

Ein cyf/Our ref: CAS-278194-Q1K2
Eich cyf/Your ref: P/2023/0672

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 15 April 2025

Dear Sarah Brett,

BWRIAD/PROPOSAL: Trawsnewid capel i mewn i annedd a ffurfio mynediad i gerbydau / Conversion of chapel into dwelling and formation of vehicular access

LLEOLIAD/LOCATION: Church Of St Deiniol, Crabtree Green, Park Eyton, Ruabon, Wrexham, LL13 0YF

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the revised information in support of the above, which we received on 03 April 2025.

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 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 documents identified below should be included in the approved plans and documents condition on the decision notice.

- **Protected Species Survey, Stephen Cutmore Arboricultural & Ecological Services, Ref: 022024/BCP/TB, 6th February 2024**

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). In line with our [Advice to Planning Authorities for Planning Applications Affecting Nutrient Sensitive River Special Areas of Conservation \(28 June 2024\)](#), under the Habitats Regulations, Planning Authorities must consider the 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.

Your Authority have previously drawn our attention to a similar proposal, PEDW Appeal reference: CAS-02512-R3S1V0, whereby the Appeal Inspector deemed “the proposal has

the potential to be a source of additional phosphorus and there is a pathway for impact on the SAC from the scheme”.

We note from the new information submitted that the applicant has registered a water quality exemption for the proposed foul drainage to discharge via a septic tank or private treatment plant to a soakaway. The previous proposal was for the foul drainage to discharge via a private treatment plant to a highway drain. The applicant previously noted that the chapel benefitted from a poorly functioning septic tank and soakaway system. As such, we refer you to our [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.

In particular, as the applicant has now proposed that a discharge to ground is the proposed option, the applicant should provide:

- clear scale plans showing the location of the proposed private sewage treatment system and discharge (soakaway system) location;
- where discharges to ground are proposed, developers should provide the results of infiltration testing with calculations to demonstrate that the drainage field size and design is appropriate for the volume of discharge proposed and follows the relevant British Standard.

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

Protected Species

We note that the bat report submitted in support of the above application (Protected Species Survey, Stephen Cutmore Arboricultural & Ecological Services, Ref: 022024/BCP/TB, 6th February 2024) 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 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*".

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. However, we advise that the proposed development is likely to harm or disturb the bats or their breeding sites and resting places at this site and,

therefore, we advise that all avoidance and mitigation measures described in the bat report must be undertaken.

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.

NRW would refer the Local Authority to the Chief Planning Officer's letter dated 01 March 2018 which advises Local Planning Authorities to attach an informative regarding licence requirements to all consents and notices where European Protected Species are likely to be present on site.

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,

Gareth Thomas

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.