

Ein cyf/Our Ref: CAS-267379-Z7W4
Eich cyf/Your Ref: P/2024/0249

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

Dyddiad/Date: 14 November 2024

Annwyl Syr/Madam / Dear Sir/Madam,

BWRIAD/PROPOSAL: TWO STOREY EXTENSION TO DWELLING AND CONVERSION OF OUTBUILDINGS TO CAR PORT AND HOME OFFICE

LLEOLIAD/LOCATION: MOSS VILLA, CHAPEL LANE, BRONINGTON, WHITCHURCH, SY13 3HR

Thank you for consulting Cyfoeth Naturiol Cymru (CNC) / Natural Resources Wales (NRW) about the additional information for the above, which we received on 29/10/2024.

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.

Protected Sites

Site of Special Scientific Interest (SSSI)

We note from the amended location plan (DWG. NO. SA47065-BRY-ST-PL-A-01_B), that a small area (proposed parking) of the application site will encroach into Fenn's, Whixall, Bettisfield, Wem and Cadney Mosses SSSI.

Fenn's Whixall, Bettisfield, Wem and Cadney Mosses SSSI is of special interest for a nationally and internationally important series of open water and peatland sites. Although the majority of the meres are nutrient rich (eutrophic), the water chemistry is very variable reflecting the heterogeneous nature of the surrounding drift deposits. Associated fringing habitats such as reedswamp, fen, carr and damp pasture add to the value of the meres. The site as a whole supports a wide range of characteristic acid peat bog vegetation including thirteen species of Sphagnum moss, notably *S. cuspidatum*, *S. subnitens*, *S. papillosum* and *S. magellanicum* which represent successional stages in the development of a raised mire.

The proposal has the potential to impact the SSSI through the permanent loss of SSSI extent. We therefore advise that the proposal should be amended so that no part of the development is within the boundary of the SSSI. Otherwise, our advice is as follows.

A key national priority within Future Wales is to develop strong ecosystems through the provision of resilient ecological networks and green infrastructure. Policy 9 places importance on safeguarding and creating or enhancing ecological networks. Safeguarding areas involves identifying land that is important for expanding or connecting ecological networks. The policy focus is on creating large-scale, resilient, and functional ecological networks. It states that protected sites (such as SSSIs) are critically important to the long-term resilience of our ecosystems.

The policy position on the protection of SSSIs is set out in Planning Policy Wales (PPW) 6.4.25 - 6.4.27. This states there is a presumption against all forms of development in a SSSI as a matter of principle, except for developments necessary for the management of a SSSI and minor developments necessary to secure the SSSI's role as a living landscape. Accordingly, it will be wholly exceptional for most forms of development to be justifiable within a SSSI when applying the step-wise approach and paragraph 6.4.27 of PPW.

In the first instance, as the decision maker, you should consider national planning policy and determine whether the proposed development is:

- necessary for the management of the SSSI; or
- a minor development necessary to secure its role as a living landscape (where effects on the special features for which a site has been designated can be considered to be acceptable); or
- justifiable in the context of wholly exceptional circumstances and only where it is considered to be appropriate and not likely to damage a SSSI and where there is broad and clear agreement for mitigation and enhancement as part of a development plan.

In relation to the first bullet point, it is our opinion that the proposal is not necessary for the management of the SSSI.

On the basis your Authority concludes the proposal is justifiable, you should seek further information on the likely impacts to the SSSI and any avoidance, mitigation, compensation and enhancement measures proposed.

Special Area of Conservation (SAC) / Ramsar site

A small area of the application site will encroach into Fenn's, Whixall, Bettisfield, Wem and Cadney Mosses SAC and Midland Meres & Mosses Phase 2 (Wales) Ramsar site.

We have concerns that harm from the proposed development on the SAC/Ramsar site cannot be ruled out due to the loss of land to development from a SAC / Ramsar site.

We therefore advise that the proposal is amended so that no part of the development is within the boundary of the SAC / Ramsar site.

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/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/ Ramsar site.

Protected Species

We note the Ecological Impact Assessment submitted with the application (Churton Ecology, August 2024, Ecological Impact Assessment at Moss Villa) identifies that there is no evidence of bats or other protected species at the proposed site. We therefore have no comments to make on the application as submitted and advise that you liaise with your Authority's ecologist regarding the recommended practices.

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,

Pauline Gallagher Brown

Cynghorydd - Cynllunio Datblygu / Advisor - Development Planning

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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.