

Ein cyf/Our ref: CAS-246637-L0P9
Eich cyf/Your ref: P/2023/0893

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Date: 01 February 2024

Dear Sir/Madam,

PROPOSAL: CONVERSION OF BUILDING TO DWELLING

LOCATION: MOUNT PLEASANT, PLASSEY LANE, WILLINGTON, MALPAS, WREXHAM, SY14 7LT

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 15 January 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 – 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, condition regarding great crested newts should be attached to any planning permission granted. Without the inclusion of this condition we would object to this planning application.

Protected Sites

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 a new package treatment plant is to be installed to provide foul drainage for the conversion of the barn to dwelling the development has the potential to increase the amount of phosphorus being discharged from the site. As such, we refer you to our Planning Advice and advise you to seek further information from the

applicant. We note that information has already been submitted in respect of the location of the package treatment plant. However, we advise you to seek further information as identified in the section titled 'What does this mean for development proposals involving 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 Newt

We note that the Ecological Report submitted in support of the above application (Greenspace Environmental (31/10/2023) Ecological Appraisal) has identified that no GCN are present at the application site.

We note that there are a number of ponds adjacent and within 500m of the site and this is in an area with high GCN populations. We consider that it is possible that the species utilizes the site for foraging, dispersal or sheltering purposes. However, we advise that the development and its subsequent operation is not likely to be detrimental to the maintenance of the favourable conservation status of the GCN populations provided that any subsequent consent is subject to the imposition of a condition requiring the submission and implementation of an reasonable avoidance measures to the satisfaction of the LPA.

Condition 1: No development shall take place until a GCN Reasonable Avoidance Measures scheme has been submitted to and approved in writing by the Local Planning Authority.

The Reasonable Avoidance Measures (RAMs) shall include, but not necessarily be limited to:

- further details and associated plans concerning amphibian avoidance and mitigation measures including, but not limited to, one-way amphibian fence design and locations (prior to and throughout the duration of any work);
- Including installation of permanent amphibian fencing into the boundary fence line.
- 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; and
- persons responsible for implementing the works.
- Biosecurity measures to be adhered to onsite.

The Reasonable Avoidance Measures scheme shall be carried out in accordance with the approved details.

Justification: To ensure that an approved GCN Reasonable Avoidance Measures scheme is implemented, which protects the amphibian assemblage affected by the development.

Provided these avoidance measures are implemented, we consider that the proposed 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.

We 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.

Please consult us again if the plans are changed in ways that may harm or disturb the GCN or their breeding sites and resting places at this site.

Bats

We note that the Ecological Report submitted in support of the above application (Greenspace Environmental (31/10/2023) Ecological Appraisal) has identified that no Bats are present at the application site. We therefore have no comments to make with respect to protected species.

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.

Yours faithfully

Ruth Prichard

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.