

Maes Y Ffynnon,
Penrhosgarnedd,
Bangor,
Gwynedd
LL572DW

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

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk
Ffôn/Phone: 03000 65 5236

15/08/2022

Dear Mrs Holman,

PROPOSAL: Ty Newydd, School Lane, Overton, Wrexham, LL13 0ES

LOCATION: Conversion of outbuildings to form 2 units of holiday accommodation

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 22/07/2022.

We 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, the documents identified below should be included in the approved plans and documents condition on the decision notice. Without the inclusion of these documents, we would object to this planning application:

- Tyrer Ecological Consultants. Inspection & Assessment in relation to Bats & Breeding Birds: Ty Newydd, School Lane, Overton, Wrexham. March 2022
- Susan Worsfold. Bat Activity Surveys: Ty Newydd, School Lane, Overton, Wrexham. July 2022. Ref: TYN130522.

Foul Drainage – Protected Sites

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.

The application, as submitted, proposes conversion of outbuildings to 2 holiday let units. As such, this development is expected to serve a population from outside of a SAC catchment who are not already served by residential connections to existing public or private sewers discharging within the SAC river catchment. We refer you to our Planning Advice and the section titled 'What types of non-residential development lead to increases in phosphorus discharges?'

Ultimately, the suitability of foul drainage arrangements for the proposed development is a matter for your Authority to determine.

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).

Protected Species

We note that the bat reports submitted in support of the above application (1. Tyrer Ecological Consultants. Inspection & Assessment in relation to Bats & Breeding Birds: Ty Newydd, School Lane, Overton, Wrexham. March 2022. 2. Susan Worsfold. Bat Activity Surveys: Ty Newydd, School Lane, Overton, Wrexham. July 2022. Ref: TYN130522.) have identified that although bats are not using the proposed development building, they are foraging and commuting through the application site. From the information submitted, we consider that the proposed development represents a lower 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).

As this is a lower risk case for bats, we consider that the development is not likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Furthermore, we advise that the proposed development is not likely to harm or disturb the bats or their breeding sites and resting places at this site, provided the avoidance measures described in the July 2022 bat report (Ref: TYN130522) are implemented.

The reports must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

Please consult us again if any further information shows that this is no longer a lower risk case.

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 sincerely,

Joy Evans

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