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Wrexham County Borough Council,
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06/04/2023

Dear Sir/Madam,

PROPOSAL: DEMOLITION OF EXISTING EXTENSIONS AND ERECTION OF REAR EXTENSION AND DETACHED GARAGE, RECONSTRUCTION OF FRONT PORCH

LOCATION: THE OLD CROFT, GREEN STREET, HOLT, WREXHAM, LL13 9JF

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 15th March 2023.

We have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should seek further information from the applicant regarding protected species. If this information is not provided, we would object to this planning application. Further details are provided below.

Protected Species

We note that the bat report submitted in support of the above application (Leigh Ecology LTD R-C2/001 19/09/2022 Bat Scoping Survey Report and Ecological Assessment) has identified that no bats are present at the application site.

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*".

Although the bat report has been submitted, Surveys undertaken consisted of a preliminary roost survey, consisting of an external survey of the target building, on the 23/08/2021, an internal and external inspection on the 01/09/2022 and a subsequent emergence survey on the 13/09/2022.

Section 3.1.1 of the report states that “the internal and external roost survey and assessment and subsequent emergence survey was undertaken by Ashley Powell MSc working as an accredited agent for a Natural England licensed surveyor: Roy Leigh NE licence 2015/15883-CLS. A second survey provided observational assistance during the emergence survey – Mark Powell”.

We are aware that the surveyor was not in possession of a survey Licence that was valid in Wales at the time of survey. We have also discussed the proposals with your internal ecological advisor and agree that uncertainty remains as to the potential value of the site for bats (e.g. the building is given a ‘low’ potential to support bats while the limited evidence provided in the report indicates multiple suitable access points for bats into the building, no detailed description of the loft space and its suitability is provided, and few pictures to evidence any assertions are included in the report). Therefore, we advise that the site is re-surveyed at an appropriate time of year and by person(s) in possession of and under the provisions of a valid and appropriate bat licence in Wales.

The further survey is required to assess the potential extent of adverse effects on the bats and any avoidance or mitigation measures required. This must 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 and should be carried out by a suitably qualified ecologist.

In the meantime, we are unable to give you any assurance that the proposal 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.

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.

We note the application, as submitted, proposes a domestic extension - e.g. extensions and detached garage, 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.

Yours faithfully

Ruth Prichard

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