

Ein cyf/Our ref: CAS-248290-N9Z7
Eich cyf/Your ref: P/2021/1103

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 21 February 2024

Dear Sharon Holman,

BWRIAD/PROPOSAL: Codi annedd gyda garej ar wahan / Erection of dwelling with detached garage

LLEOLIAD/LOCATION: 4 Sunnyacre, Gwersyllt, Wrexham, LL11 4RH

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 01 February 2024.

We continue to have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, further consideration is required regarding foul drainage. Further details are provided below.

We also advise that based on the information submitted to date, the document identified below should be included in the approved plans and documents condition on the decision notice. Without the inclusion of this document, we would object to this planning application.

- Worsfold, S., April 2021, Ecological Appraisal and Impact Assessment at 4, Sunnyacre.

Foul Drainage and 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.

This application for the erection of a dwelling proposes connection of foul water to the mains sewer. The information set out in the section titled 'What does this mean for development proposals involving connection to public wastewater treatment works' has been submitted with the application.

Your Authority will need to take the above into account in your determination of whether the development is likely to have a significant effect on the SAC. Should you determine that an Appropriate Assessment is required, the Applicant will then need to submit whatever evidence they deem appropriate (seeking advice from consultants as may be necessary) to demonstrate no adverse effect on site integrity. You should then consult us on your Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Ultimately, the suitability of foul drainage arrangements for the proposed development is a matter for your Authority to determine.

Protected Species

Bats

We note that the bat report submitted in support of the above application (Worsfold, S., April 2021, Ecological Appraisal and Impact Assessment at 4, Sunnycroft) has identified that bats are not present at the application site but that there is potential for foraging/commuting bats. An updated assessment of the site (Worsfold, S., Ecological Impact Assessment Update, 14th December 2024) has confirmed that the assessment results in 2021 remain valid. From the information submitted, we consider that the proposed development represents a lower 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).

As this is a lower risk case for bats, we consider that the 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.

Furthermore, we advise that the proposed development is not likely to harm or disturb the bats or their breeding sites and resting places at this site, provided the avoidance measures described in the bat report are implemented.

The 2021 report must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

Please consult us again if any further information shows that this is no longer a lower risk case.

Great Crested Newt

We note that the ecological report submitted in support of the above application (Worsfold, S., April 2021, Ecological Appraisal and Impact Assessment at 4, Sunnycroft) has identified that protected species are not present at the application site. However, we note that the submitted report has identified habitats suitable for Great Crested Newts (*Triturus cristatus*) in the vicinity of the application site. An updated assessment of the site (Worsfold, S., Ecological Impact Assessment Update, 14th December 2024) has confirmed that the assessment results in 2021 remain valid. This species is protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended).

Our records show that Great Crested Newts have been recorded within 155m of the development boundary. The submitted report identifies that due to the proximity of suitable habitats to the development boundary, reasonable avoidance measures (RAMs) should be taken. We concur with the recommendation for RAMs and the measures detailed within the report.

We advise that the proposed development is not likely to harm or disturb the Great Crested Newts or their breeding sites and resting places at this site, provided the avoidance measures described in the ecological report are implemented.

The 2021 report must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

The applicant should be aware that in the event of a Great Crested Newt being found on site during the work, all works should stop and NRW contacted for further advice. Operations may only recommence after an appropriate licence has been issued by NRW and any conditions complied with.

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,

Gareth Thomas

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.