

Ein cyf/Our ref: CAS-254791-V8S4
Eich cyf/Your ref: P/2024/0219

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Date: 14 May 2024

Dear Sir/Madam,

PROPOSAL: Listed building consent for internal alterations

LOCATION: Erddig Hall, Erddig, Wrexham, LL13 0YT

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 29 April 2024.

We have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should seek further information from the applicant regarding protected species. If this information is not provided, we would object to this planning application. Further details are provided below.

Protected Species

We note the Internal Inspections for Bats (Jones, R, M.; 2023; Star Ecology; ref.: NT/2748/22.1) submitted in support of the above application has identified that bats are present at the application site (Brown long-eared bat activity was identified in each of the roof voids). From the information submitted, we consider that the proposed development is likely to represent 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). Where bats are present and a development proposal is likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three tests set out in the Regulations (Please also refer to Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning). Please note, for the purposes of providing advice at the planning application stage, our comments are limited to the test relating to "*demonstration of no detriment to the maintenance of the favourable conservation status of European protected species*".

Although the bat report has been submitted, we advise that there is insufficient information to assess potential effects on bats, and how any effects will be avoided or mitigated.

We advise that further information is required to assess the extent of adverse effects on the bats and any avoidance or mitigation measures required. This must demonstrate that the proposed development would not be likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

The ecological survey suggests the structure functions as both maternity and non-maternity roosting purposes. It is suggested that it is unlikely to be used for hibernating. In our view, insufficient surveys have been carried out to demonstrate that the site is not used by bats between October and May.

Brown long-eared bats are known to use roosts, such as Erddig throughout the year including over the autumn / winter.

In our view the works are likely to cause:

- (a) disturbance to one or more bats [at any time of year];
- (b) changes to the internal roof that can be construed as damage to a bat breeding site or resting place; and/or
- (c) obstruction of access to a place of shelter.

We therefore advise for works are carried under licence issued by NRW under Reg 55 (2) (e) of the Conservation of Habitats and Species Regulations 2017 (as amended) at any time of year.

We acknowledge the inclusion of recommendations A to E. As stated above, we advise that implementation of the works are subject to the appropriate licence issued under the Habitats Regulations at any time of year.

In respect of further comments and observations on the submitted recommendations:

- (a) we advise that clarification is provided as to when the works will be carried out;
- (b) the proposals do not confirm the details of site induction and the details of procedures to be carried out in the event of one or more bats being found;
- (c) no consistent reference to prior commencement surveys within the prescriptions for each of the five recommendations;
- (d) no detail regarding any requirements for new timber to have been treated with approved timber treatment chemicals;
- (e) no detail that confirms whether current bat access points will be retained or infilled;
- (f) no details concerning the operation of fire doors and bats including confirmation that the installation of fire doors within the roof voids will be as a separate (stand-alone) fire prevention network. The adoption of a separate system will reduce the likelihood of bats being trapped/excluded from their roosts during fire drills and similar activities; and
- (g) no consideration for evidencing compliant implementation and operation of the proposals to ensure no adverse impacts on bats and thereby ensure long term roost functionality.

Consequently, we advise a revised ecological report is submitted to address the above points. In the meantime, we are unable to give you any assurance that the proposal would

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

Protected Sites

We note the application site is within the catchment of the River Dee and Bala Lake Special Area of Conservation (SAC). As you are aware, on 21 January 2021, we published an evidence package outlining phosphorus levels for all river SACs across Wales. In line with our [Planning Advice](#) (August 2023), under the Habitats Regulations, Planning Authorities must consider the phosphorus impact of proposed developments on water quality within SAC river catchments.

However, the application as submitted is unlikely to increase the amount of phosphorus entering the catchment. Therefore, we are satisfied that the proposal is not likely to have a significant effect on the River Dee and Bala Lake 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,

Tristan Williams

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

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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.