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01/07/2021

Dear Sir/Madam,

**PROPOSAL: DISCHARGE OF CONDITION 6 (ECOLOGY) OF PLANNING PERMISSION
P/2019/0898**

LOCATION: CARETAKER HOUSE, HAFOD, RUABON, WREXHAM

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 15th June 2021.

We have concerns with the application as submitted. We do not recommend your Authority discharges condition 6 for the following reasons.

Condition 6

We note from Section 3 of the submitted Site Development and GCN Conservation Plan(DMS Architectural Services (May 2020 (Amended May 2021)) that the applicant proposes to construct the scheme under Reasonable Avoidance Measures (RAMS) and if Great Crested Newt (GCN) are found work would stop immediately. NRW's preference would be for the works to be carried out under licence, but we accept the applicant's approach in principle.

Submission of Details Concerning Amphibian Reasonable Avoidance Measures During Construction

The proposed reasonable avoidance measures are identified in Section 2 of the site Development and GCN conservation plan. We accept the submitted approach but recommend the use of one-way fencing to ensure working areas are not accessible to amphibians.

The assemblage of amphibian species is listed as a feature of the Stryt Las a'r Hafod Site of Special Scientific Interest (SSSI). We therefore advise that all species of amphibian are relocated away from the working areas of the proposed project. Relocation of any great crested newts from these areas may only be carried out under the provisions of an

appropriate licence by NRW under Regulation 55 of the Conservation of Habitats and Species Regulations 2017 (as amended).

We would further advise that compliance monitoring is carried out by a suitably-experienced and licensed ecologist.

Submission of further details including location plans of habitats to be retained and/or enhanced specifically for amphibians. Details shall be provided in respect of timescales for implementing habitat schemes

We consider the submitted plan is not satisfactory for the following reasons:

1. There is no satisfactory plan illustrating the pond and surrounding habitats, including hedgerows, that will be specifically managed for nature conservation purposes within a defined and dedicated area that is clearly identified within the management plan;
2. There is a lack of satisfactory detail concerning the identification of ecological enhancement measures, *e.g.* Pond WB1;
3. There is a lack of satisfactory detail concerning the identification of habitat creation measures *e.g.*, native tree planting and amphibian refugia creation;
4. There are no details concerning the timing of the works

Submission of a long-term management plan for the amphibian habitats, details to include management prescriptions, persons responsible for undertaking habitat management works, licensing requirements, monitoring and reporting of management actions

NRW notes the proposals in Sections 5 and 8 of the site Development and GCN conservation plan, but we do not consider the current submission to be satisfactory for the following reasons:

1. No detail has been provided in respect of the management prescriptions for terrestrial and aquatic habitats in the short and long term;
2. No consideration has been given to potential derogation licensing requirements for identified management prescriptions;
3. No consideration has been given to monitoring and the use and application of monitoring results for informing the implementation of habitat management.
4. No details concerning reporting have been included within the provisions of the ecological submission.
5. We note that Section 9 (landscaping) concerns planting the non-native species *Phormium tenax*. We advise that this proposal is not considered as a material component of the ecology plan.

Details of timing, phasing and duration of construction activities and conservation measures; Timetable for implementation demonstrating that works are aligned with the proposed phasing of the development; Ecological Compliance Audit, including key performance indicators

Whilst we acknowledge that limited information has been provided, we advise that insufficient information has been submitted to satisfy this specific provision.

Biosecurity

We note the submitted biosecurity protocol under Section 6 of the Site Development and GCN Conservation Plan and are satisfied with this. However, we advise that biosecurity is included within the site induction (see Section 2, point 3 of the Site Development and GCN Conservation Plan)

In summary, the principle outstanding issue relates to the requirement of a long-term management scheme for terrestrial and aquatic GCN habitat, along with a plan that clearly shows the proposed habitat provision. We advise that details of the scheme are submitted for approval.

If you have any queries on the above, please do not hesitate to contact us.

Yours faithfully,

Ruth Prichard

Cynghorydd - Cynllunio Datblygu / Advisor - Development Planning
Cyfoeth Naturiol Cymru / Natural Resources Wales