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Wrexham County Borough Council,
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northplanning@cyfoethnaturiolcymru.gov.uk

02/05/2023

Dear Sir/Madam,

PROPOSAL: CONVERSION OF BARN TO DWELLING AND CREATION OF NEW ACCESS TRACK

LOCATION: HALGHTON, NEW MILL COTTAGE, HANMER, WHITCHURCH

Thank you for re-consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the additional information regarding the above, which we received on 20/04/2023.

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, a condition regarding biosecurity should be attached to any planning permission granted AND the document identified below should be included in the approved plans and documents condition on the decision notice. Without the inclusion of this condition and document we would object to this planning application.

- **Land at New Mill, Halghton near Whitchurch. Zoe Adlington-Munro Arborist & Ecological Services Ltd. 06/01/2022.**

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 phosphate 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.

We note from the information submitted that a private sewage treatment system discharging domestic wastewater to ground is proposed. The information set out in the section titled 'What does this mean for development proposals involving private sewerage treatment systems' has been submitted with the application. However, we advise your authority should also consider whether the drainage field is within 200m from any other known discharge to ground, as set out in the section titled on "What development proposals are unlikely to increase phosphorus levels within a river SAC" of our Advice.

We therefore advise your Authority to undertake a Habitats Regulations Assessment (HRA). 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).

We advise the Applicant make use of our [pre-application advice service prior to applying for an Environmental Permit](#), to try to ensure that there is no conflict between any planning permission granted and the permit requirements. It is important to note that a grant of planning permission does not guarantee that a permit will be granted, should a proposal be deemed to be unacceptable (either because of environmental risk or because upon further investigation, a connection to mains sewer was feasible). The Applicant should ensure that they have all the required permissions, consents, permits and any other approvals in place prior to commencement of works on the site.

More information, including a step by step guide to registering and the relevant application forms are available on our [website](#). Where private sewage treatment/disposal facilities are utilised, they must be installed and maintained in accordance with British Standard 6297 and Approved Document H of the Building Regulations. We also refer the Applicant to Guidance for Pollution Prevention 4 on the [NetRegs website](#), which provides further information.

Protected Species

Great Crested Newt (GCN)

We note that the ecological assessment submitted in support of the above application (Preliminary Ecological Assessment: Land at New Mill, Halghton near Whitchurch. Zoe Adlington-Munro Arborist & Ecological Services Ltd. 06/01/2022) states that a GCN Method Statement and Reasonable Avoidance Measures is recommended.

GCN and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). We 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 1: No development shall commence until a GCN 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 GCN 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; and
- 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 (Protected Species Survey-Bats. Land at New Mill, Halghton Zoe Adlington-Munro Arborist & Ecological Services Ltd. 03/11/2023) has identified that bats were not present at the application site. We therefore have no comments regarding bats to make on the application as submitted, and advise that you liaise with your own Authority's ecologist.

Biosecurity

We consider biosecurity to be a material consideration owing to the location/nature of the proposal. We would therefore welcome any subsequent consent including the imposition of a condition requiring the submission and implementation of a Biosecurity Risk Assessment to the satisfaction of the LPA.

We advise this assessment includes:

- (i) appropriate measures to control any identified Invasive Alien Species (IAS) Invasive Non-native Species (INNS) on site; and
- (ii) measures or actions that aim to prevent INNS/identified diseases being introduced to the site for the duration of construction (and operational phases) of the scheme.

In respect of this case, NRW does not require any further consultation in respect of biosecurity

Flood Risk

The planning application proposes highly vulnerable development: Conversion of a barn to a dwelling and the creation of a new access track. The application site falls partly within Zone C2 of the Development Advice Map (DAM) contained in TAN15 (2004).

However, at this location the Flood Map for Planning (FMfP) is the best available information on flood risk. The FMfP identifies the dwelling and ancillary development (e.g. access track) to be in Flood Zone 1, meaning there is less than a 0.1% chance of flooding in a given year. On this basis, we have no objection to the application as submitted, on flood risk grounds.

In view of the information provided by the applicant on 26/09/2022, we understand that the only work within Flood Zone 2 includes a drainage pipe to connect surface water to a nearby Ordinary Watercourse. We advise that you liaise with your internal drainage specialists, as the Lead Local Flood Authority, for advice with respect to the management of surface water drainage.

In view of the nature and location of the development, the applicant may wish to consider incorporation of flood resistance/resilience measures into the design and construction of the development. These could include flood barriers on ground floor doors, windows and access points, implementation of suitable flood proofing measures to the internal fabric of the ground floor and locating electrical sockets/components at a higher level above possible flood levels.

We refer the applicant to our [website](#) for further advice and guidance is available. Additional guidance including the leaflet "Prepare your Property for flooding" can be found [here](#).

The developer can also access advice and information on protection from flooding from the ODPM publication 'Preparing for Floods: Interim Guidance for Improving the Flood Resistance of Domestic and Small Business Properties', can be found [here](#).

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.

Yn gywir / Yours faithfully

Rhys Jones

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