

Ein cyf/Our ref: CAS-266294-M5X2
Eich cyf/Your ref: P/2023/0749

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 31 October 2024

Dear Jenni Perkins,

**BWRIAD/PROPOSAL: Newid defnydd adeilad allanol i swyddfa a chodi cysgodfa ceir
/ Change of use of outbuilding to office and erection of car port**

**LLEOLIAD/LOCATION: Plas Nantyr, Plas Nantyr Road, Glyn Ceiriog, Llangollen,
Wrexham, LL20 7DD**

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 11 October 2024.

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

Document - Bat and Nesting Bird Assessment, PJ Ecological Solutions Ltd, Version 1, August 2023

Document – Drawing Number Ty/1305/PL04B. Tŷ Architecture

Condition 1 –Lighting Plan

Please note, without the documents identified above being included in the approved plans and documents condition on the decision notice, or the inclusion of this condition 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 and Nesting Bird Assessment, PJ Ecological Solutions Ltd, Version 1, August 2023) has identified that Brown long-eared bats and Lesser horseshoe bats are present at the application site. From the information submitted, we consider that the proposed development represents a higher 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”*.

We note no detail is provided in respect of external lighting..

We advise that the proposed development is likely to harm or disturb the bats or their breeding sites and resting places at this site. Therefore, we advise that the bat report, and drawing showing design specifications and dimensions of the proposed bat loft, are included in the approved plans and documents condition on the decision notice and the below condition should be attached to any planning permission for this scheme to ensure appropriate avoidance and mitigation measures. Provided those measures are implemented, we do not consider that the proposed development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Condition 2 - Prior to its installation, full details of lighting shall be submitted to and agreed in writing by the Local Planning Authority. The Lighting Plan should include:

- Details of the siting and type of external lighting to be used
- Drawings setting out light spillage in key sensitive areas (compensatory roosting provision, other nearby roosts, and flightlines)
- Light modelling images to present the night time effects of lighting on building elevations and ground surfaces from key viewpoints
- Details of lighting to be used both during construction and/or operation
- Measures to monitor light spillage once development is operational

The lighting shall be installed and retained as approved during construction and operation.

Justification: A lighting plan should be submitted to ensure lighting details are agreed prior to installation and to reduce the impacts of lighting in the interest of protected species, habitats, commuting corridors.

Any lighting shall be compliant with the provisions of the Lighting Professionals and Bat Conservation Trust: Guidance Note 08/23: Bats and Artificial Lighting at Night.

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

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.

We note the application, as submitted, proposes a domestic extension - outbuilding to office and erection of car port, i.e. an extension to a dwelling house comprising a single household, utilising the existing foul water drainage system. 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 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).

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,

Garmon Lewis

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.