

Ein cyf/Our Ref: CAS-221836-N9P6
Eich cyf/Your Ref: P/2022/0832

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

Dyddiad/Date: 18 July 2023

Dear Sir/Madam,

BWRIAD/PROPOSAL: Estyniadau ochr llawr cyntaf a chefn gan gynnwys balconi ac estyniad ochr unllawr / first floor side and rear extensions including provision of balcony and single storey side extension

LLEOLIAD/LOCATION: Minafon, Maybury Avenue, Glyn Ceiriog, Llangollen, Wrexham, LL20 7EY

Thank you for consulting Cyfoeth Naturiol Cymru (CNC) / Natural Resources Wales (NRW) about the additional information for the above, which we received on 03/07/2023.

We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following condition to any planning permission granted:

Condition 1: Protected Species

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

Protected Sites

Special Area of Conservation (SAC)

River Dee and Bala Lake SAC

- Pollution Prevention / Otter

The application is located adjacent to the River Dee and Bala Lake SAC.

From the information provided, NRW consider that the proposals may affect the River Dee and Bala Lake SAC and have identified pollution and disturbance to Otter as potential impact pathways to features of the site.

However, we consider the above pathways would not result in an adverse effect if the following measures are adhered to/ implemented:

1. Developer adheres to pollution prevention guidelines: [Guidance for Pollution Prevention \(GPP\) documents | NetRegs](#)
2. A condition including full details of external lighting to be submitted to and agreed in writing by the Local Planning Authority (see below).

We advise that the following condition be included within any planning permission for the proposals.

Condition: Prior to its installation, full details of external lighting shall be submitted to and agreed in writing by the Local Planning Authority. The Lighting Plan should include:

- Details of the siting and type of external lighting to be used
- Drawings setting out light spillage in key sensitive areas
- Details of lighting to be used both during construction and/or operation

The lighting shall be installed and retained as approved during operation.

Justification: A lighting plan should be submitted to ensure lighting details are agreed prior to installation and to reduce the impacts of lighting in the interest of protected species, habitats, and commuting corridors.

- Phosphorus sensitive river Special Areas of Conservation

We note the application site is within the catchment of the River Dee and Bala Lake 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 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).

Site of Special Scientific Interest (SSSI)

NRW consider the proposals have the potential to impact upon the River Dee SSSI. Providing the impact pathways referenced above for the SAC are adequately addressed, NRW consider the features of the SSSI will also be adequately safeguarded.

Flood Risk

Our Flood Risk Map confirms the site to be within Zone C2 of the Development Advice Map (DAM) contained in TAN15 and the Flood Map for Planning (FMfP) identifies the application site to be at risk of flooding and falls into Flood Zone 3 (Rivers).

Please note that we do not normally comment on flood risk associated with householder applications for residential extensions. However, due to the proximity of the adjacent culverted/open channel section of the main river Llyfar y Nant, which discharges to the main river Afon Ceiriog within the boundary of the existing property, we raised concerns in our previous response dated 11/11/2023 (our reference: CAS-202793-C0P5).

We note that the Agent's email to your Authority dated 29/06/2023 states that '*...we confirm that there will be no work required underground which would effect the culvert, or indeed the alignment...*' and also that '*...the established parking space to the side of the property for 1no. car will continue to be utilised as existing. There is no intention to extend this area as previously shown.*'

Based on this confirmation we have no objection to the proposed works in relation to flood risk matters.

Flood Risk Activity Permit

Please advise the Applicant that the Environmental Permitting Regulations (2016) require them to obtain a bespoke Flood Risk Activity Permit for any works or structures located in, under, over or within 8 metres of the bank top of the rivers Llyfar y Nant and Ceiriog, which are designated "main rivers". Further advice and guidance is available on our website at:

<http://www.naturalresources.wales/permits-and-permissions/flood-risk-activities/flood-risk-activity-permits-information/?lang=en>

Advice on riparian rights and responsibilities can be viewed here: [Natural Resources Wales / Owning a watercourse](#)

Protected Species

We note that the ecology report submitted in support of the above application (Bennet, D., June 2023, Bat/Bird Activity Survey Minafon, Clwydian Ecology) identified that bats are not using the application site.

We concur with the avoidance and mitigation measures described in the bat report and would welcome the inclusion of the report in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

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

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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.