, which is roughly 2Km West of Wrexham, North Wales.

The archaeological evaluation involved a series of six trenches on the former colliery of Gatewen, which is located in the Moss valley. Trenches 1, 4 and 6 were void of colliery structures, apart from demolition material, whilst trenches 2, 3 and 5 provided evidence for high levels of preservation.

The three latter trenches showed that there is a high potential for the good survival of a substantial amount of colliery buildings within the area.

1 Introduction

1.1 Location and scope of work

- 1.1.1 The Location of the site is roughly 2Km West of Wrexham, North Wales within the southern extent of the Moss Valley. This is a shallow valley with a gentle North-West to South-East orientation leading from Moss to Wrexham (Fig.1).
- 1.1.2 An archaeological Desk Based Assessment was carried out by Wardell Armstrong in 2004, and by CgMs in June 2008 where it was established that an archaeological evaluation was necessary to inspect the condition of the former structures associated with the Gatewen Colliery.
- 1.1.3 It was proposed by Wardell Armstrong in their report of 2004, 'Specification for Archaeological Excavation', that six evaluation trenches should be excavated each of which would be 15m x 2m in size (Fig.11).

1.2 Geology and topography

- 1.2.1 The site of the proposed development is located within the former colliery of Gatewen, though none of the former colliery buildings are to be seen above ground. There are a few demolished structures on site. These are likely to be associated with a HGV training centre which has only recently been closed. The main part of the site is covered by a concrete surface. To the North-West is a large hill of coal waste which is now overgrown with small trees, as is much of the site.

- 1.2.2 The Moss Valley slopes gently towards the South-East. The site is located at the Western side of the valley (Fig.2).
- 1.2.3 The sedimentary formations here are of Lower Westphalian coal measures of the Upper Carboniferous, underlain by Namurian Millstone Grit of the same Quaternary period. The drift geology is undifferentiated glacial sands and gravels
- 1.3 **Archaeological and historical background**
 - 1.3.1 The earliest known occupation within the proposed development area is the former Gatewen Colliery, which was built in 1874 and had started coal production by 1877. It closed in c.1934.
 - 1.3.2 The site was re-opened in 1957 and used as an opencast coal disposal point until 1966. Later it was used as a HGV training centre, which was shut relatively recently.
 - 1.3.3 A railway was in use both during the colliery period and subsequently. It remained in use until the railway closures of the early 1960s. The railway was used for industrial traffic and as a local passenger service
 - 1.3.4 The archaeological background to the evaluation was the subject of a 'Specification for Archaeological Evaluation' by Wardell Armstrong in August 2004, and a desk-based assessment (DBA) carried out in June 2008 by CgMs Consulting.

2 Aims and Objectives

2.1 Recording

- 2.1.1 To recover and record archaeological information with the aid of photography, plans and context sheets which would otherwise be destroyed by the proposed scheme and prepare a report on the results.
- 2.1.2 To collate and assess all cartographic information relevant to the area which will have a bearing on the said works.
- 2.1.3 To assess the topography and landuse of the area through maps and site visits during the course of the said works.

2.2 Field Evaluation

- 2.2.1 To establish the presence/absence of archaeological remains within the proposal area paying particular attention to any colliery activity.
- 2.2.2 To determine the extent, condition, nature, character, quality and date of any archaeological remains present.

- 2.2.3 To establish the ecofactual and environmental potential of archaeological deposits and features.
- 2.2.4 To appraise the likely impact of the proposal on any surviving archaeological deposits and, if appropriate, to make suggestions for a mitigation strategy or, where areas contain archaeology of national importance, for preservation *in situ*.

3 Evaluation Methodology

3.1 Scope of Fieldwork

- 3.1.1 The evaluation consisted of six machine dug trenches with an 11tonne 360 degree mechanical excavator using a 2m wide toothless bucket. The machine also had a pecker for breaking the concrete surface and toothed 1m and 0.30m buckets for working in either rough or narrow areas.
- 3.1.2 The evaluation was undertaken by Ken Owen (Project Manager) and Hywel Keen (Project Assistant). After the initial removal of the concrete and demolition debris with the machine all the archaeological levels were cleaned by hand, before photography and further recording. All sections and plans were drawn to a scale of 1:20
- 3.1.3 All works were undertaken in accordance with both the IFA's *Standards and Guidance: for an archaeological desk-based assessment and archaeological evaluation* and current Health and Safety legislation.

3.2 Finds

- 3.2.1 A few very poorly preserved metal finds were recovered but not kept. No ceramic or glass finds were found on the site.

3.3 Palaeo-environmental evidence

- 3.3.1 No deposits suited to environmental sampling were located during the evaluation.

3.4 Presentation of results

- 3.4.1 Section 4 outlines the results from each trench. An inventory of all contexts is presented in Appendix III. All OD levels are included in the figures on the drawn sections and plans.

4 Evaluation Results

4.1 Soils and ground conditions

- 4.1.1 Generally the site and weather conditions were reasonably good. There were some occasional showers but it was generally dry. The ground conditions were very dry due to the large volume of industrial activity and backfill that was encountered.

4.2 Distribution of deposits

- 4.2.1 On removal of the concrete surface the trenches were observed to be fairly similar. All of them contained significant amounts of demolition material. It was apparent that the demolition had been used to build up the ground level, in some areas by as much as 1.75m.

4.3 Descriptions of trenches

Trench 1 (Fig.5) (Plate 1) Fan Drift

- 4.3.1 After the removal of the concrete and tarmac surface (001) the trench was excavated in spits. The layer below the surface was an orangey grey layer with an average depth of 0.30m containing large amounts of crushed brick (054) used for the general levelling of the ground before the laying of the concrete surface. The layer below (054) was a large deposit of demolition material (055) containing broken brick and mortar with a maximum depth of 0.60m. There was a narrow band of sandy clay below the demolition which seemed to be natural (056), below which was a greyish brown silty sand natural (059). These deposits were also located in other parts of the site.

Trench 2 (Fig.6) (Plates 3+4) Fan and Compressor House

- 4.3.2 The concrete (001) was removed in this trench to again reveal a crushed brick levelling layer similar to Trench 1 with an average depth of 0.36m (060). After the removal of (060), three brick walls were initially revealed running in a North-South direction. Surrounding these was demolition material very similar to that found in Trench 1, although in this trench the layer contained far more building material, mainly brick (061). This material was excavated for a further 1.50m. With the total depth of the trench now over 2.20m below ground surface, it was decided to cease excavation on safety grounds. The height of the walls at this depth was 1.80m with the demolition material continuing between wall (062) to the East of the trench and wall (063), which was near the centre. Between (063) and wall (064) c.5m to the West the appearance of water within the demolition material at a depth of 1.50m below the surface suggested that there may be a channel or drain within the walls at this point. All the aforementioned walls were 0.38m in width and would have been interior walls within the Fan and Compressor House.

There was also a very badly truncated wall at the West of the trench (065) which was originally far more substantial. This wall had a width of 0.76m and would seem to be the exterior wall at the western side of the building.

Trench 3 (Fig.7) (Plates 2) Winding Engine House (Upshaft)

- 4.3.3 After removal of the concrete surface (001) within this trench and the upper layer of backfill, it was noticeable that there were later structures within the trench and part of the earlier colliery building that had been truncated. To the southern half of the trench and associated with the colliery phase of structures a small wall of one brick in width survived (039) to a height of three courses. A parallel wall, at a distance of c.0.50m to the North of (039) and with a width of 0.24m (040), created a cavity between these two walls. To the South of (039) and butting against it, there was a brick floor (037) with a length of 2.50m, edged by bricks (038). To the South of this floor, natural (059) was observed at a depth of 2.00m. The northern half of the trench contained walls of a later phase (032), (041) and (044), which had truncated the earlier colliery walls. A very large amount of unworked sandstone blocks (043) was also found in this area. These had been re-used as a foundation for the later walls and may have originally formed part of the base for the winding gear associated with the earlier colliery phase.

Trench 4 (Fig.8) (Plate 5) Former Railway Track/Loading Bay

- 4.3.4 Trench 4 was located to the West of the other trenches and was orientated North-South within the former railway track. It was also the only trench that did not require concrete to be broken prior to excavation. After removal of the grass and a very thin layer of topsoil there was a layer of ballast (047) with an average depth of 0.32m. Below the ballast was a very dark grey demolition layer containing occasional fragmented brick (048). On the northern side of the trench, natural was reached (049)=(059) at a depth of c. 0.70m. The northern part of the trench was extended to 17m as two brick pillars were found in this area (052)+(053). These pillars were butted by a demolition layer (050), which was only seen in the northern half of the trench. The pillars were cutting into an ash/coke/coal waste (051) deposit with a maximum thickness of 0.30m, which was also only seen at the northern side of the trench.

Trench 5 (Fig.9) (Plate 7+8) Winding Engine House (Downshaft)

- 4.3.5 This trench was located roughly 10m North of Trench 3 and was excavated to investigate the other winding house associated with the downshaft pit. On removal of the concrete surface (001), at the northern side of the trench, a very compacted surface of fragmented yellowish sandstone was revealed. This contained irregularly shaped and angular blocks up to 200mm in size (015). Below (015), at the southern extent, was a wide sandstone wall or support base with a face to the South (023). This feature was quite substantial and included two recesses within the excavated area. To the North of this feature and below surface (015) there was a very compacted area containing large irregularly shaped blocks

of a grey limestone set within a matrix of a dark grey sand (014). Deposit (014) was not totally removed because a brick arch (022) was also encountered within the matrix. The orientation of the arch was ENE-WSW and it was over 0.80m wide. This arch was either a culvert or tunnel. At present there is no further information on this feature apart from the fact that it was orientated towards the downshaft pit. The southern half of the trench consisted of two brick floors. These were located nearer the centre (025), and towards the South (028). At the southern extent brick floor (028) was overlain by wall (029). The total extent of this wall is not currently known as it continues underneath the southern section of the trench. Towards the centre of the trench were two parallel walls (026) and (027), both with an E-W orientation, these two walls partially overlie floors (025) and (028) respectively.

Trench 6 (Fig.10) (Plate 6) Tramroad

- 4.3.6 This was the most northerly trench in the sequence and was excavated to investigate the line of a possible tramroad. The tramroad took a course from the upshaft pit to the waste tip located further to the North-East. After the removal of the concrete surface (001) the only features encountered were a series of demolition backfills, and dumps of coal and shale waste near the base of the trench. At c.2.00m natural (059) was reached, the conclusion being that the former tramroad had been removed. On close inspection of the OS Maps (Figs.3+4), however, it seems the railway track within the colliery went below the tramroad. The tramroad may have been a high level overhead track, which would explain why no evidence was found.

5 Discussion and Interpretation

5.1 Reliability of field investigation

- 5.1.1 Although there was large scale demolition of the colliery after its closure in 1934 the foundations of the structures seem to have survived. In the demolition strategy that was adopted, the buildings were not totally removed but infilled with rubble. This meant that only the upper parts of the colliery buildings were demolished and that the ground level was raised through demolition. It also preserved the lower part of the structures and floors in situ.
- 5.1.2 There may be some damage to the colliery buildings from the later phase of development, but from the evaluation results it seems there is a very good scale of preservation with walls and floors surviving intact.

5.2 Overall interpretation

- 5.2.1 The evaluation revealed that a very significant part of the former colliery survives below the current ground level, preserved by the demolition material.
- 5.2.2 Trenches 1, 4 and 6 did not produce any significant archaeological features apart from the two pillars within the northern side of Trench 4.
- 5.2.3 Trenches 2, 3 and 5 were located around the Compressor House and Winding Engine Houses. These produced walls and floors in a very reasonable state of preservation, as well as a culvert within Trench 5.

5.3 Significance

- 5.3.1 Due to the normal practise of colliery sites being heavily demolished after the end of their lifespan, a site with a reasonably good survival of structures such as Gatewen Colliery would provide an opportunity of gaining more knowledge of the local coal industry in the Wrexham area.

6 Acknowledgements

- 6.1.1 Thanks to: Hywel Keen for his assistance with the archaeological evaluation at the site, and also to Mark Westhead for his careful control and patience with the excavator.

7 Bibliography and References

- Dale, Roderick (2008) 'Land at Former Gatewen Colliery, Gatewen Road, Wrexham, Clwyd'.
DBA by CgMs Consulting for Morston Assets Ltd..
- Hodgkinson, D. (2004) 'Specification for Archaeological Evaluation'
DBA by Wardell Armstrong for Hiremade Pension Fund.



APPENDIX I:

Figures and Illustrations



Fig 01: Location of Gatewen Colliery, Moss, Wrexham.

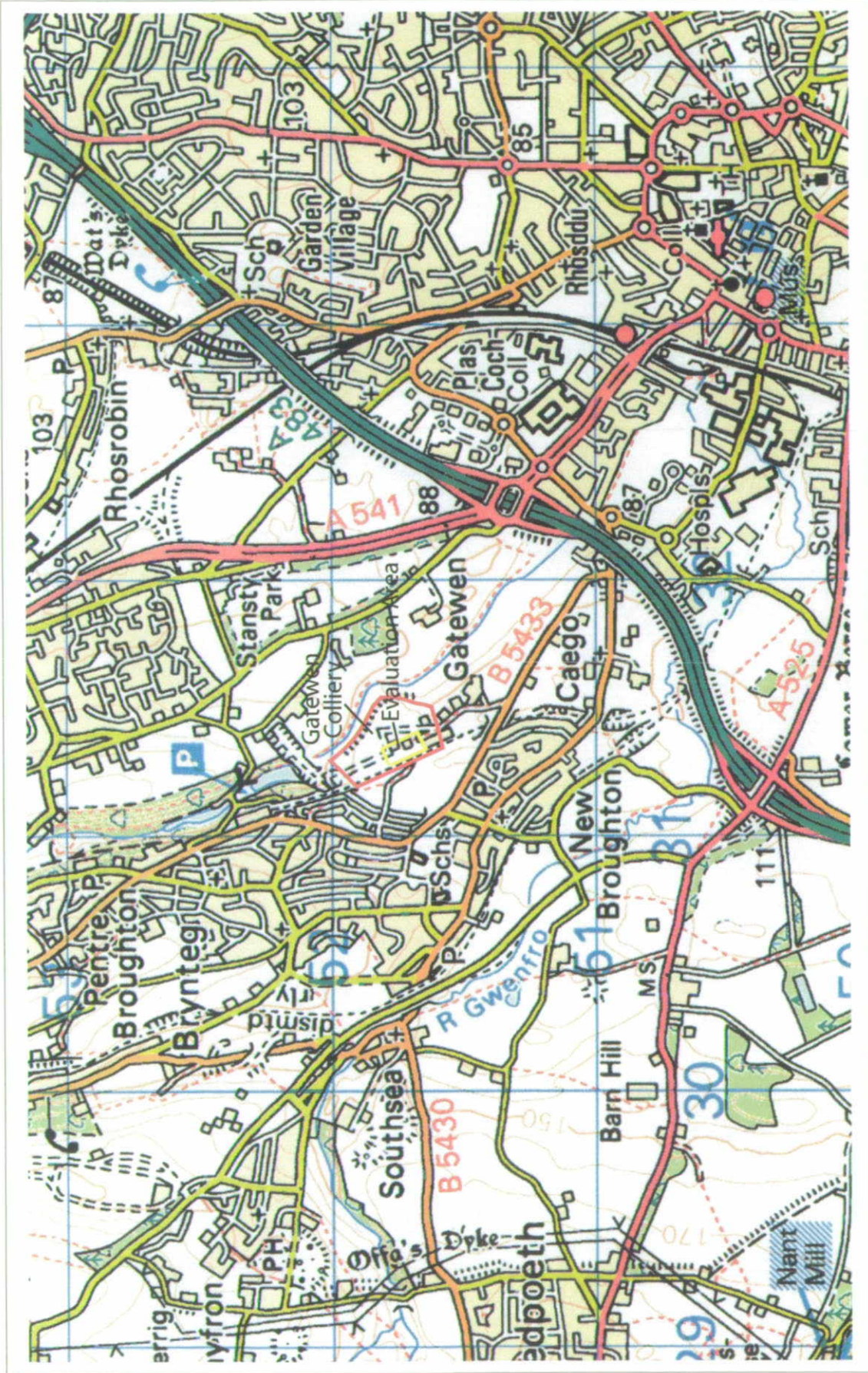


Fig 02: Location Map showing Evaluation Area.

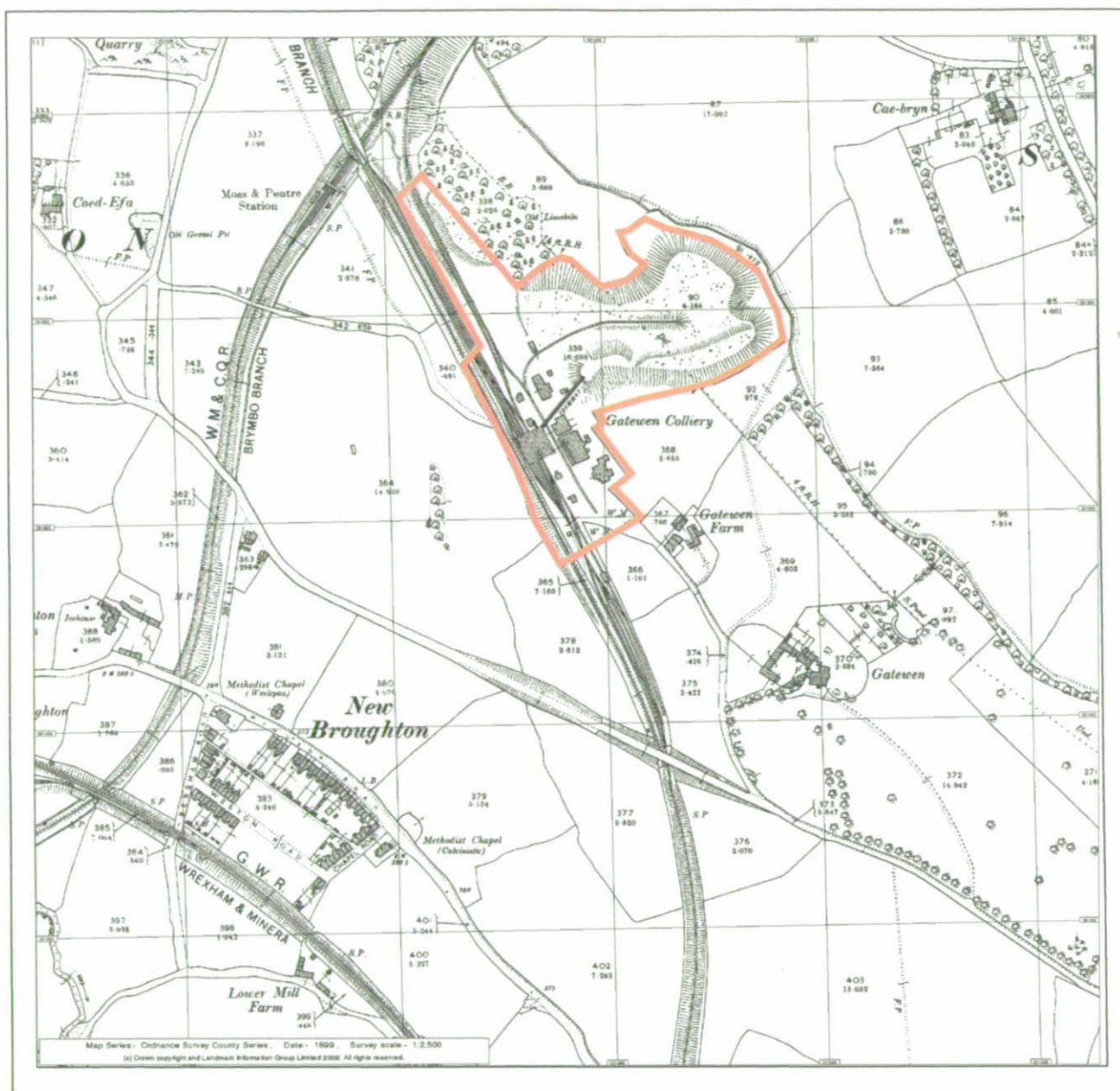
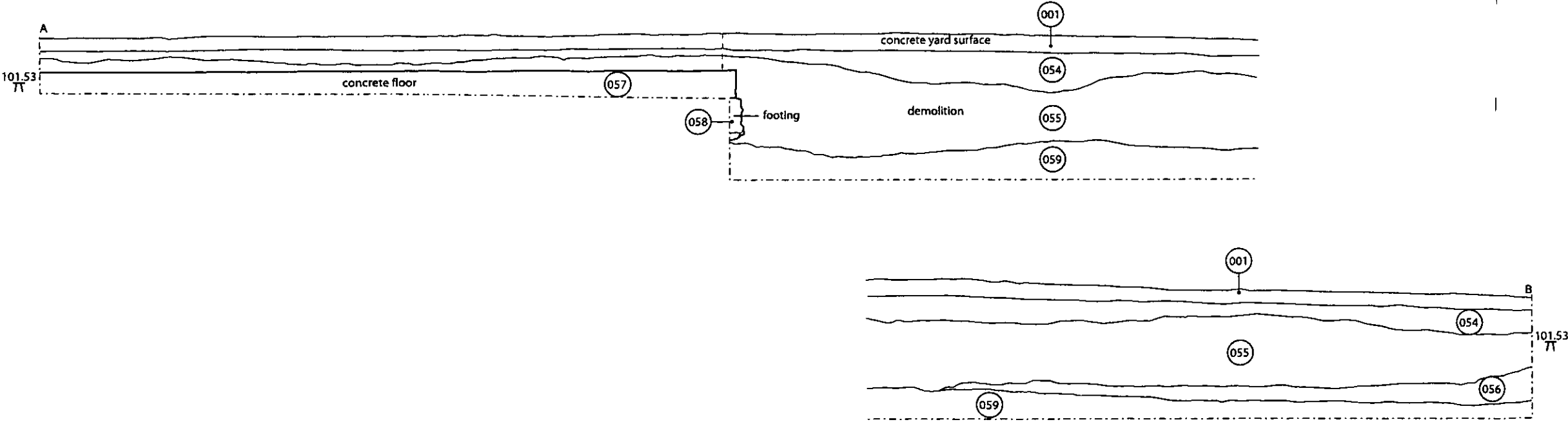
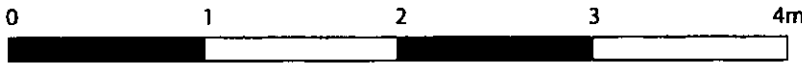
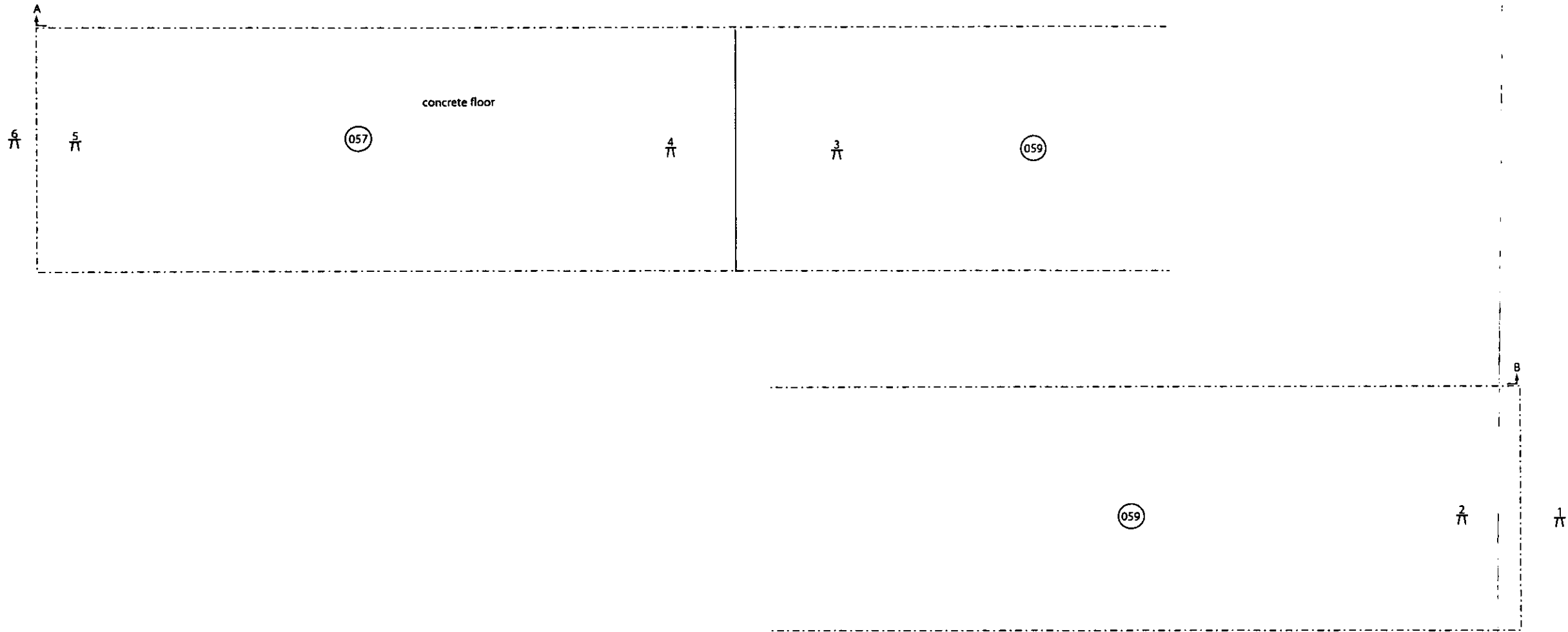


Fig.03 : 2nd Edition OS Map 1899, 1:2500.

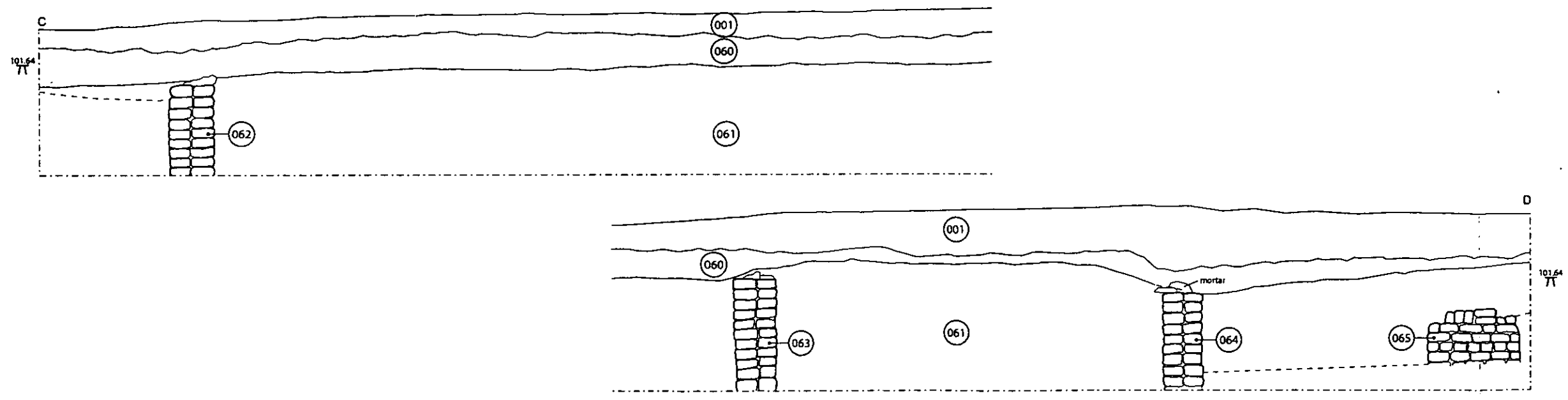
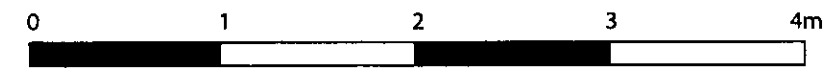
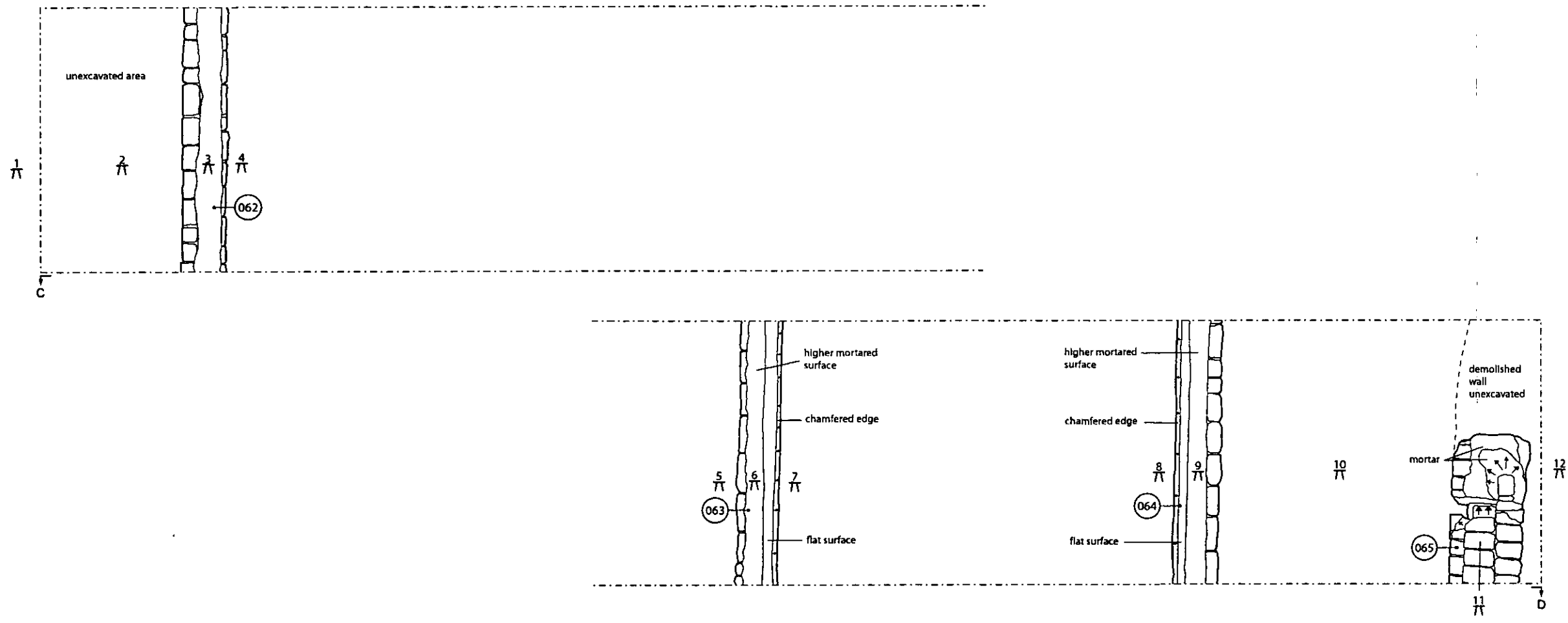


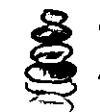
Fig.04 : 1915 OS Map. 1:10560

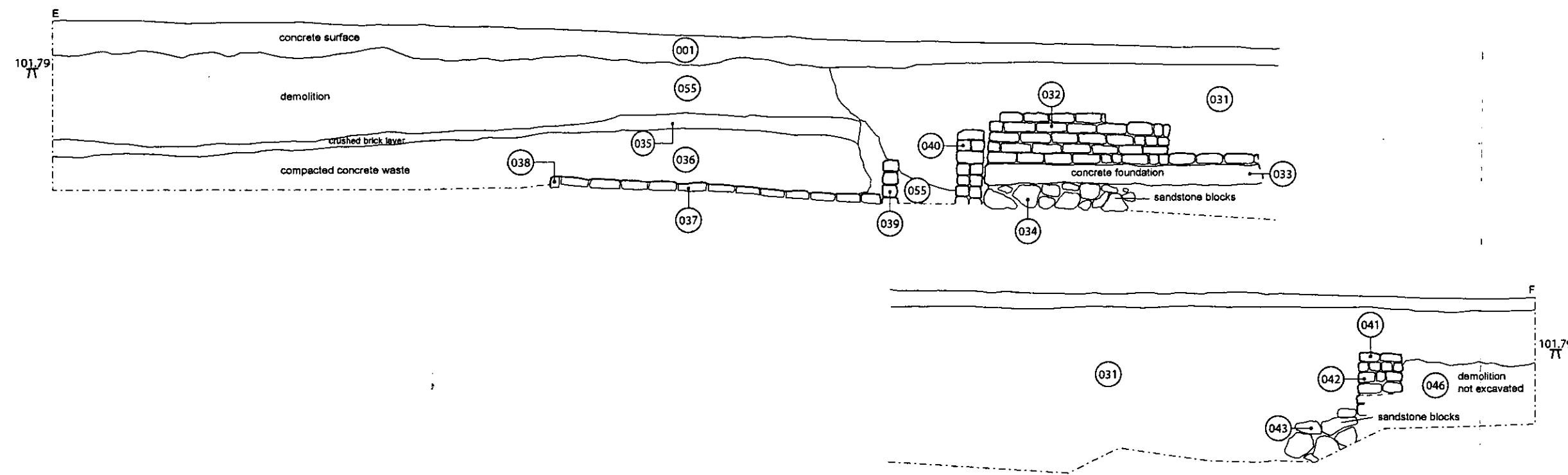
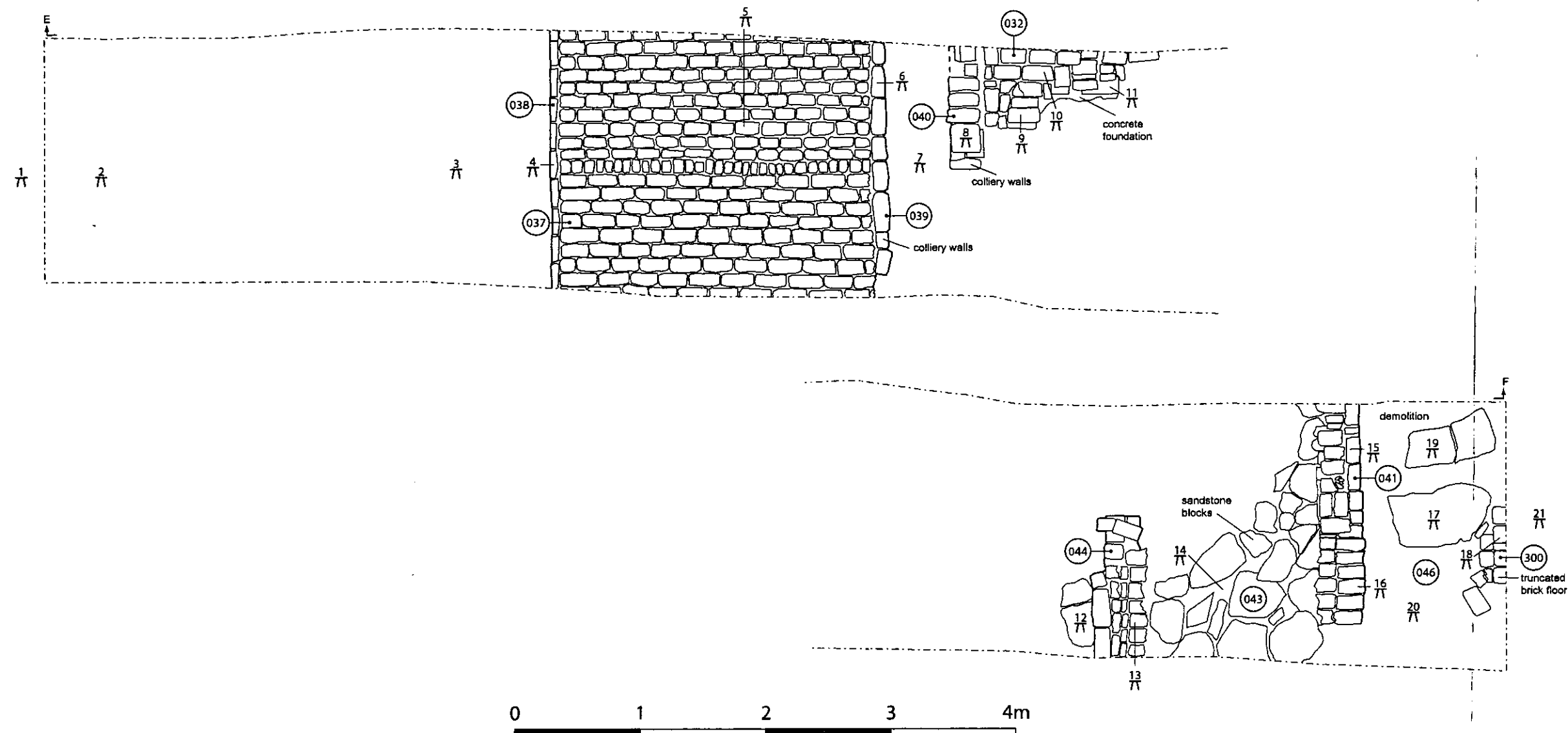


Job Title:	Gatewen Colliery
Drawing Title:	Trench 1
Date:	25/11/08
Drawn By:	I L Bernardus
Scale:	1 : 40 @ A3
Figure 5	



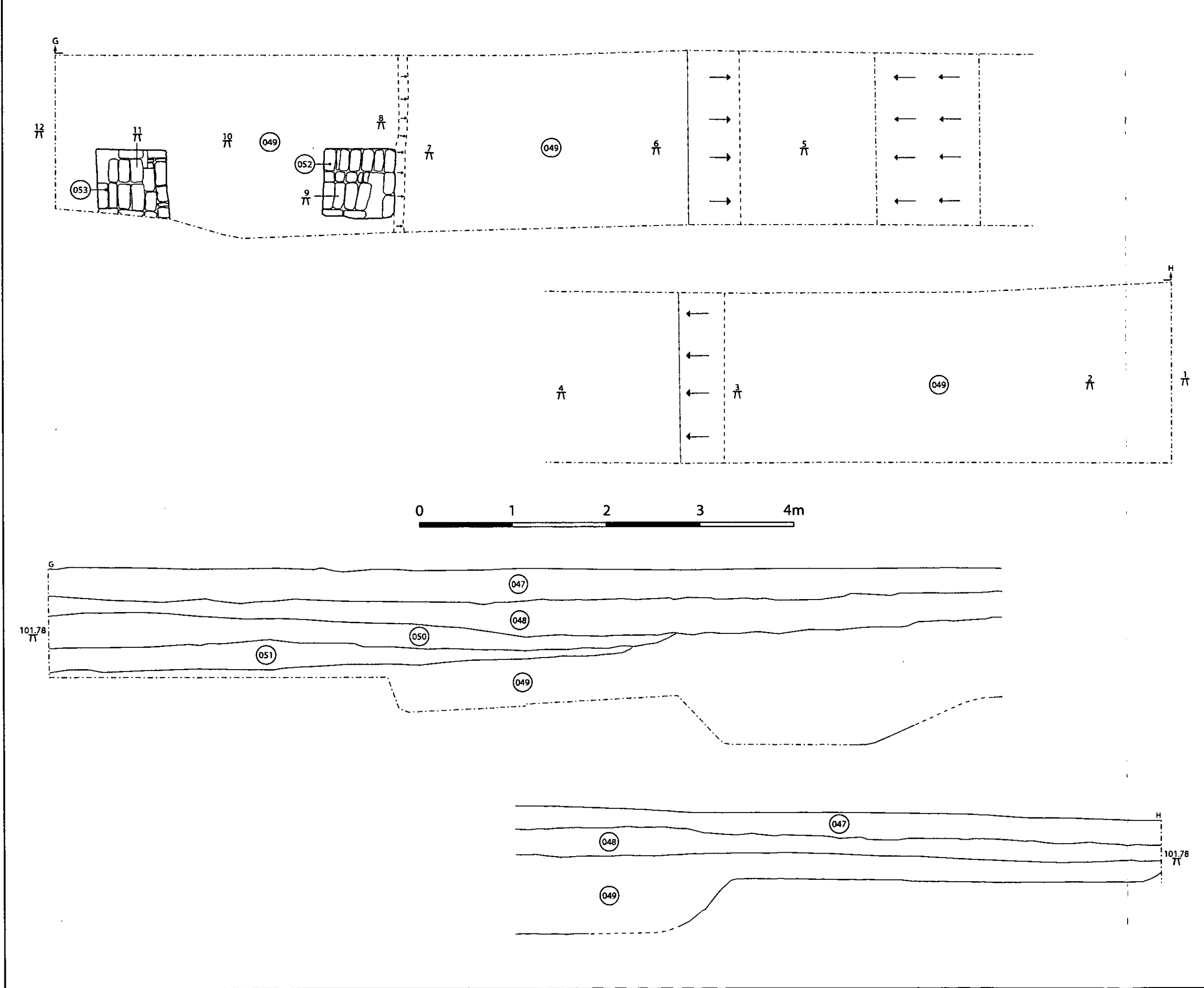


Job Title:	Gatewen Colliery
Drawing Title:	Trench 2
Date:	21/11/2008
Drawn By:	I L Bernardus
Scale:	1:40 @ A3
Figure 6	
 CAMBRIAN ARCHAEOLOGICAL PROJECTS	

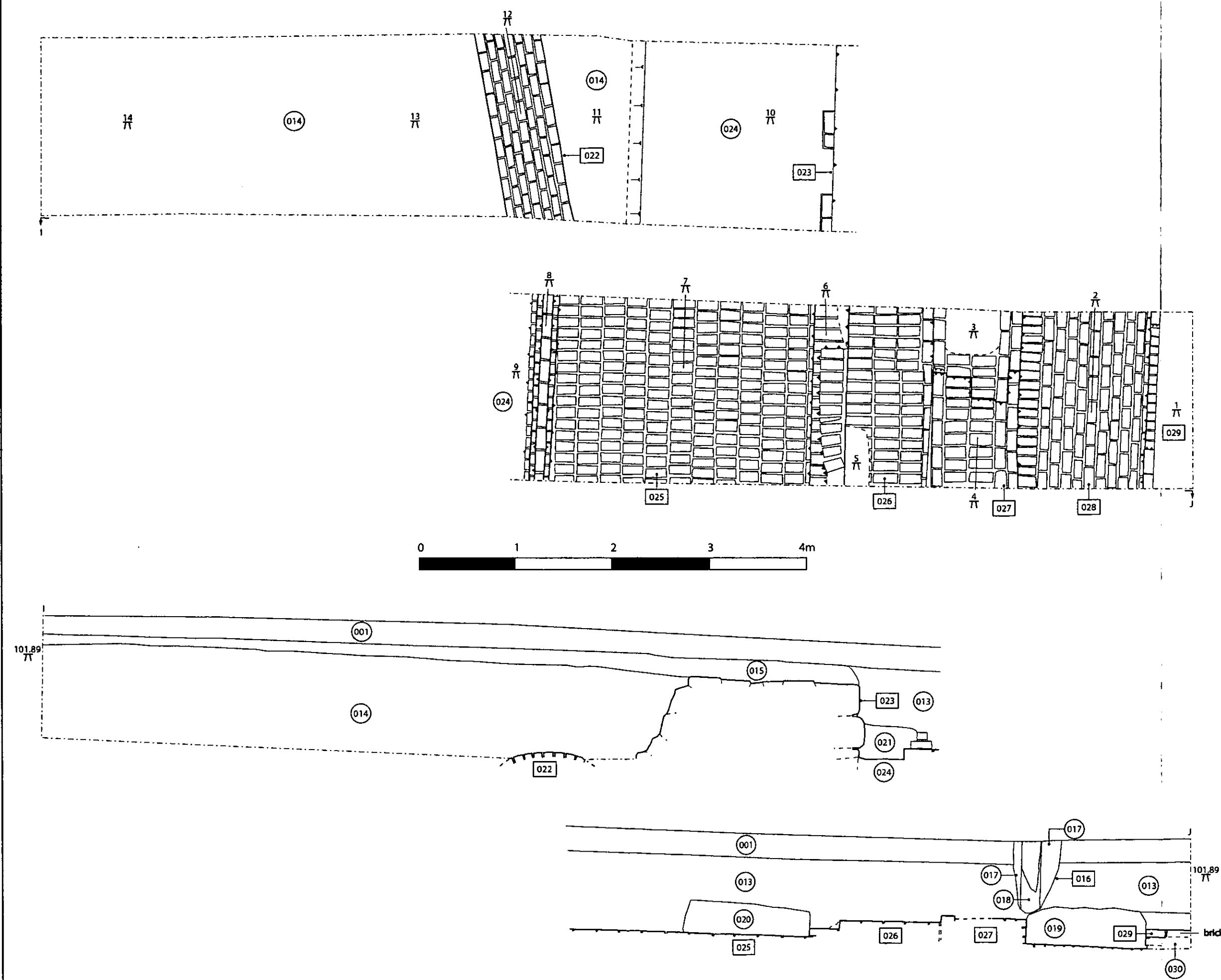


Job Title:	Gatewen Colliery
Drawing Title:	Trench 3
Date:	25/11/08
Drawn By:	I L Bernardus
Scale:	1 : 40 @ A3
Figure 7	

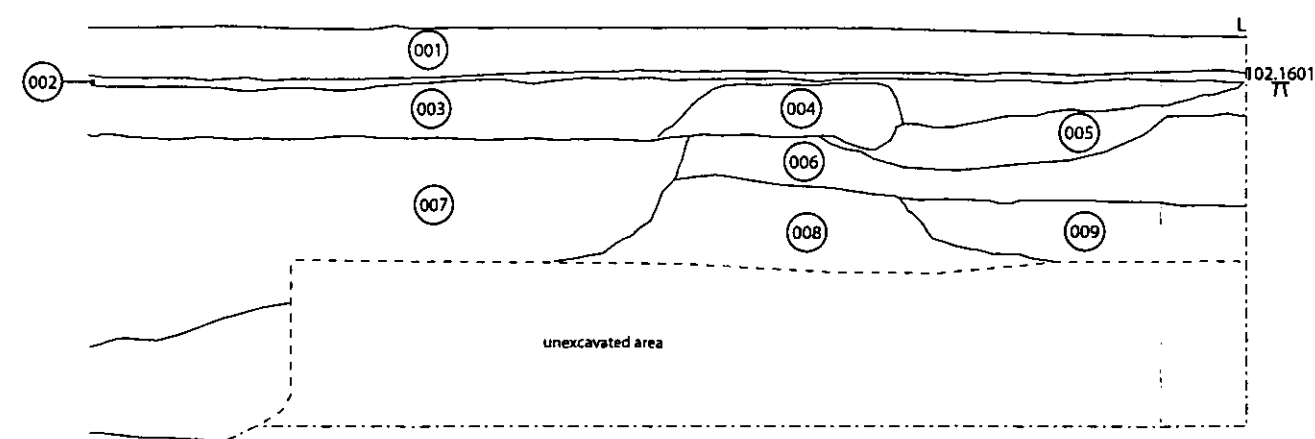
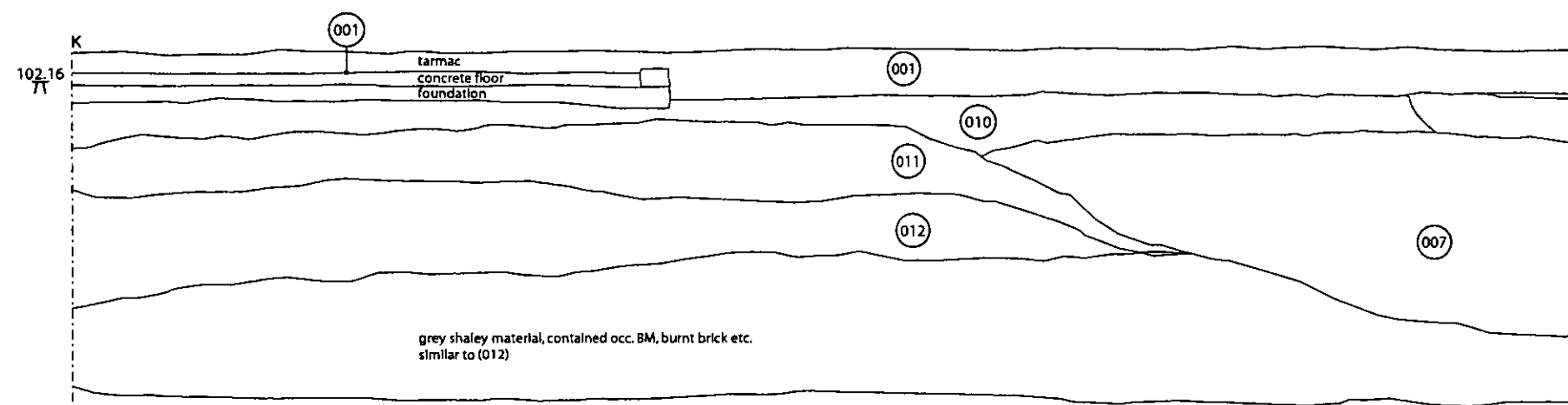
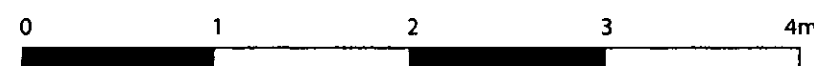
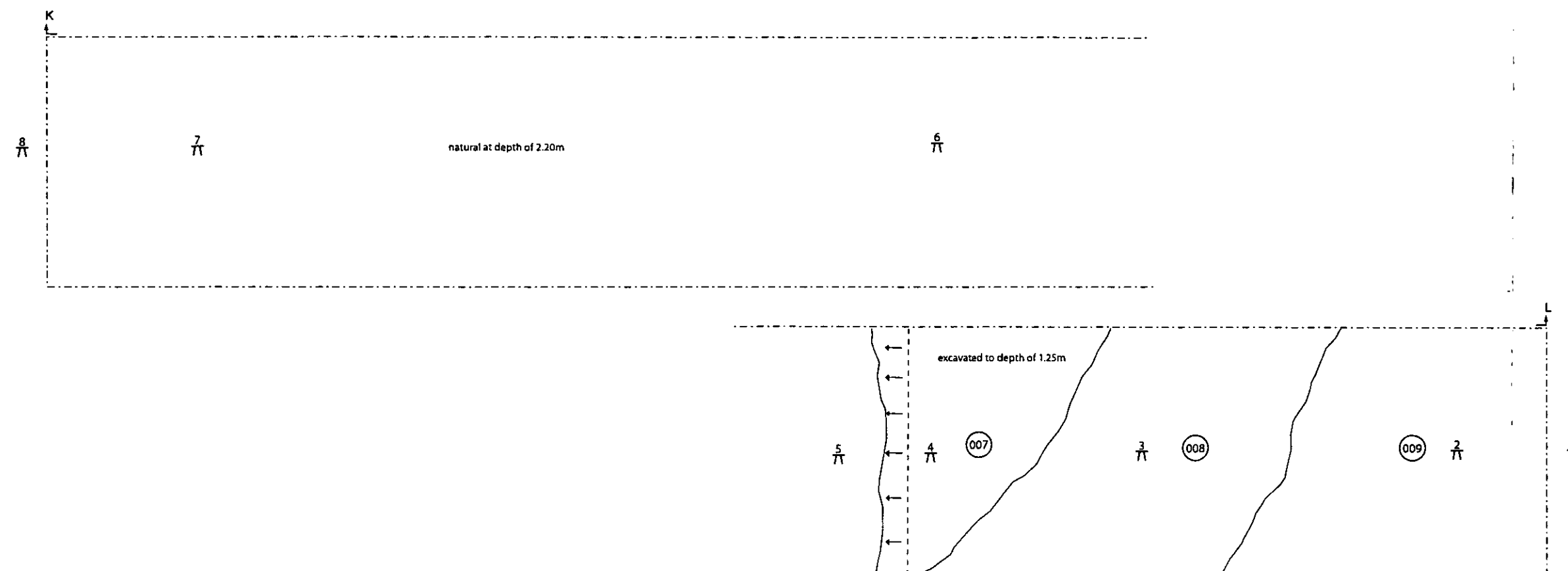




Job Title:	Gatewen Colliery
Drawing Title:	Trench 4
Date:	25/11/08
Drawn By:	I L Bernardus
Scale:	1 : 40 @ A3
Figure 8	
 CAMBRIAN ARCHAEOLOGICAL PROJECTS	



Job Title:	Gatewen Colliery
Drawing Title:	Trench 5
Date:	26/11/08
Drawn By:	I L Bernardus
Scale:	1 : 40 @ A3
Figure 9	
 CAMBRIAN ARCHAEOLOGICAL PROJECTS	



Job Title: Gatewen Colliery

Drawing Title: Trench 6

Date: 26/11/08

Drawn By: I L Bernardus

Scale: 1 : 40 @ A3

Figure 10

 CAMBRIAN
ARCHAEOLOGICAL
PROJECTS

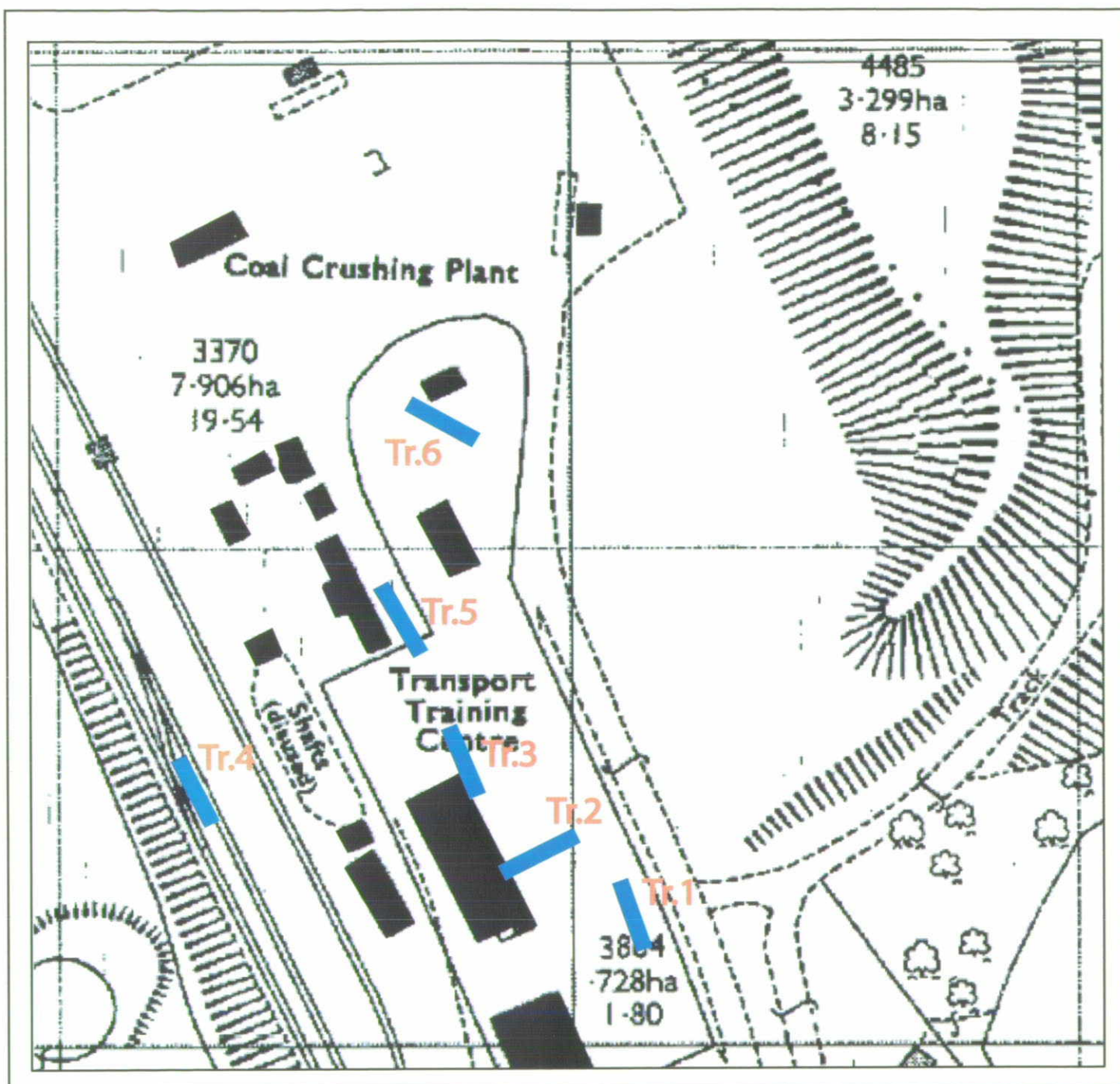


Fig.11 : Location of Evaluation Trenches.



APPENDIX II: Photo Plates



Plate 01: Tr.1, Oblique shot of West facing section showing natural (059) at base.



Plate 02: Tr.3, General shot of trench with floor (037) to foreground. CAP Report No. 542



Plate 03: Tr. 2, Fan and Compressor House, N-S orientated inner walls.



Plate 04: Tr. 2, The damaged western wall of the Compressor House. CAP Report No. 542



Plate 05: Tr. 5, Excavated to natural (049), brick pillars to North of trench.



Plate 06: Tr. 6, Trench excavated to natural (059), facing North.



Plate 07: Tr. 5, Brick floors to the South of trench (025) and (028).



Plate 08: Tr. 5, North of the trench, culvert (022) in foreground.



APPENDIX III: Context Register

CAMBRIAN ARCHAEOLOGICAL PROJECTS LTD.

CONTEXT REGISTER

SITE: Gatewen Colliery, Moss
GC/08/EVAL

Sheet 1

CONTEXT NO.	COMMENTS	DRG NO.	DATE	SIGN
001	Tarmac/concrete surface	6/02	05/11/08	KO
002	Thin band of building material/demolition	..	..	..
003	Very dark demolition material	..	..	..
004	Demolition containing brick/sandstone	..	..	..
005	As above, but lighter in colour	..	..	..
006	Layer of coal	..	..	..
007	Fragmented shale and clay mix.	..	..	..
008	Layer of shale and silt	..	..	..
009	Greyish brown sandy clay	..	..	..
010	Demolition, similar to (004)	..	..	..
011	Bands of sandy clay	..	..	..
012	Fragmented shale, similar to (008)	6/02	05/11/08	KO
013	Demolition containing brick, sandstone and coal	5/11	13/11/08	HK
014	Tightly packed sandstone/limestone	..	..	..
015	Sandstone blocks, layered to form surface	..	..	..
016	Cut for post	..	..	..
017	Concrete packing for posthole	..	..	..
018	Soil infill and decayed post	..	..	..
019	Sandy deposit	..	..	..
020	Sandy deposit	..	..	..
021	Cinder/coal deposit	..	..	..
022	Brick arch for culvert/tunnel	..	..	..
023	Rusticated stone face to stone rubble (012)	..	..	..
024	Stone/coal rubble surface below (019)	..	..	..
025	Brick floor with simple edging at North	..	..	..
026	Brick surface associated with (023)	..	..	..
027	Brick surface associated with (026)	..	..	..
028	Brick floor associated with (025)	..	..	..
029	Brick surface above (028) and (026)	..	..	..
030	Coarse black soil/coal mix between (026)+(027)	5/11	13/11/08	HK
031	Large area of demolition backfill	3/09	13/11/08	KO
032	Later brick wall	..	..	..
033	Concrete foundation for wall (032)	..	..	..
034	Sandstone foundation for (033)	3/09	13/11/08	KO

CAMBRIAN ARCHAEOLOGICAL PROJECTS LTD.

CONTEXT REGISTER

SITE: Gatewen Colliery, Moss
GC/08/EVAL

Sheet 2

CONTEXT NO.	COMMENTS	DRG NO.	DATE	SIGN
035	Layer of crushed brick	3/09	13/11/08	KO
036	Compacted concrete waste	..	..	..
037	Brick floor	..	..	..
038	Edging for (037)	..	..	..
039	Brick wall	..	..	..
040	Brick wall, parallel to (039)	..	..	..
041	Later brick wall	..	..	..
042	Sandstone bricks, below (041)	..	..	..
043	Sandstone block area, used as foundation	3/09	..	..
044	Later brick wall	3/10	..	..
045	Brick floor, badly truncated	3/10	..	..
046	Demolition or foundation for (045)	3/09	13/11/08	..
047	Ballast	4/05	11/11/08	..
048	Demolition	..	..	..
049	Natural	..	..	..
050	Demolition and crushed brick	..	..	..
051	Dark layer of ash, coke and coal waste	4/05	..	..
052	Brick pillar, South	4/06	..	..
053	Brick pillar, North	4/06	11/11/08	..
054	Levelling layer	1/03	10/11/08	..
055	General demolition	..	..	..
056	Narrow band of sandy clay	..	..	..
057	Concrete floor	..	..	..
058	Concrete foundation	..	..	..
059	Natural	1/03	10/11/08	..
060	Levelling layer	2/07	12/11/08	..
061	General demolition	..	..	..
062	Brick wall to East of trench	..	..	..
063	Brick wall near centre of trench	..	..	..
064	Brick wall West of centre of trench	..	..	..
065	Brick wall to West of trench	2/07	12/11/08	KO



APPENDIX IV: Archive Cover Sheet

ARCHIVE COVER SHEET

Gatewen Colliery, Wrexham

Site Name: Gatewen Colliery, Moss

Site Code: GC/08/EVAL

PRN:

NPRN :

SAM:

CAP Report No: 542

NGR: SJ 3134 5180

Site Type: Industrial

Project Type: Evaluation

Project Officer: Ken Owen

Project Dates: 03/11/2008 to 14/11/2008

Categories Present:

Location of Original Archive:

Location of duplicate Archives:

Number of Finds Boxes:

Location of Finds:

Museum Reference:

Copyright:

Restrictions to access: None





Cambrian Archaeological Projects Ltd
Old Chapel Farm
Llanidloes
Powys
SY18 6JR

Telephone: 01686 413857
e-mail: admin@cambarch.co.uk

Planning Application Checklist / 2008/1066

To be completed by Case Officer

Date rec'd:

1.10

1. Environmental Impact Analysis

- Does the proposal come within the Environmental Impact Assessment regulations?

Yes ☒

No ☐

SCHEDULE 1

Has Environmental Impact Analysis been submitted?

Yes ☐

No ☒

If YES, press advert is required. If NO, letter to applicant is required.

SCHEDULE 2

Is Environmental Impact Analysis required?

Yes ☒

No ☐

Has Environmental Impact Analysis been submitted?

Yes ☐

No ☐

N/A ☐

If YES, press advert is required. If NO, letter to applicant is required.

2. Press Notices

- Does application require press notices?

Departure from Development Plan

~~Yes~~ ☐

No ☐

Affects Right of Way

Yes ☐

No ☐

~~Major development~~

~~Yes~~ ☒

No ☐

Listed Building

Yes ☐

No ☐

Setting of Listed Building

Yes ☐

No ☐

Character of Conservation Area

Yes ☐

No ☐

3. Ward boundaries

- Is the site near a ward boundary?

~~Yes~~ ☒

No ☐

Notify adjoining Local Member(s) * CUR ARLOW JONES

~~Yes~~ ☐

No ☐

Consult adjoining Community Council(s) * GWERSHILL C.C.

~~Yes~~ ☐

No ☐

Consult adjoining Local Planning Authority

Yes ☐

No ☐

4. Appropriate Assessment

- Is the site within 500m of a SAC?

Yes ☐

No ☐

Is an Appropriate Assessment needed?

Yes ☐

No ☐

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

Proposed developments at:-

- THE WHITE HORSE, 21 HIGH STREET, OVERTON
- GWYDYR HOUSE, PENYLLAN STREET, OVERTON

Which are Listed Building

Applications have been received from:-

- JOULES BREWERY LTD
- GWYDYR HOUSE, PENYLLAN STREET, OVERTON

For Listed Building Consent for:-

- CONVERSION OF STORES AND TOILET AREA TO DINING FACILITIES
- CONVERSION OF REDUNDANT RETAIL UNIT INTO 6 FLATS

Proposed development / works on:-

- FORMER COUNCIL DEPOT, OFF WILLOW STREET & DISUSED EXTENSION AT REAR OF 4 HIGH STREET, OVERTON

An application has been received from:-

- MR G WILLIAMS

For Planning Permission / Conservation Area for:-

- DEMOLITION OF DEPOT AND DISUSED EXTENSION

The development is within Conservation Areas and would affect the character or appearance of the Areas

TOWN AND COUNTRY PLANNING ACT 1990
NOTICE OF AN APPLICATION FOR PLANNING PERMISSION

Proposed developments on:-

- MAES Y GROES, ISCOYD
- FORMER GATEWEN COLLIERY SITE, GATEWEN ROAD, NEW BROUGHTON

Applications have been received from:-

- MR PETER LANGLEY
- HIREMADE FURBS & FIFERS II LTD

For planning permission for:-

- DAIRY BUILDINGS INCLUDING CUBICLE SHED, SILAGE CLAMP AND SLURRY STORE
- ACCESS ROADS, FOUL AND STORM WATER SEWERS, FOUL WATER PUMPING STATION AND ASSOCIATED WORKS IN CONNECTION WITH RESIDENTIAL DEVELOPMENT

The proposals are 'major' developments

Proposed development at:-

- NEWI CEFN DRUIDS FOOTBALL CLUB, PLAS KYNASTON LANE, CEFN MAWR

An application has been received from:-

- J ROSS DEVELOPMENTS LTD & TESCO STORES LIMITED

For planning permission to:-

- ERECT RETAIL STORE, CONSTRUCT CAR PARKING, LINK ROAD AND ASSOCIATED WORKS

The proposed development does not accord with the provisions of the development plan for the area.

You may inspect the above application, the plans, and any other documents at the Planning Department, Lambpit Street, Wrexham during normal office hours. If you wish to make representations about the proposal you must write to the Council at Lambpit Street, Wrexham, LL11 1AR before 14 NOVEMBER 2008.

Mr L Isted - Chief Planning Officer

DEDDF CYNLLUNIO (ADEILADAU RHESTREDIG AC ARDALOEDD CADWRAETH) 1990

Datblygiadau arfaethedig ar:-

- THE WHITE HORSE, 21 STRYD FAWR, OWRTYN
- GWYDYR HOUSE, STRYD PENYLLAN, OWRTYN

Sy'n Adeiladau Rhestredig

Derbyniwyd ceisiadau gan:-

- JOULES BREWERY LTD
- MR M H HUMPHREYS

Am ganiatâd Adeilad Rhestredig ar gyfer:-

- TROSI Y STORFA A MAN TOILED I CHYFLEUSTER BWYTA
- TROSI MAN WERTHY DIANGEN I 6 FFLAT

Datblygiad arfaethedig ar:-

- HEN STORFA'R CYNGOR, GER STRYD WILLOW AC ESTYNIAD DIANGED AR CEFN 4 STRYD FAWR, OWRTYN

Derbyniwyd cais gan:-

- MR G WILLIAMS

Am ganiatâd ar gyfer:-

- DYMCHWEL Y STORFA A'R ESTYNIAD DIANGEN

Mae'r datblygiad o fewn Ardal Gadwraeth a byddai'n effeithio ar gymeriad neu olwg yr Ardal

DEDDF CYNLLUNIO GWLAD A THREF 1990
RHYBUDD O GAIS AM GANIATÂD CYNLLUNIO

Datblygiadau arfaethedig yn:-

- MAES Y GROES, ISCOYD
- SAFLE HEN BWLL GLO GATEWEN, FFORDD GATEWEN, NEW BROUGHTON

Derbyniwyd ceisiadau gan:-

- MR PETER LANGLEY
- HIREMADE FURBS & FIFERS II LTD

Am ganiatâd cynllunio ar gyfer:-

- ADEILADAU LLAETHDY YN CYNNWYS, CUTIAU, CLAMP SILWAIR A STORFA SLYRI
- FFYRDD MYNEDIAD, CARTHOS DWR BAWAIDD A STORM, GORSAF BWMPIO DWR BAWAIDD, GWEITHFEYDD CHYSYLLTIEDIG AR GYFER DDATBLYGIAD PRESWYL

Mae'r cynigion yn ddatblygiadau 'o bwys'.

Datblygiad arfaethedig ar:-

- CLWB PEL DROED NEWI CEFN DRUIDS, LÔN PLAS KYNASTON, CEFN MAWR

Derbyniwyd cais gan:-

- J ROSS DEVELOPMENTS LTD & TESCO STORES LIMITED

Am ganiatâd cynllunio ar gyfer:-

- CODI STORFA MAN WERTHU, CREU MAES PARCIO, FFORDD CHYSYLLTU A GWEITHFEYDD CHYSYLLTIEDIG

Nid yw'r datblygiad arfaethedig yn cydweddu â darpariaethau'r cynllun datblygu ar gyfer yr ardal.

Gellwch archwilio'r ceisiadau uchod, y cynlluniau ac unrhyw ddogfennau eraill yn yr Adran Gynllunio, Stryt y Lampint, Wrecsam yn ystod oriau swyddfa arferol. Os dymunwch gyflwyno unrhyw sylwadau mewn perthynas â'r cynigion, mae'n rhaid i chi ysgrifennu at y Cyngor yn Stryt y Lampint, Wrecsam, LL11 1AR cyn 14 TACHWEDD 2008.

Mr L Isted - Prif Swyddog Cynllunio

From: Matthew Phillips
To: internet: M.Ellis@ccw.gov.uk
Date: 04/11/2008 10:30
Subject: Gatewen Colliery
Attachments: 2008-01066gatewenaccessroad.doc

Matthew,

Further to our discussion/emails last week, please find attached a copy of my draft EIA screening opinion for the access road application at Gatewen Colliery. Your comments would be appreciated. My deadline for completing the screening is 12 November, so if at all possible would you be able to respond this week?

Regards

Matthew

From: "Paul Wren Associates" <wrenassociates@btconnect.com>
To: <matthew.phillips@wrexham.gov.uk>
CC: "David Dodge" <ddodge@morstonassets.com>, "Matthew Viggars" <m.viggars@b...
Date: 16/10/2008 09:38
Subject: Gatewen Road, Wrexham

Paul Wren Associates Ltd

Matthew

Planning ref: P/2008/1066

Further to your letter dated the 9th October 2008 and our telephone conversation of this morning, I would like to confirm an extension of time until the 12th November 2008 in respect of the EIA screening.

With regard to the other points in your letter, I will be addressing these over the next few days and I will have a response back to you next week.

Regards

Paul

Paul Wren Associates Ltd

Tel: 0115 9854565

From: Matthew Phillips
To: internet: M.Ellis@ccw.gov.uk
Date: 04/11/2008 10:30
Subject: Gatewen Colliery
Attachments: 2008-01066gatewenaccessroad.doc

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Regards

Matthew

From: "Matthew Ellis" <M.Ellis@ccw.gov.uk>
To: <matthew.phillips@wrexham.gov.uk>
Date: 05/11/2008 16:49
Subject: Re: Gatewen Colliery

Dear Matt

Thank you very much for your email.

In respect of ecology there appears to be three material issues

1. Possible hydrological impact on Gatewen Marsh SSSI
2. Impact on European Protected Species: Bats
3. Impact on European Protected Species: Great crested newt

In our view, an EIA is not required to inform the decision making process in respect of 2 and 3.

As stated previously, surface water discharge ultimately reaches the SSSI via the Gwenfro.

Without extensive monitoring of the surface water quality there is no validation taking place on what could ultimately have an adverse impact on the SSSI.

The provision of information supplied within the provisions of an EIA would address this material issue.

In the absence of a monitoring scheme can it be ascertained what validation mechanisms are to take place in order to ensure that there is no contaminated water entering the SSSI?

Ideally this information should be available to inform the decision making process. However it could possibly be addressed by condition though this presumes that all material issues can be addressed.

I concur with your initial in principle conclusions are that the general terms the impacts of the current proposals are probably unlikely to have impacts beyond local importance, provided hydrological and EPS issues are satisfactorily addressed and subject to effective regulation.

I understand that to enable WCBC to inform whether a screening opinion is required, it is still necessary to determine whether sufficient detailed information has been produced to assess the full extent of potential impacts upon the SSSI. Critically this is how site drainage may impact upon it. In other words, what detailed information is required to substantiate the above in principle conclusions.

I note that you have requested clarification of how surface water drainage will be managed and disposed whilst the works associated with the proposals are carried out, and also once the works are complete. We concur with you that from initial submissions, do not currently provide a satisfactory explanation in respect of detail. This information being critical in respect of informing assessments of possible impacts upon the SSSI and how these could be addressed (ie the applicant demonstrating that the scheme will avoid impacting upon the SSSI during and post completion of the project and in the short and long term).

In conclusion, we consider that an EIA would be the most appropriate mechanism to address this issue, both in terms of identifying risks and

- mechanisms that can be employed for addressing this issue, including proposals in respect of contingency prescriptions. The minimum scope of this EIA would therefore need to consider hydrological issues arising from the development and inform how surface water management proposals will address any potential threats to the SSSI.

However, the above is subject to further advice from EAW. If EAW advise that the applicant has satisfactorily addressed these [hydrological] issues, then we will have no objection to hydrological issues being addressed by condition.

Thanks

Matt

Matthew Ellis
Swyddog Rhywogaethau a Bioamrywiaeth Rhanbarthol/Regional Species and Biodiversity Officer
Cyngor Cefn Gwlad Cymru/Countryside Council for Wales
Glan y Nant
Uned 19/Unit 19
Parc Busnes Yr Wyddgrug/ Mold Business Park
Ffordd Wrecsam/Wrexham Road
Yr Wyddgrug/Mold
Sir Y Fflint/Flintshire
CH7 1XP
Ffôn/Tel: 01352 706600
E-bost/E-mail m.ellis@ccw.gov.uk
Safle Wê/Web site: <http://www.ccw.gov.uk>

>>> <matthew.phillips@wrexham.gov.uk> 04/11/2008 10:30 >>>
Matthew,

Further to our discussion/emails last week, please find attached a copy of my draft EIA screening opinion for the access road application at Gatewen Colliery. Your comments would be appreciated. My deadline for completing the screening is 12 November, so if at all possible would you be able to respond this week?

Regards

Matthew

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Opinions, conclusions and other information in this message that do not relate to the official business of Wrexham County Borough Council shall be understood as neither given nor endorsed by it.

Our ref:pw1491
Your ref: P/2008/1066
7th November 2008

The Chief Planning Officer
Wrexham County Borough Council
Department of Planning
Lambpit Street
Wrexham
LL11 1AR

FAO Mr M Phillips

Dear Mr Phillips

Re: Former Gatewen Colliery, Gatewen Lane, Wrexham.

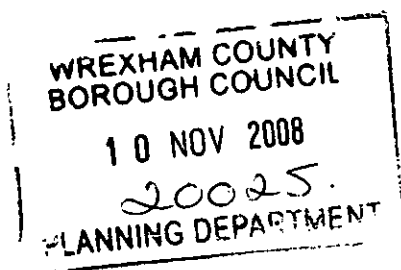
Further to your email dated the 6th November 2008 and our subsequent telephone conversation.

I now confirm that my client has agreed to an extension of time until the 14th December 2008 to consider the EIA screening process.

Yours sincerely



W P Wren
Paul Wren Associates Ltd



From: "Paul Wren Associates" <wrenassociates@btconnect.com>
To: <matthew.phillips@wrexham.gov.uk>
CC: "Jason Learoyd" <jlearoyd@morstonassets.com>, "Matthew Viggars" <m.vigga...
Date: 09/12/2008 12:15

Paul Wren Associates LtdMatthew

Further to your letter dated the 4th December 2008, I would confirm my client's agreement to extend the timescale for assessing the EIA until the 16th January 2009.

I would also confirm that FPCR will be submitting the bat licence under the Outline Consent ref: BRO P/2008/0790 and they will be forwarding the full Ecological Report covering the total site area to you later this week.

Regards

Paul

Paul Wren Associates Ltd

Tel:0115 9854565

From: Matthew Phillips
To: Deborah Hemsworth
Date: 14/01/2009 14:51
Subject: Re: Gatewen Colliery
Attachments: 2008-01066gatewenaccessroad.doc; draftconditions-access road.doc

Debbie,

Further to our conversation this morning, I have completed a draft EIA screening (see attached), which I'd be grateful for some comments on from the Agency on - unfortunately my deadline for completing it is Friday, but hopefully it will be fairly straightforward.

Secondly, I have had a go at simplifying and rationalising the conditions requested by the Agency in your letter dated 31 October (see attached draft). I think the conditions deal with all of the issues covered. Condition x1 and x2 together are intended to be used in place of those on page 1 and 2 of the letter, conditions x3 and x4 are intended to deal with drainage matters and x5 to cover the issue raised in your letter re: the relationship between piling and ground water. I'd be grateful for comments on my draft conditions.

Regards

Matthew

Wrexham County Borough Council
Planning Control
Lambpit Street
Wrexham
LL11 1AR

Our ref: NT/2008/107320/03-L01
Your ref: P/2008/106
Date: 12 January 2009

Dear Sir/Madam

**APPLICATION FOR ACCESS ROADS, FOUL AND STORM WATER SEWERS,
FOUL WATER PUMPING STATION, GROUND REMEDIATION AND GENERAL
ACCOMMODATION WORKS TO ALLOW RESIDENTIAL DEVELOPMENT TO
COMMENCE IN A PHASED PROGRAMME. FORMER GATEWEN COLLIERY
SITE GATEWEN ROAD, NEW BROUGHTON WREXHAM**

I refer to the letter from Mr Richard Spencer of Geodyne dated 5th December 2008 (reference 26190/RS).

Our comments below relate to controlled waters issues outlined within letters dated 20th November 2008 (ref: NT/2008/107320/02-L01) and 5th December 2008 (reference 26190/RS).

Risk to controlled waters

We would welcome validation sampling of the underground storage tank void space. We would request that Geodyne provide us with the analytical results, sample locations and conclusions to the validation sampling. Additionally, we welcome the use of the P20 groundwater risk assessment in deriving remedial target values. We would also ask the applicant to submit the groundwater risk assessment for review.

Source Term

Mine Shafts

We acknowledge the technical difficulties of acquiring representative samples of the backfill material from within a reinforced concrete capped shaft.

Will any backfill samples be taken during the proposed drilling into the mine shafts?

Environment Agency
Llwyn Brain, Ffordd Penlan, Parc Menai, Gwynedd, Bangor, LL57 4DE.
Customer services line: 08708 506 506
Email: enquiries@environment-agency.gov.uk
www.environment-agency.gov.uk
Cont/d..

Is it possible to take a groundwater quality samples from within the shaft or down gradient from the shaft?

Section 2.2.1 of the Phase 2 report (September 2008) states that the 'mineshaft issues are now reportedly resolved'. We would ask the applicant to explain, in the context of risks to controlled waters, how these issues have now been resolved.

We look forward to receiving a detailed method statement for the treatment of the mine shafts.

Railway Ballast

The method of re-engineering contaminated material will require assurances that the contaminants will not leach out at levels that would degrade the water quality of controlled waters. We would therefore welcome a method statement and groundwater risk assessment that would demonstrate that this technique is suitable. This type of process is a waste recovery operation and no waste management licensing exemptions apply. Where the remediation is carried out by mobile plant it should be regulated through a mobile treatment licence, except where licensing/permitting position statements 1.1 and 1.2 apply. If not using mobile plant then a Waste Management Site Licence or PPC permit is required.

Electricity Sub station

We can confirm that our concerns have been satisfied. We look forward to receiving results of the proposed investigation including a suitable remediation strategy.

Three 'non-conforming users' areas

Based on the applicant's account of the sampling method, we accept that the groundwater samples taken for analysis from the deeper boreholes are likely to be from the water table. However, the available dataset is considered to be too limited to base any conclusions about the risks to groundwater. A detailed assessment of the groundwater level and flow direction is required to demonstrate that the boreholes are measuring the water quality down gradient to sources of contamination.

Pathways and Receptors

We acknowledge the fact the pollution pathways have been considered, but aspects of the conceptual site model have not been justified. The fate of groundwater and its relationship to the SSSI still has not been clearly explained. clear explanation is required to demonstrate that the conceptual site model is both accurate and robust.

Remediation Proposals

We can confirm that our concerns have been broadly satisfied.

Soakaways

We can confirm that our concerns have been broadly satisfied in that any soakaways must be positioned on Greenfield and not Brownfield land.

Additional Comments

We can confirm that our concerns regarding this aspect of the development have been broadly satisfied.

We would also comment as follows regarding the details forwarded with your letter of 16th December 2008 regarding the drainage strategy at the site.

We are satisfied with the proposed drainage strategy in terms of quantity of runoff and its attenuation during the phased programme.

Drawing No 06435-280: *Phase 1 Temporary Works* shows check dams to be provided along an existing ditch. Under the terms of the Land Drainage Act 1991, the prior written consent of the Environment Agency is required for any proposed mill dam, weir or like obstruction to the flow of any ordinary watercourse. The applicant is advised to contact Ruairi Barry, Development Control Engineer, on 01244 894582 for further information.

The discharge of foul drainage to a pumping station and then to foul sewer is an acceptable option to the Environment Agency. Assuming that this is not a combined system, then the only consenting issue is whether or not there will be an emergency discharge from the pumping station, and where that would discharge to. The developer should discuss the issue of a consent with Welsh Water if they are proposing to adopt the asset.

The developers should ensure that there are appropriate measures in place at the pumping station to minimise the impact of any emergency discharges, e.g standby generators, storage, standby pumps. If it will be necessary to discharge from the pumping station, appropriate screening should also be in place at the outfall to minimise the impact from the discharge on the receiving watercourse. The developer should discuss the appropriate requirements with Welsh Water.

We would remind the developer that a monitoring plan should be put in place to monitor surface water prior and during the works to ensure that no pollution is deriving from the site. This plan must be agreed with the Environment Agency

A detailed method statement will need to be submitted and agreed with the Environment Agency to demonstrate that the proposal and works is protective to the water environment and groundwater. A site meeting prior and during works to discuss these measures is required

Yours faithfully

Mrs DEBORAH HEMSWORTH
Planning Liaison Officer

Direct dial 01248 484068

Direct fax 01248 670561

Direct e-mail debbie.hemsworth@environment-agency.gov.uk

cc Paul Wren Associates Ltd

From: Matthew Phillips
To: internet: M.Ellis@ccw.gov.uk
Date: 14/01/2009 16:27
Subject: Gatewen Colliery- EIA screening
Attachments: draftconditions-access road.doc; 2008-01066gatewenaccessroad.doc

Matthew,

You may recall I discussed this with you sometime ago, however following further submissions by the applicant and discussion with the EA (copies of correspondence I forwarded yesterday), I believe I am in a position to progress and finalise an Environmental Impact screening opinion. I therefore have the following comments/observations that I would be grateful for your comments on:

- 1) The only potential impacts of more than local importance the proposed development of the site could have are
 - a) on the Gatewen Marsh SSSI; and
 - b) the disturbance or loss of habitat for European protected species
- 2) The potential impacts in respect of the SSSI are clearly identifiable - surface water drainage and contaminated materials adversely impacting upon the SSSI. These impacts can be mitigated/avoided proposed effective controls of drainage are put in place both during and construction and post development.
- 3) The potential impacts in respect of protected species are, as mentioned above, disturbance and/or loss of habitat. The provision of enhanced habitat should minimise long term impacts - provided management of the habitat areas is also secured.
- 4) Remediation of the site (in terms of removal of contamination arising from previous uses) will, in the long term, remove or significantly reduce the risk that the site will be pollution hazard, particularly in respect of the SSSI (and wider environment).
- 6) Provided the remediation proposals are implemented in a carefully managed way and monitoring carried out, these works should not result in adverse impacts upon the SSSI.

It is my view that the development itself (i.e. construction of the road and site infrastructure) is unlikely to have a significant impact upon the SSSI (indeed the design of the drainage system takes account of the SSSI and seeks to avoid adverse impacts) so as to warrant the submission of an Environmental Impact Assessment. Carrying out works to remediate the site and install the proposed infrastructure potentially pose a greater risk to the SSSI (albeit short term), however I think if effective controls are put in place (and conditions attached to a permission), these impacts can be mitigated/managed.

In summary, it is my view this application does not require the submission of a full EIA and that the potential impacts identified can be mitigated/managed through planning conditions or obligations. To that end I attach a revised EIA screening opinion, in addition to a list of draft conditions that I have also forwarded to the Environment Agency that seek to address the site management issues. I'd be grateful for your comments on the documents and conclusions I have reached.

Regards

From: "Paul Wren Associates" <wrenassociates@btconnect.com>
To: <matthew.phillips@wrexham.gov.uk>
Date: 15/01/2009 11:48
Subject: Re: Gatewen Lane, Wrexham

Matthew

I agree to an extension of time until the 23rd January 2009 to enable the completion of the EIA.

Regards

Paul

----- Original Message -----

From: <matthew.phillips@wrexham.gov.uk>
To: "Paul Wren Associates" <wrenassociates@btconnect.com>
Sent: Thursday, January 15, 2009 11:40 AM
Subject: Re: Gatewen Lane, Wrexham

Paul,

I would be grateful if you could confirm agreement to an extension of time to complete and EIA screening from the 16 of January to the 23rd.

Regards

Matthew

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Whilst we make every effort to keep our network free from viruses, you need to verify that this e-mail and any attachments are virus-free, as we can take no responsibility for any computer virus which might be transferred by way of them.

Mae'r neges e-bost hon, ac unrhyw ffeil sydd ynghlwm wrthi, yn gyfrinachol ac fe'i bwriedir ar gyfer yr unigolyn neu'r sefydliad y cyfeiriwyd hi ato. Os nad chi yw'r derbynnydd priodol ond eich bod wedi derbyn y neges e-bost hon trwy gamgymeriad, gwaherddir ei defnyddio, ei hanfon ymlaen, ei hargraffu a'i chopio a gofynnir i chi gysylltu a'r sawl a'i hanfonodd a dileu'r deunydd o bob cyfrifiadur os gwelwch yn dda.

Dealler nad yw Cyngor Bwrdeistref Sirol Wrecsam yn rhoi nac yn cymeradwyo barn, casgliadau a gwybodaeth arall sydd yn y neges hon nad yw'n ymwneud a'i

Check sheet

Development description: APPLICATION FOR ACCESS ROADS, FOUL AND STORM WATER SEWERS, FOUL WATER PUMPING STATION, GROUND REMEDIATION AND GENERAL ACCOMMODATION WORKS TO ALLOW RESIDENTIAL DEVELOPMENT TO COMMENCE IN A PHASED PROGRAMME

Location: FORMER GATEWEN COLLIERY SITE GATEWEN ROAD, NEW BROUGHTON WREXHAM

LPA ref: P/2008/1066

Case Officer initials: MDP

Deadline for issuing Opinion: 23.01.09

Relevant environmental issues:

Landscape: Part of the roadway crosses Green Barrier Land. Visual impacts of this will however be limited to the immediate locality.

Natural Environment: Potential impact upon the nearby Gatewen Marsh SSSI. It is not anticipated that the road and other infrastructure will have direct impact upon the SSSI. Surface water drainage both during and following construction has the potential to adversely impact upon the SSSI, however this risk can be avoided/reduced if appropriate control measures are put in place.

Traffic: Limited traffic, associated with site construction/maintenance. Scheme does provide infrastructure for future residential development to take place. The potential traffic impacts of the number/type of dwellings that may be built will be considered as and when reserved matters/full applications for them are submitted.

Emissions to air / water /land (delete as appropriate):

Air: There may be dust emissions, however these will be limited to the duration of on-site works and impacts.

Water/Land: See above under Natural Environment.

The works proposed by the development are intended allow for the removal any on-site contamination resulting from previous industrial uses. These works should assist in minimising the risk of contaminated discharges from the site to land or water in future.

Other (specify): None anticipated.

Discussions / Consultation with (please attach any views expressed)

Environment Agency: Broadly in agreement with conclusion that there is no requirement for an EIA to be undertaken.

CCW: Concur with comments in respect of EIA.

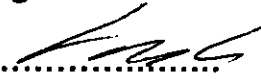
Local Member (Councillor Alan Edwards):

Contacted 20.1.09 – was informed by a family member that he is away until 22.1.09 but was given a mobile number to contact if urgent. Phoned the number given and left voicemail message 22.1.09 and contacted by email.

Views expressed: No response.

Chair of Planning contacted 19.1.09 views expressed: Agree a full EIA not required (contact and reply by email).

Documents passed to Chief Planning Officer for signature: 15/1/09

Decision: E I A ~~required~~ / not required issued 

Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999

SCREENING OPINION

APPLICATION FOR ACCESS ROADS, FOUL AND STORM WATER SEWERS, FOUL WATER PUMPING STATION, GROUND REMEDIATION AND GENERAL ACCOMMODATION WORKS TO ALLOW RESIDENTIAL DEVELOPMENT TO COMMENCE IN A PHASED PROGRAMME

FORMER GATEWEN COLLIERY SITE GATEWEN ROAD NEW BROUGHTON WREXHAM

The proposal falls within Schedule 2, as a development project with a site area exceeding 0.5 hectares. The total application covered by the application is approximately 14 ha. The proposed development will take place on an area of land somewhat smaller however (approximately 9 ha).

The site currently benefits from outline planning permission for development. Below is a summary of recent site history:

- P/2002/0767 (outline permission for residential development) granted 10.3.2003:
- P/2005/1383 granted 17.2.2006 (outline permission for residential development on land adjoining but not covered by initial permission):
- P/2006/0984 granted 2.10.2006 – varied condition 01 of P/2002/0767 and allowed one further year for the submission of the reserved matters.
- P/2007/0700 Outline application for residential development and retention of habitat woodland. Construction of new vehicular and pedestrian access and alteration of existing vehicular access. Granted 1.10.2007
- P/2007/1174 Residential Development and associated works (295 no dwellings) (submission of matters reserved under original outline). Pending.
- P/2008/0790 VARIATION TO CONDITION NO. 1, 6, 11 & 17 IMPOSED UNDER PLANNING PERMISSION CODE NO. P/2007/0700 TO ALLOW FOR THE PHASED DEVELOPMENT OF THE SITE AND TO ALLOW SITE INFRASTRUCTURE AND OTHER ASSOCIATED SITE PREPARATION WORKS TO TAKE PLACE IN ADVANCE OF THE APPROVAL OF DETAILS RELATING TO THE NUMBER, SITING AND DESIGN OF DWELLINGS. Granted 8.9.2008

There is also other relevant planning history:

- P/2006/0066 Variation of condition 1 and 2 of Planning Permission code no. P/2002/0767 to allow phased development of the site and to extend the time period by which reserved matters need to be submitted by a further two years. Refused 6.3.2006
- P/2006/0295 Reserved matters application for residential development (215 no. dwellings). Refused 9.6.2006 (appeal withdrawn).

EIA regulations

The issue for consideration is whether the project will have significant effects upon the environment. The general criteria for assessing significance are provided in paragraph 33 of Circular 11/99. In applying the tests of significance an LPA must assess whether a Schedule 2 project is likely to have impacts that are of 'more than local importance'. It is not sufficient that the development will have off site local impacts. More than local impact means beyond their immediate locality, which give rise to substantial national or regional controversy, which may conflict with national policy on important matters. The fact that there are likely to be environmental effects beyond the site boundaries but within the general locality of the site does not, therefore, in itself, constitute 'more than local importance'

Within schedule 2 (10a). Paragraph A18 Annexe A of Circular 11/99 states that in addition to the scale of urban development projects, particular consideration should be given to the potential increase in traffic, emissions and noise. EIA is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale than the previous use, or the types of impact are of a markedly different nature or there is a high level of contamination (refers to paragraph 41 of the circular).

Paragraph 37 states that special considerations apply to Sites of Special Scientific Interest (SSSIs). In practice, the likely environmental effects of Schedule 2 development will often be such as to require EIA if it is to be located in or close to such sites. Local planning authorities are advised to consult CCW if they are uncertain about the significance of a development's likely effects on an SSSI.

Paragraph 41 refers to development with complex and potentially hazardous effects. It advises that consideration should be given to development, which could have complex, long term or irreversible impacts, and where expert and detailed analysis of those impacts would be desirable and would be relevant to the issue of whether or not the development should be allowed. Occasionally, developments, which are proposed for severely contaminated land fall within this category where the development might lead to more hazardous contaminants escaping from the site than otherwise would be the case if the development did not take place.

Paragraph A19 Annexe A of Circular 11/99 is also considered relevant. This advises that development proposed for sites, which have not previously been intensively developed, are more likely to require EIA if:

- the site area of the scheme is more than 5 ha or;
- the development would have a significant urbanising effect.

Schedule 3 of the Regulations raises certain selection criteria that must be taken into account:

- Characteristics of the development (it is more than local importance?)
- Location of development (is there a sensitive/vulnerable location involved?)
- Characteristics of potential impacts (would these be complicated or adverse?)

1. Characteristics of the Development

- Size** – The application site is around 14 hectares in area. The development area itself however covers approximately 9 ha. With the exception of around one third of the proposed access road, the majority of works will take place on previously developed land.
- Cumulative Impact** – There are no developments of this scale in the immediate locality. The site has been used for several industrial purposes over a long period of time. The majority of the site was formerly used as a colliery (closed in the 1930's) and a coal processing and stocking facility (1950's until circa 1993). Latterly part of the site has been used as a HGV training depot, haulage depot and coach and bus depot. The site is adjacent to a large urban village and close to Wrexham town.
- Use of natural resources** – There is unlikely to be a use or loss of natural resources beyond that associated with standard construction practices.
- Waste** – The process of development is unlikely to generate a significant quantify of waste.
- Pollution and nuisance** – There is likely to be (relatively) short term noise and disruption during construction phases, as well as emissions from construction vehicles, plant and machinery.

The development will allow for remediation of those parts of the site contaminated by previous industrial/commercial uses. In the long term this will ensure that the risk of the site being a pollution hazard is significantly reduced. There is a short term risk that development works may cause pollution if site drainage is not controlled and/or if the remediation works are not properly managed and monitored.

The development itself, once complete is unlikely to result in pollution or nuisance, as the site will not be used intensively for any purpose unless and until the existing planning permission for residential development is pursued further. It is worth noting however that the proposed permanent surface water drainage systems are designed to control drainage from the site so that the risk of pollution is minimised.

- Risk of accidents** - The development process will need to comply with Health and Safety legislation.

2. Location of development

- Land use** – The earthworks and infrastructure works will take place on land formerly used for industrial purposes and more recently commercial uses. Around two thirds of the length of the access road will also be constructed on previously developed land. These works will take place on land allocated for housing in the adopted Wrexham Unitary Development Plan 1996 – 2011, and which already benefits from outline permission for residential development. The remainder of

the access road crosses land outside of the settlement limit and in a designated Green Barrier. This land is however included in the area covered by the outline permission, although not within the 'development area' (i.e where houses will be built).

Another small part of the application site subject to development proposals also lies outside of the settlement/in Green Barrier, but benefits from planning permission for residential development. This relatively small parcel of land in the south-east of the site was previously occupied by a dwelling and commercial buildings and thus can be considered to be previously developed land.

- b. **Local natural resources** – The site is close to the Gatewen Marsh SSSI and includes part of a local Wildlife Site.
- c. **Absorption capacity** – consideration is given to the following factors
 - the development would be on a site allocated for housing in the UDP and/or already benefiting from planning permission.
 - the site is not a wetland;
 - it is not on the coast;
 - it does not relate to a mountain, forest, park or nature reserve;
 - it does not sit within any European nature conservation designations;
 - the site is close to the Gatewen Marsh SSSI. Previous consultations with CCW have confirmed that development of the site needs to address the potential for ecological and hydrological impacts.
 - Great Crested Newts have been recorded close to the site.
 - The site is close to a built up area.

3. Characteristics of Potential Impacts

- a. **Extent** – direct effects of the development will be limited to the local area.
- b. **Transfrontier impacts** – The development has the potential to impact upon the nearby SSSI, which will be particularly vulnerable to fluctuations in nutrient levels, contamination or sediment in surface water. These can however be avoided/mitigated in the following ways:
 - implementation of measures to control surface water drainage both during and after the works are complete. The implementation of a drainage strategy can be secured by condition;
 - the implementation of effective site management and mitigation measures will ensure the contamination does not pose a significant risk to the environment of the surrounding area or to human health. The submission and implementation of schemes to deal with contamination can be secured by condition.
- c. **Magnitude and complexity** –

Traffic: The development itself will result in traffic whilst the works proposed are being undertaken. The previous uses of the site would also have generated traffic however. Post development, there is unlikely to be any significant levels of traffic generated by the site as a result of the proposals alone. The development is linked to a future residential development and the impacts of traffic will need to be assessed when detailed submissions are made and once the scale of the development (i.e. number of dwellings) is known.

Contamination: The development itself will not result in any significant levels of contamination. The remediation of the site is intended deal with any contamination resulting from the former industrial uses of the site. In this respect, a carefully implemented remediation strategy will, in the long term, reduce the potential for contamination to escape from the site and impact upon the wider environment, including the SSSI. The process of dealing with contamination on former industrial sites is well established.

Ecology: Due to the extensive areas of hard surface, large parts of the site are of low ecological value and therefore impacts upon biodiversity in these areas is likely to be minimal.

GCN have been recorded in a pond on the site and areas of the site are also potential bat habitats – notably the bridge at the southern end of the site carrying Gatewen Road over an abandoned railway. Mitigation measures will therefore be required at each stage of development, including the provision of compensatory/enhanced habitat. Mitigation measures and a management plan have been submitted, the implementation of which can be secured by condition or planning obligation. Whilst some short term disturbance cannot be ruled out, the implementation of a management plan should ensure the development will have no significant impact upon biodiversity/protected species in the long term.

Drainage: The implantation of appropriate temporary and permanent surface water drainage systems should ensure that site drainage does not have a significant or adverse impact upon the wider environment, including the SSSI.

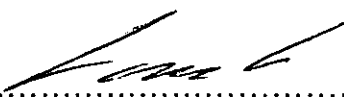
Landscape: The works within the former colliery/industrial areas will not result in a significant landscape impact. There will be an impact upon the appearance of part of the Green Barrier as a result of the new access road/site access. The landscape impacts will however be local in nature and can be mitigated with effective landscaping measures both as part of the current proposals, as well as future residential development.

- d. **Probability** – The likely effects of the development are clearly definable and the possibility of any unknown effects is minimal.
- e. **Duration, frequency and reversibility** – The duration of the construction works will be months/years. The impact of the development itself will be permanent and irreversible.

Conclusion

The development has the potential to have a range of environmental impacts, however these are unlikely to be markedly different or on a significantly greater scale than the previous uses of the land. The development is also unlikely to have an impact beyond the local area. The development does have the potential to impact upon the SSSI, however provided appropriate controls during and following completion of the development should reduce the risk of adverse impacts. These measures will be required by condition, in consultation with CCW and the Environment Agency.

It is hereby certified that based upon the above assessment and the information known at this stage, no significant environment impacts of more than local importance are identified that would justify a decision to require and Environmental Impact Assessment.

Signed: 

Date: 23/1/09

From: "Hemsworth, Deborah" <debbie.hemsworth@environment-agency.wales.gov.uk>
To: <matthew.phillips@wrexham.gov.uk>
CC: "Jones, Tryfan" <Tryfan.Jones@environment-agency.wales.gov.uk>, "Read, M...
Date: 15/01/2009 13:12
Subject: RE: Gatewen Colliery
Attachments: dps1.rtf

Matthew

I've attached the further comments on the drainage strategy made by our Groundwater and Contaminated Land Officer, Tryfan Jones.

With regard to the issue as to whether an EIA is necessary or not, we are broadly in agreement with your document and with the conclusion that there is no requirement for an EIA to be undertaken at this site. I did note however on page 5 you state that the site drainage will go to swales at the south end of the site, therefore preventing drainage flowing into the SSSI. This conflicts with Tryfan Jones' statement that "surface water run-off will drainage to the eastern part of the site". He also states that contaminated arisings will be stored in this area and requires confirmation that contaminants will not be mobilised by infiltrating run-off.

With regard to your draft conditions, we note that some of our requirements are included but much of the detail we have specified is omitted. The conditions we have requested are nationally agreed within the Environment Agency and therefore we cannot agree an amended content. However, you will no doubt be consulting us on the discharge of conditions at which stage we will endeavour to ensure that the site is developed in a manner that does not pose an unacceptable risk to the environment and adversely affect the SSSI.

I would point out that there is no mention in your conditions of how unsuspected contamination will be found ie our fourth condition. We believe it is very important for this condition to be included.

The conditions we requested were intended to apply to the whole of the site which includes the roundabout area. If the developer proposes to carry out works in this area prior to contamination issues and site drainage being addressed, consultation should take place with our Groundwater and Contaminated Land Team prior to the works actually commencing.

I am going to be out of the office until next week now and will not be contactable so I trust that the above clarifies the issues.

Kind regards,
Debbie Hemsworth.

-----Original Message-----

From: matthew.phillips@wrexham.gov.uk
[mailto:matthew.phillips@wrexham.gov.uk]
Sent: 14 January 2009 14:52
To: Hemsworth, Deborah
Subject: Re: Gatewen Colliery

Debbie,

Further to our conversation this morning, I have completed a draft EIA screening (see attached), which I'd be grateful for some comments on from the Agency on - unfortunately my deadline for completing it is

Wrexham County Borough Council
Planning Control
Lambpit Street
Wrexham
LL11 1AR

Our ref: NT/2008/107320/04-L01
Your ref: P/2008/106
Date: 14 January 2009

Dear Sir/Madam

**APPLICATION FOR ACCESS ROADS, FOUL AND STORM WATER SEWERS,
FOUL WATER PUMPING STATION, GROUND REMEDIATION AND GENERAL
ACCOMMODATION WORKS TO ALLOW RESIDENTIAL DEVELOPMENT TO
COMMENCE IN A PHASED PROGRAMME. FORMER GATEWEN COLLIERY
SITE GATEWEN ROAD, NEW BROUGHTON WREXHAM**

Further to our letter of 12th January 2009, unfortunately our Groundwater and Contaminated Land Officer had not assess the drainage strategy. His comments are therefore included below and are in addition to those made in our letter of 12th January. There are also a number of queries included

There is a mesotrophic mire designated as a SSSI located down gradient within 100m of the proposed development. These mires are likely to be impacted by fluctuations in nutrient and contaminant levels. We would consider the SSSI to be highly vulnerable to nutrient fluctuations and contaminant inputs.

Section 1.2 states that a Drainage Strategy report is being produced for a phased program. More information is required on the detail of the phased program of works. We would welcome the opportunity to review the completed Drainage Plan, when available.

The foul drainage outfall should be on non-contaminated, Greenfield areas so as not to mobilise contaminants. Confirmation is required as to which chosen option will be used. Details of the drainage outfall must be able to demonstrate that the chosen option is suitable i.e. the ground is not contaminated and is suitable in terms of hydraulic properties to percolate the desired volume of effluent. Please note that drainage outfalls should comply with Pollution Prevention Guidance dated July 2006 and BS6297:2007 A1:2008 Code of practice for the design and installation of drainage fields used in waste water treatment.

Environment Agency
Llwyn Brain, Ffordd Penlan, Parc Menai, Gwynedd, Bangor, LL57 4DE.
Customer services line: 08708 506 506
Email: enquiries@environment-agency.gov.uk
www.environment-agency.gov.uk

Cont/d..

We welcome the pollution prevention measures outlined within Section 5.3 to address potential hydrocarbon contamination. What pollution prevention measures - are proposed for protecting the mesotrophic mire from nutrient fluctuations or mobilisation of sediments during and following site works?

Section 6 describes how foul water may be connected to the public system. What contingencies are in place if the connection to the public system is not ready in time for phase 2 of the development?

Section 7 describes how surface water run-off will drain to the eastern part of the site. This section also describes how contaminated arisings will be stored within this area. What assurances can be given that contaminants will not be mobilised by infiltrating run-off? Additionally, what assurances can be given that the swales will be made from contaminant free material? There appears to be a potential pollution linkage between a source of stored / residual contaminants and controlled water features. We have serious concerns that contaminants may be mobilised by surface run-off infiltrating this area and entering the SSSI. What are the risks of the SSSI being impacted by contaminated material during development?

What pollution prevention measures will be in place to assure us that contaminants located in the eastern area (including the temporary storage) will not impact the SSSI during development?

Yours faithfully

Mrs DEBORAH HEMSWORTH
Planning Liaison Officer

Direct dial 01248 484068

Direct fax 01248 670561

Direct e-mail debbie.hemsworth@environment-agency.gov.uk

cc Paul Wren Associates Ltd

From: "Matthew Ellis" <M.Ellis@ccw.gov.uk>
To: <matthew.phillips@wrexham.gov.uk>
CC: "Mo Jones" <mr.jones@ccw.gov.uk>
Date: 19/01/2009 12:13
Subject: Fwd: RE: Gatewen Colliery

Hi Matthew

Thank you for your emails and letters sent in respect of the above case. I am sorry for any delay in replying to you. Much of my time is currently being spent on the Hafod Quarry PI case.

My comments are as follows:

1. Based on the submission of EAWs comments we concur with your comments in respect of the EIA and consider that hydrological issues can be addressed by condition.
2. We broadly accept the principles of the applicants great crested newt mitigation proposals. However, our principle concern is that of long term ownership and management of the proposed newt compensation area.
3. In our view, the most appropriate option would be for the ownership of the compensation land to be transferred to a voluntary nature conservation body, eg North Wales Wildlife Trust, North East Wales Wildlife, the Herpetological Conservation Trust or Froglife. In terms of funding, annual funding could be collected from a management company. Funding will need to be index linked and in perpetuity. This issue will need to be addressed within the provisions of the proposed Section 106 Agreement.

Owing to workloads, I will formally write to you next week.

Thanks

Matt

Matthew Ellis
Swyddog Rhywogaethau a Bioamrywiaeth Rhanbarthol/Regional Species and Biodiversity Officer
Cyngor Cefn Gwlad Cymru/Countryside Council for Wales
Glan y Nant
Uned 19/Unit 19
Parc Busnes Yr Wyddgrug/ Mold Business Park
Ffordd Wrecsam/Wrexham Road
Yr Wyddgrug/Mold
Sir Y Fflint/Flintshire
CH7 1XP
Ffôn/Tel: 01352 706600
E-bost/E-mail m.ellis@ccw.gov.uk
Safle Wê/Web site: <http://www.ccw.gov.uk>

>>> <matthew.phillips@wrexham.gov.uk> 15/01/2009 14:04 >>>
Matthew,

I received the following from the EA earlier in which they make comments on my draft EIA screening opinion. You will note that they are generally agreeable to the conclusions, however have commented on some specific details. Also attached is a response from one of their

From: Matthew Phillips
To: Alan Edwards
Date: 22/01/2009 12:02
Subject: P/2008/1066 Gatewen Colliery

Dear Councillor Edwards,

I have completed a screening opinion for the above development to determine whether an Environmental Impact Assessment (EIA) is required and am informing you of my conclusions.

After considering the proposals and seeking advice from both the Environment Agency and the Countryside Council for Wales I have concluded that a full EIA is not required. This does not mean that the potential for the development to have impacts of the proposal on both the local environment or issues such as traffic impact will not be considered, nor does mean the Planning Committee is obliged to grant permission. It does however mean that the development will not have impacts of more than local (i.e. regionally - e.g. north Wales, or nationally) significance..

I understand you are currently away and will not be back until Friday 23 January. I have a deadline to complete the screening by Friday and therefore if I do not hear from you further by 3pm today, I shall assume you have no comments to make the EIA process.

Yours sincerely

Matthew Phillips
Planning Officer
Wrexham County Borough Council
Telephone no. 01978 292473

From: Michael G Morris
To: Phillips, Matthew
Date: 19/01/2009 18:26
Subject: Re: EIA screening- Gatewen Colliery

Hi Matthew

I would agree with your comments and recommendation that a full EIA is not required

Michael Morris

>>> Matthew Phillips 19/01/2009 17:03 >>>

Dear Councillor Morris,

I have completed an EIA screening opinion for the above site in respect of a proposal to form a new site access, site remediation works, construction of a 'spine road' through the site and installation of essential site infrastructure (planning reference P/2008/1066). I have concluded, after consulting with CCW and the Environment Agency, that the development does not require a full Environmental Impact Assessment. A copy is attached. I would be grateful for your comments.

Yours sincerely

Matthew Phillips
Planning Officer
Wrexham County Borough Council
Telephone no. 01978 292473

From: Matthew Phillips
To: internet: M.Ellis@ccw.gov.uk
Date: 15/01/2009 14:04
Subject: Fwd: RE: Gatewen Colliery
Attachments: dps1.rtf; 2008-01066gatewenaccessroad.doc

Matthew,

I received the following from the EA earlier in which they make comments on my draft EIA screening opinion. You will note that they are generally agreeable to the conclusions, however have commented on some specific details. Also attached is a response from one of their officers specifically on the drainage proposals. I have updated my draft EIA screening in light of the comments, and rather referring to the drainage proposals, have details more generally how drainage issues can be addressed. I believe this issue can still be addressed through suitable planning conditions preventing works starting until adequate provision for drainage has been made in a more comprehensive strategy, which we would expect to be prepared in full consultation with the EA.

I have attached a revised draft screening. Please note that my conclusions remain the same.

Regards

Matthew

>>> "Hemsworth, Deborah" <debbie.hemsworth@environment-agency.wales.gov.uk> 15/01/2009 13:10 >>>

Matthew

I've attached the further comments on the drainage strategy made by our Groundwater and Contaminated Land Officer, Tryfan Jones.

With regard to the issue as to whether an EIA is necessary or not, we are broadly in agreement with your document and with the conclusion that there is no requirement for an EIA to be undertaken at this site. I did note however on page 5 you state that the site drainage will go to swales at the south end of the site, therefore preventing drainage flowing into the SSSI. This conflicts with Tryfan Jones' statement that "surface water run-off will drainage to the eastern part of the site". He also states that contaminated arisings will be stored in this area and requires confirmation that contaminants will not be mobilised by infiltrating run-off.

With regard to your draft conditions, we note that some of our requirements are included but much of the detail we have specified is omitted. The conditions we have requested are nationally agreed within the Environment Agency and therefore we cannot agree an amended content. However, you will no doubt be consulting us on the discharge of conditions at which stage we will endeavour to ensure that the site is developed in a manner that does not pose an unacceptable risk to the environment and adversely affect the SSSI.

I would point out that there is no mention in your conditions of how unsuspected contamination will be found ie our fourth condition. We believe it is very important for this condition to be included.

The conditions we requested were intended to apply to the whole of the site which includes the roundabout area. If the developer proposes to carry out works in this area prior to contamination issues and site

