Ein cyf/Our ref: CAS-262779-V7M5
Eich cyf/Your ref: P/2024/1336

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Date: 04 September 2024

Dear Sarah Hill,

BWRIAD/PROPOSAL: Extension and conversion of the barn to dwelling and erection of new detached garage

LLEOLIAD/LOCATION: Coed Derwen, Erbistock, LL13 0DN

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 16 August 2024.

We have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following condition regarding protected species AND the documents identified below should be included in the approved plans and documents condition on the decision notice. Without the inclusion of this condition and documents we would object to this planning application.

Condition - **Bat Conservation Plan**

Documents – **Bat Scoping Survey & Activity Surveys Of The Old Barn, Coed Derwen, Erbistock, Wrexham, Andy Harmer Ecology Services, 2024**

Preliminary Ecological Appraisal Of The Old Barn, Coed Derwen, Erbistock, Wrexham. Andy Harmer Ecology Services, 2024

Protected Species

Bats

We note that the bat report submitted in support of the above application (Bat Scoping Survey & Activity Surveys Of The Old Barn, Coed Derwen, Erbistock, Wrexham, Andy Harmer Ecology Services, 2024) has identified that bats are present at the application site.

From the information submitted, we consider that the proposed development represents a higher risk for bats, as defined in our guidance document ‘Natural Resources Wales

Approach to Bats and Planning (2015)'. Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended).

We advise that the proposed development is likely to harm or disturb the bats or their breeding sites and resting places at this site. Therefore, we advise that the below condition should be attached to any planning permission for this scheme to ensure appropriate avoidance and mitigation measures. Provided those measures are implemented, we do not consider that the proposed development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Condition: No development shall commence until a Bat Conservation Plan has been submitted to and approved in writing by the Local Planning Authority. The Conservation Plan shall include, but not necessarily be limited to:

- Build upon the principles outlined in the ecological report.
- The submission of further details including plans of all bat roost retention and compensation proposals. Plans shall clearly illustrate the locations of all retained and proposed entrance/exit points.
- The submission of further details concerning the prevention of injury or killing of bats during construction and post-construction.
- Details of timing, phasing and duration of construction activities and conservation measures.
- Timetable for implementation and demonstrating that works are aligned with the proposed phasing of the development.
- Actions to be taken in the event that previously unidentified species of bat are found.
- The submission and implementation of an approved ecological compliance audit (ECA) scheme to the satisfaction of the LPA. Given the significance of the roost, we advise that the ECA is carried out by an external body. The purpose of the ECA is to evidence compliant implementation of all ecological avoidance, mitigation and compensation works, either proposed or subject to the provisions of reserved matters conditions. The ECA shall identify Key Performance Indicators (KPI's) that are to be used for the purposes of assessing and evidencing compliant implementation of proposals.
- Persons responsible for implementing the works.
- Post-construction monitoring and record dissemination for a period of not less than 5 years.
- Submission of details including plans concerning external lighting together with any light spillage originating from internal locations. This component requirement shall include plans illustrating projected or retained bat emergence points; together with retained or proposed features such as existing and proposed landscaping and vegetation that currently or are planned to be functionally used by bats for foraging/dispersal purposes. Provisions of the scheme shall accord with the

provisions of the Institution of Lighting Professionals and Bat Conservation Trust: Guidance Note 08/18: Bats and Artificial Lighting in the UK.

The Conservation Plan shall be carried out in accordance with the approved details.

We have no objection to the conservation plan including other species considered by the LPA to be material to the planning decision-making process.

NRW would refer the Local Authority to the Chief Planning Officer's letter dated 01 March 2018 which advises Local Planning Authorities to attach an informative regarding licence requirements to all consents and notices where European Protected Species are likely to be present on site.

Great Crested Newt (GCN)

We note that the ecological assessment submitted in support of the above application (Preliminary Ecological Appraisal Of The Old Barn, Coed Derwen, Erbistock, Wrexham. Andy Harmer Ecology Services, 2024) has identified that GCN may be present at the site.

Given the location of the development site within the Dee flood plain, we advise that there is a lower risk of GCN being present. However, if GCN are present, we consider that there are no barriers to dispersal from nearby ponds.

We note that Reasonable Avoidance Measures (RAMs) relating to GCN have been included in the above report. We advise that the RAMs are acceptable, however, we would welcome the inclusion of the erection of one-way amphibian fencing as an additional measure within the RAMs.

We consider that the development is not likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Furthermore, we advise that the proposed development is not likely to harm or disturb GCN or their breeding sites and resting places at this site, provided the avoidance measures described in the amended report are implemented.

The amended report must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

Please consult us again if any further information shows that this is no longer a lower risk case.

Protected Sites and Foul Drainage

We note the application site is within the catchment of the River Dee and Bala Lake Special Area of Conservation (SAC). In line with our *Advice to Planning Authorities for Planning Applications Affecting Nutrient Sensitive River Special Areas of Conservation* (28 June 2024), under the Habitats Regulations, Planning Authorities must consider the impact of proposed developments on water quality within SAC river catchments. We therefore advise you to consider whether the proposals, as submitted, would increase the volume of foul discharge from the site in planning terms.

We note the application, as submitted, proposes a domestic extension, i.e. an extension to a dwelling house comprising a single household. The proposal is for an extension of a previously approved plan that considered the impact of water quality within the SAC river catchment, and will not increase the number of residential units. We refer you to our Advice and the section titled '*What does this mean for domestic extensions*?'

Ultimately it is a matter of judgment for you, as Competent Authority, to satisfy yourselves that the proposed development will not result in a significant effect on the SAC.

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

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

Yours faithfully,

Gareth Thomas
Cynghorydd - Cynllunio Datblygu/Advisor - Development Planning
Cyfoeth Naturiol Cymru/Natural Resources Wales
E-bost/E-mail: northplanning@cyfoethnaturiolcymru.gov.uk

Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi./Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.