

Ein cyf/Our ref: CAS-248588-P6H8
Eich cyf/Your ref: P/2024/0035

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 22 February 2024

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: OUTLINE APPLICATION FOR ERECTION OF RURAL ENTERPRISE DWELLING AND ASSOCIATED WORKS (ALL MATTERS RESERVED) / CAIS AMLINELLOL I GODI ANNEDD MENTERGARWCH GWLEDIG A GWAITH CYSYLLTIEDIG (POB MATER WEDI'I GADW YN ÔL)

LLEOLIAD/LOCATION: Talfryn Cottage, Chapel Lane, Erbistock, Wrexham, LL13 0DF

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 05 February 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 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, a condition regarding protected species should be attached to any planning permission granted. Without the inclusion of this condition we would object to this planning application.

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). 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 from the information submitted that the development has the potential to increase the amount of phosphorus being discharged from the site, however no further information

has been provided in relation to foul drainage. We also note that the development site is over 1.4km away from the nearest main sewer. As such, we refer you to our Planning Advice and advise you to seek further information from the applicant as identified in the sections titled 'What does this mean for development proposals involving private sewage treatment systems' or 'Can additional wastewater be discharged to existing private sewage treatment systems?' of that advice.

Provided this advice is followed and you are able to conclude that the development is not likely to have a significant effect on the SAC, we would have no objection to the proposal. However, should you conclude that the proposed development is likely to have a significant effect on the SAC, please consult us on your Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Protected Species

Great Crested Newts (GCN)

We note that Section 8.11 of the ecological report submitted in support of the above application (Preliminary Ecological Appraisal. Land adjacent to Talfryn Cottage Erbistock Wrexham, by Tyrer Ecology, dated 24/10/22) states that a precautionary programme of Reasonable Avoidance Measures (RAMs) for GCN detailed within a working Method Statement should be produced.

GCN and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). We therefore advise that any consent is subject to the imposition of the following condition in respect of GCN.

Provided this advice is compliantly implemented, we consider that the proposed development is not likely to be detrimental to the maintenance of the favourable conservation status of the local population of GCN present at this site.

Condition: No development shall commence until a Great Crested Newt Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Method Statement should include, but not necessarily be limited to:

- the submission of details and plans concerning Great Crested Newt reasonable avoidance and mitigation measures;
- details of timing, phasing and duration of construction activities and conservation measures;
- a timetable for implementation demonstrating that works are aligned with the proposed phasing of the development;
- persons responsible for implementing the works.

The Method Statement shall be carried out in accordance with the approved details.

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

NRW would refer you to the Chief Planning Officer's letter dated 1 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.

Bats

We note that the ecological report submitted in support of the above application (Preliminary Ecological Appraisal. Land adjacent to Talfryn Cottage Erbistock Wrexham, by Tyrer Ecology, dated 24/10/22) has identified that bats are not present at the application site.

The report identifies that no trees or buildings are present within the site boundary, but Section 8.5 gives recommendations for a bat-sensitive lighting plan to avoid potential impacts on any foraging/commuting bats that may use the surrounding treelines. We recommend these measures are appropriately secured in any future consent to the satisfaction of your Authority.

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,

Rhys Jones

Cynghorydd - Cynllunio Datblygu/Advisor - Development Planning
Cyfoeth Naturiol Cymru/Natural Resources Wales

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.