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Wrexham County Borough Council,
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07/06/2022

Dear Sir/Madam,

PROPOSAL: CONVERSION OF AGRICULTURAL BUILDING TO DWELLING

LOCATION: TOP HOUSE FARM, BIG ARROWRY, HANMER, WREXHAM

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 19/05/2022.

We have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, further consideration is required regarding foul drainage. Further details are provided below.

We also advise that based on the information submitted to date, conditions regarding protected species should be attached to any planning permission granted. Without the inclusion of these conditions, we would object to this planning application.

Protected Sites

River Dee and Bala Lake Special Area of Conservation (SAC)

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 21 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. We have also issued [Planning Advice](#) (May 2021) which gives specific advice in respect of foul drainage arrangements for new developments.

This application proposes connection of foul water to the mains sewer. As such, we refer you to our [Planning Advice](#), in particular the section titled 'What does this mean for development proposals involving connection to public wastewater treatment works', which specifies the information that should be provided to support applications which propose connections to public wastewater treatment works.

With regards to the third bullet point, we note from the information available on your Authority's website that Welsh Water in their consultation response dated 30/05/2022 have confirmed that Hanmer Arrowry Wastewater Treatment Works does not have capacity to treat phosphorus.

Your Authority will need to take the above into account in your determination of whether the development is likely to have a significant effect on the SAC. 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).

Midland Meres & Mosses Phase 2 (Wales) Ramsar

From the information provided, we consider that the proposal is not likely to have a significant effect on a Ramsar site.

Our advice may change should modifications be made to the proposed development prior to the determination of the application. If there are any changes to the proposed development which may affect the consideration of potential environmental impacts, please consult us again before you determine the application.

Hanmer Mere Site of Special Scientific Interest (SSSI)

We have considered the information submitted in support of the above application. Based on the information submitted, we consider that the proposed development is not likely to damage the features for which Hanmer Mere SSSI is of special interest.

Modifications to the scheme as currently proposed may affect our view and may merit a further consultation with us.

Protected Species

Bats

We note that the Preliminary Ecological Appraisal submitted in support of the above application 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).

We advise that the following condition should be attached to any planning permission for this scheme to ensure appropriate avoidance and mitigation measures. Provided those measures are implemented, we do not consider that the proposed development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Condition 1 (Protected Species): No development shall commence until an external lighting/internal light spillage assessment and plans 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 have been submitted to and approved in writing by the Local Planning Authority.

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 (bats).

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

Great Crested Newt

GCN and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended).

Due to the high pond density within the vicinity of the site, we advise that any consent is subject to the imposition of the following condition in respect of GCN. Provided this advice is compliantly implemented, we consider that the proposed development is not likely to be detrimental to the maintenance of the favourable conservation status of the local population of GCN present at this site.

Condition 2: No development shall commence until a GCN Method Statement detailing reasonable avoidance measures to be implemented during construction has been submitted to and approved in writing by the Local Planning Authority.

The Method Statement shall be carried out in accordance with the approved details.

Justification: To ensure that an approved GCN Method Statement is implemented, which protects any GCN affected by the development.

NRW would refer the Local Authority to the Chief Planning Officer's letter dated 1 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.

Yours faithfully,

Tristan Williams

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