

Maes Y Ffynnon,
Penrhosgarnedd,
Bangor,
Gwynedd
LL572DW

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

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

09/06/2023

Dear Sir/Madam,

BWRIAD / PROPOSAL: GOSOD FFORDD MYNEDIAD, GWAITH CLODDIO, TYNNU COED, GWAITH STRWYTHUROL I'R GRONFA DDWR A FFYNNON BRESENNOL A DYMCHWEL STRWYTHURAU PRESENNOL / LAYING OUT OF ACCESS ROAD, EARTHWORKS, TREE REMOVAL, STRUCTURAL WORKS TO EXISTING RESERVOIR AND WELL AND DEMOLITION OF EXISTING STRUCTURES

LLEOLIAD / LOCATION: LAND NORTH OF GATEWEN ROAD, NEW BROUGHTON, WREXHAM, LL11 6YA

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the additional information for the above, which we received on 2nd June 2023.

We have no objection to the proposed development as submitted and provide the following advice.

Protected Species

We note that the bat report submitted in support of the above application (Leigh, R. (2021). Land North of Gatewen Road, New Broughton, Wrexham: Ecological Appraisal. Leigh Ecology Ltd.) has identified that bats are present at the application site. 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. 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*”.

In our response dated 17/05/2023 (reference: CAS-216455-M3J4) we advised that further information regarding lighting proposals during the construction phase should be submitted to demonstrate that the proposed development would not be likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

We note that the applicant’s agent has confirmed in an email dated 25/05/2023 to your Authority that construction will be limited to daylight hours only and that no flood lights are proposed. Furthermore, that the only light source will be in the compound and that this is a motion detecting security light. We confirm that this clarification addresses our concerns in relation to lighting proposals during the construction period.

-Landscape Management Plan

We note that there is a condition for a Landscape Management Plan associated with the residential development and advise that this plan should include information relating to how the features which may be used by bats for roosting and foraging/ commuting routes will be managed and maintained over the lifetime of the development. We also advise that the Landscape Management Plan covers a period of 10 years and includes ecological management and surveillance prescriptions.

Protected Sites and Foul Drainage

We note the site is within the catchment of the 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 note that a separate application regarding the discharge of condition 15 for foul drainage has been made in relation to application reference P/2023/0238 and we have provided our response separately to that application under our reference CAS-218259-D5R4.

For further information, please refer to our Planning Advice. Ultimately, it is for your Authority to consider to what extent you treat this advice as a material consideration in the context of the current application. If you determine that NRW’s Planning Advice is a material consideration to this application, then you will need to consider the Habitats Regulations and screen the proposal accordingly.

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

Rachael Burke

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