

Ein cyf/Our ref: CAS-253648-T9D4
Eich cyf/Your ref: P/2023/0662

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Date: 23 April 2024

Dear Sir/Madam,

PROPOSAL: ERECTION OF 9 DWELLINGS

LOCATION: BERSHAM SPORTS & SOCIAL CLUB, BERSHAM ROAD, BERSHAM, WREXHAM, LL14 4HS

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 11 January 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 sites. 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 identified below should be included in the approved plans and documents condition on the decision notice. Without the inclusion of this document we would object to this planning application.

(Hesketh, T. (2023). Preliminary ecological Appraisal: Royal British Legion, Bersham Road, Bersham, Wrexham, LL14 4HS. Tyrer Ecological Consultants. (Unpublished))

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.

This application for the construction of a new dwelling proposes connection of foul water to the mains sewer. We note the consultation response letter from DC/WW dated 18th October 2023. If your Authority deems that the proposal would increase the volume of foul discharge from the site, we advise that further confirmation is sought from DC/WW with regards to the bullet point relating to hydraulic capacity set out in the section 'What this means for development proposals involving connection to public wastewater treatment works?' of our Planning Advice: [Natural Resources Wales / Advice to planning authorities for planning applications affecting phosphorus sensitive river Special Areas of Conservation](#).

Your Authority will need to take the above into account in your determination of whether the development is likely to have a significant effect on the SAC. Should you determine that an Appropriate Assessment is required, the Applicant will then need to submit whatever evidence they deem appropriate (seeking advice from consultants as may be necessary) to demonstrate no adverse effect on site integrity. You should then consult us on your Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Ultimately, the suitability of foul drainage arrangements for the proposed development is a matter for your Authority to determine.

Protected Species

We note that the Ecological Report submitted in support of the above application (Hesketh, T. (2023). Preliminary ecological Appraisal: Royal British Legion, Bersham Road, Bersham, Wrexham, LL14 4HS. Tyrer Ecological Consultants. (Unpublished)) has identified that a low risk of bats or Great Crested Newts being present at the application site. The report recommends (section 8. Conclusions & Recommendations) that reasonable avoidance measures (RAMS) are implemented onsite to minimise the risk of affecting these species. We concur with the recommendations made within the report and recommend that they are secured to the satisfaction of your authority.

Provided these avoidance measures are implemented, we consider that the proposed 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:

We therefore recommend that the report is 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](#). 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

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.