

Ein cyf/Our ref: CAS-236154-C7N7
Eich cyf/Your ref: P/2023/0522

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 14 September 2023

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: Codi estyniad llawr cyntaf / Erection of first floor extension

LLEOLIAD/LOCATION: Rose Lynn Cottage, Cock Bank Lane, Marchwiell, Wrexham, LL13 0SU

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 29 August 2023.

We have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome if the document identified below is included in the approved plans and documents condition on the decision notice:

- **Bat Method Statement and Biodiversity Enhancement Plan for Roselyn Cottage, Marchwiell by Wildbanks Conservation Ltd, dated 16th August 2023**

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

Protected Species

We note that the bat reports submitted in support of the above application (Bat and Bird Survey for Roselyn Cottage, Marchwiell by Wildbanks Conservation Ltd, dated May 2023 and associated Bat Method Statement and Biodiversity Enhancement Plan for Roselyn Cottage, Marchwiell by Wildbanks Conservation Ltd, dated 16th August 2023) have identified that bats are present at the application site. The number of droppings recorded indicate that a summer maternity roost may be present. From the information submitted, we consider that the proposed development represents a higher 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). 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”*.

We advise that the proposed development has the potential to harm or disturb bats or their breeding sites and resting places at this site. Therefore, we advise that the Bat Method Statement and Biodiversity Enhancement Plan is included in the ‘approved list of plans / documents’ condition within the decision notice should consent for the project be granted.

NRW would refer the Local Authority to the Chief Planning Officer’s letter dated 01 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.

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 the application, as submitted, proposes a domestic extension i.e. an extension to a dwelling house comprising a single household. We refer you to our Planning Advice and the section titled ‘What does this mean for domestic extensions?’

Ultimately it is a matter of judgment for you, as Competent Authority, to satisfy yourselves that the proposed development will not result in a significant effect on the SAC. Therefore, should your Authority conclude that the proposal is likely to have a significant effect on the River Dee and Bala Lake SAC, please consult us on your Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

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,

Sara 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.