

Wrexham County Borough Council,
The Guildhall,
Wrexham,
LL11 1AY

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

06/03/2023

Annwyl Syr/Madam / Dear Sir/Madam,

**BWRIAD / PROPOSAL: TRAWSNEWID AC ESTNIAD I YSGUBOR I FFURFIO ANNEDD
/ CONVERSION AND EXTENSION TO BARN TO FORM DWELLING**

**LLEOLIAD / LOCATION: FIR TREE HOUSE, CLOY LANE, OVERTON, WREXHAM, LL13
OHR**

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 27/02/2023.

We continue to 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.

We also advise that based on the information submitted to date, the document(s) identified below should be included in the approved plans and documents condition on the decision notice. Without the inclusion of document we would object to this planning application.

- **Proposed Conversion of Outbuildings at Fir Tree House, Cloy Lane, Overton: Bird and Bat Survey. Wildbanks Conservation. July 2021**
- **Proposed Conversion of Outbuildings at Fir Tree House, Cloy Lane, Overton: Reasonable Avoidance Method Statement. Wildbanks Conservation. July 2021**

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](#) (July 2022), 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 for the conversion of the barn. As such, we refer you to our Planning Advice and advise you to seek further information from the applicant. We note that information has already been submitted in respect of location of the drainage field and percolation tests results. However, 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 draw your attention particularly to the following section:

“Where a new drainage field is proposed in close proximity to other known existing and proposed drainage fields, there is risk that the effectiveness of the drainage fields is compromised. Many private drainage systems qualifying for an exemption from Environmental Permitting have not been registered with NRW and as such there may be limited data available on the location of existing drainage fields.

In the absence of complete data, Planning Authorities are advised to use mapping/aerial photography to assess proximity to existing properties likely to have a private drainage system and consider whether further site investigation may be required.”

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). We advise the Applicant make use of our [pre-application advice service prior to applying for an Environmental Permit](#), to try to ensure that there is no conflict between any planning permission granted and the permit requirements. It is important to note that a grant of planning permission does not guarantee that a permit will be granted, should a proposal be deemed to be unacceptable (either because of environmental risk or because upon further investigation, a connection to mains sewer was feasible). The Applicant should ensure that they have all the required permissions, consents, permits and any other approvals in place prior to commencement of works on the site.

More information, including a step by step guide to registering and the relevant application forms are available on our [website](#). Where private sewage treatment/disposal facilities are utilised, they must be installed and maintained in accordance with British Standard 6297 and Approved Document H of the Building Regulations. We also refer the Applicant to Guidance for Pollution Prevention 4 on the [NetRegs website](#), which provides further information.

Protected Species

Bats

We note that the bat report submitted in support of the above application (Proposed Conversion of Outbuildings at Fir Tree House, Cloy Lane, Overton: Bird and Bat Survey. Wildbanks Conservation. July 2021) has identified that bats are present at the application site. From the information submitted, we consider that the proposed development represents a lower 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 this is a lower risk case for bats, 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 the bats or their breeding sites and resting places at this site, provided the avoidance measures described in the bat report are implemented. The 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.

Great Crested Newts (GCNs)

We note that a Reasonable Avoidance Statement has been submitted in support of the above application (Proposed Conversion of Outbuildings at Fir Tree House, Cloy Lane, Overton: Reasonable Avoidance Method Statement. Wildbanks Conservation. July 2021). The measures described in the report are acceptable.

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

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](https://www.naturalresourceswales.gov.uk). 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](https://www.naturalresourceswales.gov.uk) for further details.

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

Yn gywir / Yours faithfully

Rhys Jones

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