



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-199599-R9C7
Eich cyf/Your ref: P 2022 0221

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11/10/2022

Dear Sir/Madam,

PROPOSAL: CONVERSION OF BARN TO DWELLING AND CREATION OF NEW ACCESS TRACK

LOCATION: HALGHTON, NEW MILL COTTAGE, HANMER, WHITCHURCH

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above. We have received additional information from the developer (email from Ben Daykin) on 26/09/2022 and we are writing to you to update our advice with regard to this application.

We continue to 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 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, a condition regarding biosecurity should be attached to any planning permission granted AND the document identified below should be included in the approved plans and documents condition on the decision notice. Without the inclusion of this condition and document we would object to this planning application.

- **Land at New Mill, Halghton near Whitchurch. Zoe Adlington-Munro Arborist & Ecological Services Ltd. 06/01/2022.**

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. 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 package treatment plant is to be installed to provide foul drainage for the conversion of the barn to a dwelling. 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' 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

Great Crested Newt (GCN)

We note that the ecological assessment submitted in support of the above application (Preliminary Ecological Assessment: Land at New Mill, Halghton near Whitchurch. Zoe Adlington-Munro Arborist & Ecological Services Ltd. 06/01/2022) states that a GCN Method Statement and Reasonable Avoidance Measures is recommended.

GCN and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). 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 1: No development shall commence until a GCN Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Method Statement should include, but not necessarily be limited to:

- the submission of details and plans concerning GCN reasonable avoidance and mitigation measures;
- details of timing, phasing and duration of construction activities and conservation measures;

- a timetable for implementation demonstrating that works are aligned with the proposed phasing of the development; and
- persons responsible for implementing the works.

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 GCN affected by the development.

NRW would refer you 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.

Biosecurity

We consider biosecurity to be a material consideration owing to the location/nature of the proposal. We would therefore welcome any subsequent consent including the imposition of a condition requiring the submission and implementation of a Biosecurity Risk Assessment to the satisfaction of the LPA.

We advise this assessment includes:

- (i) appropriate measures to control any identified Invasive Alien Species (IAS) Invasive Non-native Species (INNS) on site; and
- (ii) measures or actions that aim to prevent INNS/identified diseases being introduced to the site for the duration of construction (and operational phases) of the scheme.

In respect of this case, NRW does not require any further consultation in respect of biosecurity

Flood Risk

The planning application proposes highly vulnerable development: Conversion of a barn to a dwelling and the creation of a new access track. The application site falls partly within Zone C2 of the Development Advice Map (DAM) contained in TAN15 (2004).

However, at this location the Flood Map for Planning (FMfP) is the best available information on flood risk. The FMfP identifies the dwelling and ancillary development (e.g. access track) to be in Flood Zone 1, meaning there is less than a 0.1% chance of flooding in a given year. On this basis, we have no objection to the application as submitted, on flood risk grounds.

In view of the information provided by the applicant on 26/09/2022, we understand that the only work within Flood Zone 2 includes a drainage pipe to connect surface water to a nearby Ordinary Watercourse. We advise that you liaise with your internal drainage specialists, as the Lead Local Flood Authority, for advice with respect to the management of surface water drainage.

In view of the nature and location of the development, the applicant may wish to consider incorporation of flood resistance/resilience measures into the design and construction of the development. These could include flood barriers on ground floor doors, windows and access points, implementation of suitable flood proofing measures to the internal fabric of the ground floor and locating electrical sockets/components at a higher level above possible flood levels.

We refer the applicant to our [website](#) for further advice and guidance is available. Additional guidance including the leaflet “Prepare your Property for flooding” can be found [here](#).

The developer can also access advice and information on protection from flooding from the ODPM publication ‘Preparing for Floods: Interim Guidance for Improving the Flood Resistance of Domestic and Small Business Properties’, can be found [here](#).

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.

Yn gywir / Yours faithfully

Rhys Jones

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