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11/04/2022

Dear Sir/Madam,

**PROPOSAL: CONVERSION AND EXTENSION TO BARN TO FORM DWELLING**

**LOCATION: FIR TREE HOUSE, CLOY LANE, OVERTON, WREXHAM, LL13 0HR**

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 25<sup>th</sup> March 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 and foul drainage. 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, 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.**

- Proposed Conversion of Outbuildings at Fir Tree House, Cloy Lane, Overton: Bird and Bat Survey. Wildbanks Conservation. (July 2021).
- Proposed Conversion of Outbuildings at Fir Tree House, Cloy Lane, Overton: Reasonable Avoidance Method Statement. Wildbanks Conservation. (July 2021).

**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 21<sup>st</sup> 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.

We note from the information submitted that a new septic tank is to be installed to provide foul drainage for the conversion of the barn, the development has the potential to increase the amount of phosphorus being discharged from the site. As such, we refer you to our [Planning Advice](#) and advise you to seek further information from the applicant. We note that information has already been submitted in respect of the location of the septic tank. However, we advise you to seek further information as identified in the advice '*What does this mean for development proposals involving private sewage treatment systems*' including:

- The proposed location of the soakaway (discharge location).
- The results of infiltration testing with calculations to demonstrate that the drainage field size and design is appropriate for the volume of discharge proposed and follows the relevant British Standard.

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**

### **- Bats**

We note that the bat report submitted in support of the above application (Proposed Conversion of Outbuildings at Fir Tree House, Cloy Lane, Overton: Bird and Bat Survey. Wildbanks Conservation. (July 2021).) 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 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 bat report are implemented. The report 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.

- *Great Crested Newts (GCNs)*

We note that a Reasonable Avoidance Statement has been submitted in support of the above application (Proposed Conversion of Outbuildings at Fir Tree House, Cloy Lane, Overton: Reasonable Avoidance Method Statement. Wildbanks Conservation. July 2021). The measures described in the report are acceptable.

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

### **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