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16/12/2022

Annwyl Syr/Madam / Dear Sir/Madam,

BWRIAD / PROPOSAL: Discharge of conditions 8 (Landscaping), 11 (Drainage), 17(Ecology), 18 (Ecology) and 24 (Ecology) of planning permission P/2019/0647

LLEOLIAD / LOCATION: Lower Farm, Lower Farm Road, Bowling Bank, Wrexham (DOC 8, 11, 17, 18, 24)

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 11.11.2022.

We have concerns with the application as submitted. We do not recommend your Authority discharges Conditions 11, 17 & 18 for the following reasons.

Condition 8 – Landscaping

We have no comments to make on the discharge of condition 8 of permission P/2019/0647, as we did not request this conditions in our original response.

Condition 11 - 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.

We note this is a discharge of condition application relating to a number of conditions including Condition 11 (Drainage) of planning permission P/2019/0647. As such, even

though the development proposed was judged to be acceptable in principle when the original permission was granted, that decision predates the publication of our evidence package. Therefore, we advise that you need to consider the implications of this as part of your determination of this application.

We note from the information submitted that a new private treatment plant is to be installed to provide foul drainage for the conversion of the outbuildings to 5 dwellings. Therefore, the development has the potential to increase the amount of phosphorus being discharged from the site. As such, we refer you to our Planning Advice. We note that information has already been submitted in relation to proposed foul drainage arrangements, however we advise you to seek further information as identified in the section titled 'What does this mean for development proposals involving private sewage treatment systems' of that 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.

Condition 17 - Ecology Compliance Audit

Details in relation to the Ecology Compliance Audit have not been submitted and therefore we are unable to recommend the discharge of this condition at this time.

Condition 18 – Reasonable Avoidance Measures

We note the submission of the following document; Clearance of Environmental Conditions, Report Reference DoC 22-04 104.1, dated 29th September 2022.

We welcome the submission of the proposed Reasonable Avoidance Measures; however, we refer to our Planning Response (Reference CAS-99111-H4G5) which requested that due to the proximity of 2 ponds, and the historic records of GCN within them, that barrier fencing should be implemented alongside the proposed amphibian method statement.

We therefore maintain our advice and suggest that one-way GCN exclusion fencing should be used alongside the described methods. On inclusion of the use of one-way barrier fencing into the RAM's, we would have no further concerns and would advise to the LPA that the Condition can be discharged.

However, at present we are unable to recommend the discharge of this condition.

Condition 24 - Biosecurity

We note the described biosecurity measures, and we have no further concerns in this regard, and advise that this condition can be discharged.

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