

Ein cyf/Our ref: CAS-238288-V7G1
Eich cyf/Your ref: P/2023/0598

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 02 November 2023

Dear Sir/Madam,

**PROPOSAL: CHANGE OF USE OF BUILDING FROM AGRICULTURE TO
COMMERCIAL USE AND ALL ASSOCIATED WORKS**

LOCATION: ISYCOED FARM, HOLT ROAD, RIDLEYWOOD, WREXHAM, LL13 9US

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 29 September 2023.

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 sites and protected species . If this information is not provided, we would object to this planning application. Further details are provided below.

Protected Sites

- Foul Drainage

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 the 21st 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. 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 from the information submitted that a new septic tank is to be installed to provide foul drainage or portaloo will be installed. Confirmation of which foul drainage option is to be implemented onsite is required. Additionally, the development has the potential to increase the amount of phosphorus being discharged from the site. As such, we refer you to our Planning Advice and advise you to seek further information from the applicant. we advise you to seek further information as identified in the section titled 'What does this mean for development proposals involving private sewage treatment systems' of that advice. We note the submitted Design and Access Statement section 2.4 indicates that there will be a

decrease to the overall phosphate input however no calculations have been submitted to support this.

Provided this advice is followed and you are able to conclude that the development is not likely to have a significant effect on the SAC, we would have no objection to the proposal. However, should you conclude that the proposed development is likely to have a significant effect on the SAC, please consult us on your Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Protected Species

We note that the bat report submitted in support of the above application (arbor vitae - preliminary ecological appraisal) has identified under section 5.2 building 2b has low suitability and at least 1 bat activity survey should be carried out.

Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017. 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.

Section 5.2 states building 2b has low suitability and at least 1 bat activity survey should be carried out and we concur with this assessment.

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.

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.

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

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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.