Cyfoeth Naturiol Cymru
Natural Resources Wales

Ein cyf/Our ref: CAS-279680-G4D9
Eich cyf/Your ref: P/2025/0368

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 16 May 2025

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: NEWID DEFNYDD YR ADEILAD O DDOSBARTH B1 (SWYDDFEYDD) I DDOSBARTH D3 (ANHEDDAU) GAN GYNNWYS NEWID FFENESTRI SIOPAU I FFENESTRI DOMESTIG, AGORIADAU FFENESTRI NEWYDD A GWAITH CYSYLLTIEDIG / CHANGE OF USE OF BUILDING FROM CLASS B1 (OFFICES) TO CLASS D3 (DWELLINGS) INCLUDING REPLACEMENT OF SHOP WINDOWS TO DOMESTIC WINDOWS, NEW WINDOW OPENINGS AND ASSOCIATED WORKS

LLEOLIAD/LOCATION: CONTACT WREXHAM, COUNCIL OFFICES, 16 LORD STREET, WREXHAM, LL11 1LG

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 29 April 2025.

We have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome if the documents identified below are included in the approved plans and documents condition on the decision notice:

Approved Documents:

- **Lovatt, K., June 2024, Daytime Building Inspection, Reference P.2006.24, Ascerta**
- **Lovatt, K., July 2024, Bat Nocturnal Survey, Revision A updated 08/11/2024, Reference P.2006.24, Ascerta**

Please note, without the inclusion of these documents we would object to this planning application. Further details are provided below.

We also advise that further consideration is required regarding foul drainage. Further details are provided below.

Protected Species

We have reviewed the following information submitted in support of the application:

- Lovatt, K., June 2024, Daytime Building Inspection, Reference P.2006.24, Ascerta
- Lovatt, K., July 2024, Bat Nocturnal Survey, Revision A updated 08/11/2024, Reference P.2006.24, Ascerta

Section 4.3 of the Daytime Building Inspection report states that "*Overall, the building is classified as having low bat roosting potential"* and Table 4.6 states that "*One nocturnal bat activity emergence survey is required".*

Section 5.0 of the Bat Nocturnal Survey report states that no bat activity was recorded during the subsequent emergence survey. However, the report also states that due to the building having potential for supporting bat roosts, if works have not begun by June 2026 further assessment may be required. We concur with this approach.

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".

We consider that the above reports provide an adequate basis upon which to consider the potential impacts of the scheme on bat species and inform the decision-making process.

We consider that the development is not likely to be detrimental to the maintenance of the population of any bat species concerned at a favourable conservation status in their natural range provided the measures set out in the submitted report are implemented.

Therefore, we advise that the above documents are included in the approved list of plans / documents condition within the decision notice.

Protected Sites and Foul Drainage

The proposed development could potentially lead to an increase of phosphorus load from the receiving wastewater treatment works into the River Dee and Bala Lake Special Area of Conservation. The majority of the River Dee catchment in Wales is currently failing to meet water quality targets for phosphorus. The nutrient impacts of new connections need to be considered on a case-by-case basis within the Habitats Regulations Assessment process. Whilst NRW permitting service has completed a Review of Water Company Discharge Permits we are currently undertaking further data analysis for the River Dee following a number of enquiries and questions from stakeholders and several ongoing Appeals. We will be able to provide further advice to your Authority once we have concluded the review.

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.

Yn gywir / Yours faithfully,

Rachael Burke
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.