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

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

10/02/2023

Dear Sir/Madam,

**PROPOSAL: CHANGE OF USE OF AGRICULTURAL LAND TO CARAVAN
SITE AND ASSOCIATED WORKS**

**LOCATION: LAND BETWEEN HOLLY COTTAGE AND CHAPEL FARM WHITEWELL
WHITCHURCH**

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 23rd January 2023.

We continue to 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: No development, including site clearance, shall commence until a site-wide Amphibian Method Statement for construction has been submitted to and approved in writing by the Local Planning Authority

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

Protected Species

We note that the Preliminary Ecological Appraisal (Williams, D. (2021). Preliminary Ecological Appraisal (Incorporating an Extended Phase 1 Survey, Preliminary Roost Assessment). Salopian Consultancy. Unpublished) submitted in support of the above application has identified no bats or Great Crested Newt (GCN) are present at the application site. Bats, GCN and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended).

We note that a pond is located 159m south of the site, but no detailed amphibian survey has been carried out and no evidence presented of why Whitewell Lane represents a barrier to

dispersal. Therefore, we do not concur that the applicant has sufficiently demonstrated predicted absence of GCN. 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 Amphibian Method Statement.

Condition: No development, including site clearance, shall commence until a site-wide Amphibian Method Statement for construction has been submitted to and approved in writing by the Local Planning Authority. The Method Statement should include:

- Details of protective measures to be taken to minimise the impacts on GCNs.
- Actions to be taken in the event that previously unidentified GCN features are found.
- Details of measures to prevent or reduce incidental capture or killing of GCNs.
- The Method Statement shall be carried out in accordance with the approved details.

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

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

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](#) (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.

However, recognising the specific nature of the application submitted e.g. private sewage treatment system which meets the screening criteria set out in our Planning Advice, we are satisfied that it is unlikely to increase the amount of phosphorus entering the catchment. Therefore, we are satisfied that the proposal is not likely to have a significant effect on the River Dee and Bala Lake SAC.

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

Ruth Prichard
Cyngorydd - Cynllunio Datblygu / Advisor - Development Planning
Cyfoeth Naturiol Cymru / Natural Resources Wales