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Wrexham County Borough Council,
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20/06/2022

Annwyl Syr/Madam / Dear Sir/Madam,

BWRIAD / PROPOSAL: DEMOLITION OF EXISTING DWELLING AND ERECTION OF REPLACEMENT DWELLING

LLEOLIAD / LOCATION: THE POPLARS, COCK BANK LANE, MARCHWIEL, WREXHAM

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 31/05/2022.

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

Protected Species

Bats

We note that an ecology report submitted in support of the above application (Tyrer Ecological Consultants. Preliminary Ecological Appraisal - The Poplars, Cockbank Lane, Marchwiel LL13 0SU) concluded that there was negligible bat presence at the application site. However, based on the information available, we do not agree with these conclusions.

Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017.

The limitations to the bat presence surveys should be considered and discussed with your Authority's ecologist. We note that neither an internal inspection nor emergence surveys were undertaken. We therefore advise that there is insufficient information to assess potential effects on bats and how any effects will be avoided or mitigated.

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.

Great Crested Newts (GCN)

The report concludes that Great Crested Newts (GCN) may be present. GCNs and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017.

The report states that Reasonable Avoidance Measures (RAMS) are required to avoid impacts on GCNs. The ecological report states that no further surveys are required with regards to GCN. However, we would recommend that eDNA surveys (carried out on the pond on site) would help to inform the level of RAMS required. In the absence of any additional information or detailed RAMS specified in any revised report, then we advise that any planning consent must include a condition requiring detailed RAMS to be agreed to the satisfaction of the LPA.

Condition 1: No development or phase of development, including site clearance, shall commence until a GCN Conservation Plan has been submitted to and approved in writing by the Local Planning Authority. The Conservation Plan should include:

- Build upon the principles outlined in ecological report (Tyrer Ecological Consultants, May 2022)
- A plan showing habitat to be lost/habitat to be created/areas to be retained which should identify the extent and location on appropriate scale
- 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
- Actions to be taken in event previously unidentified species features are found
- Persons responsible for implementing the works
- Details of measures to prevent or reduce incidental capture or killing

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

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

Protected Site 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, the application as submitted 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.

Yn gywir / Yours faithfully

Garmon Lewis

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