

Ein cyf/Our ref: CAS-243642-L6C0
Eich cyf/Your ref: P/2023/0774

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 09 January 2024

Annwyl Syr/Madam/Dear Sir/Madam,

**BWRIAD/PROPOSAL: AMENDMENT TO PLANNING APPLICATION P/2018/0676 TO
AMEND DESIGN OF HOLIDAY UNITS**

LLEOLIAD/LOCATION: FORGE FARM, PONT Y BLEW, CHIRK, WREXHAM, LL14 5BH

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 28 December 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 foul drainage. If this information is not provided, we would object to this planning application. Further details are provided below.

Protected Sites

River Dee and Bala Lake Special Area of Conservation (SAC)

Recreational impacts

We have concerns that a significant effect from the proposed development on the SAC cannot be ruled out. We advise that further information is submitted to adequately consider the potential impacts on the features of the protected site and in particular to enable your Authority to carry out a Habitats Regulations Assessment under Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended).

The proposed change of use from agriculture to tourism and the associated increase in recreational access by people and dogs (and lighting) may result in a significant effect on the features of the SAC. We note that a biodiversity enhancement plan (Roger Parry and Partners, September 2023) submitted to support this application includes details of landscaping and planting measures. However, the plans do not appear to include planting along the river corridor, or fencing, as we had previously advised. Therefore, we maintain our concerns and advise that the landscaping plans should be amended to include planting along the river corridor, as well as fencing.

In addition, we note that the proposed 'biodiversity enhancement plan' (Roger Parry and Partners, September 2023) includes two cotoneaster cultivars. Although these cultivars are not listed on schedule 9 of the Wildlife and Countryside Act 1981 (as amended), cotoneaster species are recognised to be invasive non-native species, and we would therefore advise that they are excluded from the planting scheme, considering the proximity of the SAC.

As the competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended), your authority must, before deciding to give consent for a project which is likely to have a significant effect on a SAC/SPA/Ramsar site, either alone or in combination with other plans or projects, make an appropriate assessment of the implications of the project for that site in view of its conservation objectives. You must for the purposes of the assessment consult NRW and have regard to any representations we make within such reasonable time as you specify. In the absence of that assessment, NRW cannot advise that the proposals would not result in an adverse effect upon the SAC/SPA/Ramsar site.

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 this is an application to amend a previously approved planning application. As such, even though the development proposed was judged to be acceptable in principle when the original permission was granted, that decision predates the publication of our evidence package. We therefore advise that you will need to consider the implications of this as part of your determination of this application. For further information, please refer to our Planning Advice. Ultimately, it is for your Authority to consider to what extent you treat this advice as a material consideration in the context of the current application. If you determine that NRW's Planning Advice is a material consideration to this s73 application, then you will need to consider the Habitats Regulations and screen the proposal accordingly.

Afon Dyfrdwy (River Dee) Site of Special Scientific Interest (SSSI)

NRW consider the proposals have the potential to impact upon the SSSI. Providing the impact pathways referenced above for the SAC are adequately addressed, NRW consider the features of the SSSI will also be adequately safeguarded.

Flood Risk

Our Flood Risk Map confirms the application site lies partially within Zone C2 of the Development Advice Maps (DAM) as contained in Technical Advice Note (TAN) 15: Development and Flood Risk (2004). The Flood Map for Planning identifies the application site to be at risk of flooding and falls partially into Flood Zones 2 and 3 (Rivers).

We note that the layout of the proposed development has changed since the previous planning application was permitted, and although the holiday units and ancillary areas are still outside of the flood zones, they would now be placed adjacent to them.

We acknowledge that this is an amendment to an approved planning application (P/2018/0676). However, in our view the design layout of the approved application is preferable in terms of flood risk. We recommend that consideration be given to the incorporation of flood resistance/resilience measures into the design and construction of the development. These could include flood barriers on ground floor doors, windows and access points, implementation of suitable flood proofing measures to the internal fabric of the ground floor and locating electrical sockets/components at a higher level above possible flood levels.

We refer the applicant to our [website](#) for further advice and guidance. Additional guidance including the leaflet "Prepare your Property for flooding" can be found [here](#).

The developer can also access advice and information on protection from flooding from the ODPM publication 'Preparing for Floods: Interim Guidance for Improving the Flood Resistance of Domestic and Small Business Properties', [here](#).

Protected Species

We note that there is no information about protected species with the application and, therefore, are assuming that your Authority has screened the application and concluded that there is not a reasonable likelihood of protected species being present.

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,

Garmon Lewis

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.