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23/02/2023

Dear Ms Hill,

PROPOSAL: DEMOLITION OF FARMHOUSE AND ERECTION OF REPLACEMENT DWELLING INCLUDING, CONVERSION OF OUTBUILDING AND DEMOLITION OF AGRICULTURAL BUILDINGS

LOCATION: COTTAGE GREEN FARM, WORTHENBURY, WREXHAM

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 17th January 2023.

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

Conditions 1 - 3: Protected Species

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

Protected Species

We note that the ecological report submitted in support of the above application (Anon. (2023). Cottage Green Farm, Worthenbury: Supplementary Ecology Report. Dunelm Ecology. (Unpublished)) has identified that bats and Great Crested Newts (GCN) are present at the application site. Bats and GCN and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended).

We advise that the proposed development is not likely to harm or disturb the species or their breeding sites and resting places at this site, provided the conditions below are attached to any planning permission for this scheme:

- *Conservation Plan*

Condition: No development or phase of development, including site clearance, shall commence until a site wide species Conservation Plan for construction has been submitted to and approved in writing by the Local Planning Authority. The Conservation Plan should include:

- Build upon the principles outlined in Anon. (2023). Cottage Green Farm, Worthenbury: Supplementary Ecology Report. Dunelm Ecology. (Unpublished) report
- Details of protective measures to be taken to minimise the impacts
- Details of timing, phasing and duration of construction activities and conservation measures
- Timetable for implementation demonstrating that works are aligned with the proposed phasing of the development
- Details of initial aftercare and long-term maintenance (two ponds)
- Actions to be taken in the event that previously unidentified species features are found
- Persons responsible for implementing the works
- Details of measures to prevent or reduce incidental capture or killing

The species Conservation Plan shall be carried out in accordance with the approved details.

Justification: To ensure that an approved species Conservation Plan is implemented, which protects bats and GCN affected by the development.

- *Lighting*

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

- External lighting/internal light spillage assessment and plans that are compliant with the provisions of the Institution of Lighting Professionals and Bat Conservation Trust: Guidance Note 08/18: Bats and Artificial Lighting in the UK.

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

- *Biosecurity Risk Assessment*

Condition: No development, including site clearance, with the potential to impact on invasive species, shall commence until a site wide Biosecurity Risk Assessment has been submitted to and approved in writing by the Local Planning Authority. The risk assessment shall include measures to control, remove or for the long-term management of invasive species both during construction and operation. The Biosecurity Risk Assessment shall be carried out in accordance with the approved details.

Justification: To ensure that an approved Biosecurity Risk Assessment is implemented to secure measures to control the spread and effective management of any invasive non-native species at the site.

Provided these avoidance measures are implemented, we consider that the proposed 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:

Please consult us again if the plans are changed in ways that may harm or disturb bats and GCNs or their breeding sites and resting places at this site.

Protected Sites and 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. As part of this package, we issued a [Planning Position Statement](#), in which we advised that any proposed development that might increase the amount of phosphate (or phosphorus) within a river SAC catchment could lead to damaging effects to the SAC. Therefore, such proposals should be screened through a Habitats Regulations Assessment (HRA), to determine whether they are likely to have a significant effect on the SAC.

However, recognising the specific nature of the application submitted namely, replacement private sewage package treatment system which meets the screening criteria set out in our [Planning Advice](#) (May 2021), we are satisfied that it is unlikely to increase the amount of phosphorus entering the catchment. Therefore, we are satisfied that the proposal is not likely to have a significant effect on the River Dee and Bala Lake SAC.

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

