

Ein cyf/Our Ref: CAS-222017-V1D7
Eich cyf/Your Ref: P/2023/0323

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

Dyddiad/Date: 19 July 2023

Annwyl Syr/Madam / Dear Sir/Madam,

**BWRIAD/PROPOSAL: CODI ESTYNIAD DEULAWR YN Y CEFN A PORTSH BLAEN /
ERECTION OF**

TWO STOREY REAR EXTENSION AND FRONT PORCH

LLEOLIAD/LOCATION: 8 HEOL HAFOD JOHNSTOWN WREXHAM

Thank you for consulting Cyfoeth Naturiol Cymru (CNC) / Natural Resources Wales (NRW) about the above, which we received on 04/07/2023.

We have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following condition to any planning permission granted:

Condition: Protected Sites

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

Protected Sites

Special Area of Conservation (SAC)

- *Johnstown Newt Sites SAC*

The application is located 175m from the Johnstown Newt Sites SAC.

We have concerns that harm from the proposed development on the SAC cannot be ruled out. Great Crested Newt (GCN) are a feature of the Johnstown Newt Sites SAC and the proposed development is within the 250m SAC buffer zone as detailed in the Wrexham County Borough Council Local Planning Guidance Note 35. However, no information has been provided by the applicant to demonstrate how harm to Great Crested Newts will be avoided.

Therefore, in order to secure appropriate mitigation measures, we advise that the condition set out below should be attached to any planning permission for this development. Provided the development is carried out in accordance with this condition, we do not consider that it will adversely affect the integrity of the SAC.

Condition: No development shall take place until a Reasonable Avoidance Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Reasonable Avoidance Method Statement shall include, but not necessarily be limited to:

- Details and associated plans concerning amphibian reasonable avoidance and mitigation measures.
- Measures to be taken to prevent or reduce accidental capture or killing of amphibians.

The measures above shall be carried out in accordance with the approved details.

Justification: To ensure that an approved species Reasonable Avoidance Method Statement is implemented, which protects the species affected by the development.

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, 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 Johnstown Newt Sites SAC.

- *River Dee and Bala Lake SAC*

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 the application, as submitted, proposes a domestic extension i.e. an extension to a dwelling house comprising a single household. We refer you to our Planning Advice and the section titled 'What does this mean for domestic extensions?'

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 River Dee and Bala Lake SAC. Therefore, should your Authority conclude that the proposal is likely to have a significant effect on the River Dee and Bala Lake SAC, please consult us on your Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Site of Special Scientific Interest (SSSI)

NRW consider the proposals have the potential to impact upon the Stryt las a'r Hafod SSSI. Providing the impact pathways referenced above for the Johnstown Newt Sites SAC are adequately addressed, NRW consider the features of the SSSI will also be adequately safeguarded.

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

Ffôn/Tel: 0300 065 3497

E-bost/E-mail: northplanning@cyfoethnaturiolcymru.gov.uk

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.