

Ein cyf/Our ref: CAS-272146-P2N7
Eich cyf/Your ref: P/2023/0724

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 27 January 2025

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: NEWID DEFNYDD NEUADD BENTREF I UN ANNEDD / CHANGE OF USE OF VILLAGE HALL TO 1 NO. DWELLING

LLEOLIAD/LOCATION: ERBISTOCK VILLAGE HALL, ERBISTOCK, WREXHAM

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 13 January 2025.

We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome if the documents identified below are included in the approved plans and documents condition on the decision notice:

- **Bat Activity Survey for Village Hall, Erbistock, dated 20/12/2024, Clwydian Ecology**
- **Bat/Bird Mitigation Report, Village Hall, Erbistock, dated 10/12/2024, Clwydian Ecology**

Please note, without the inclusion of these documents we would object to this planning application. Further details are provided below.

Protected Species

We note that the bat report submitted in support of the above application (Bat Activity Survey for Village Hall, Erbistock, dated 20/12/2024, Clwydian Ecology) 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.

We note the proposed reasonable avoidance measures within the submitted Bat/Bird Mitigation Report (Bat/Bird Mitigation Report, Village Hall, Erbistock, dated 10/12/2024, Clwydian Ecology) and concur with the proposed approach.

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.

Protected Sites and 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.

We note from the information submitted that the proposal is for the change of use of a village hall to a dwelling and that there is an existing connection to a shared septic tank with the neighbouring property. The Foul Drainage Assessment (Reference 15976-Foul Drainage Assessment-01, dated 10/06/24, Waterco Ltd) confirms that there is a discharge to ground and that the combined flows from the existing property and the proposed change of use would be less than 2m³ per day. We note that there is an existing exemption registered to the neighbouring property and as the combined flows are stated to be less than 2m³ the proposals would be in compliance with the registered exemption.

We refer you to our [Advice](#) and the section titled ‘*Can additional wastewater be discharged to existing private sewage treatment systems?*’ of that advice.

Ultimately it is a matter of judgment for you, as Competent Authority, to satisfy yourselves that the proposed development will not result in a significant effect on the SAC.

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,

Rachael Burke

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.