



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-197307-V0B7
Eich cyf/Your ref: P/2022/0710

Maes Y Ffynnon,
Penrhosgarnedd,
Bangor,
Gwynedd
LL572DW

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

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

08/09/2022

Annwyl Syr/Madam / Dear Sir/Madam,

BWRIAD / PROPOSAL: TRAWSNEWID ADEILAD AMAETHYDDOL I DDOSBARTH B1 (SWYDDFA) / CONVERSION OF AGRICULTURAL BUILDING TO CLASS B1 (OFFICE)

LLEOLIAD / LOCATION: SPRINGFIELD FARM, MARFORD HILL, MARFORD, WREXHAM

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 24.08.2022.

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 sites. If this information is not provided, we would object to this planning application. Further details are provided below.

We also advise that based on the information submitted to date, we would ask the planning authority to include the following conditions regarding any planning permission granted.

Condition 1: Conservation Plan

Without the inclusion of this condition by the planning authority we would be likely to object to the planning application.

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 from the information submitted that the development has the potential to increase the amount of phosphorus being discharged from the site, but the proposed method of foul drainage has not been confirmed. As such, we refer you to our Planning Advice and advise you to seek further information from the applicant, as identified in the section titled 'What does this mean for development proposals involving private sewage treatment systems' or 'What does this mean for development proposals involving connection to public wastewater treatment works' of that advice.

Provided this advice is followed and you are able to conclude that the development is not likely to have a significant effect on the SAC, we would have no objection to the proposal. However, should you conclude that the proposed development is likely to have a significant effect on the SAC, please 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 report submitted in support of the above application (Prescod, J. (2021). Inspection & Assessment in relation to Bats & Breeding Birds. Tyrer Ecological Consultants Ltd. (Unpublished) & Mulligan (2022). Dusk and Dawn Survey Results. Tyrer Ecological Consultants Ltd. (Unpublished)) has identified that bats are present at 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.

However, we advise that the proposed development is likely to harm or disturb the bats or their breeding sites and resting places at this site and, therefore, we advise that the following condition should be attached to any planning permission for this scheme to ensure appropriate avoidance and mitigation measures.

Condition 1 – No development shall commence until a Bat Conservation Plan has been submitted to and approved in writing by the Local Planning Authority. The Conservation Plan shall include, but not necessarily be limited to:

- Reasonable avoidance measures
- Mitigation / compensation measures
- Post-construction monitoring plan

- External lighting/internal light spillage assessment and plans that is compliant with the provisions of the Institution of Lighting Professionals and Bat Conservation Trust: Guidance Note 08/18: Bats and Artificial Lightining in the UK.
- Measures required to prevent or reduce accidental capture or killing of bats.

The 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 affected by the development.

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

NRW would refer the Local Authority to the Chief Planning Officer's letter dated 01 March 2018 which advises Local Planning Authorities to attach an informative regarding licence requirements to all consents and notices where European Protected Species are likely to be present on site.

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