



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-192199-P3W9
Eich cyf/Your ref: P/2022/0580

Maes Y Ffynnon,
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08/07/2022

Dear Sir/Madam,

**PROPOSAL: CHANGE OF USE OF AGRICULTURAL LAND TO
RESIDENTIAL AND ERECTION OF SWIMMING POOL, FENCING AND TENNIS
COURT**

LOCATION: OLVESACRE HALL ISCOYD WREXHAM

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 23rd June 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, 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.

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 foul drainage is unknown for the swimming pool 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 advise you to seek further information 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).

It is strongly recommended that filter backwash and draindown water are not disposed of through an independent domestic sewage treatment facility (e.g. septic tank, or other domestic package treatment plant) as this can cause hydraulic overload and / or kill off microorganisms, rendering the system ineffective and potentially polluting the ground.

Please see [Water Discharge and Groundwater \(from point source\) Activity Permits \(EPR 7.01\) \(naturalresources.wales\)](#) to see our external guidance on swimming pool discharges on page 195 Note 3.

Protected Species

- Biosecurity

We consider biosecurity to be a material consideration owing to the nature and location of the proposal. In this case, biosecurity issues concern invasive non native species (INNS) and diseases.

We therefore advise that any consent includes the imposition of a condition requiring the submission and implementation of a Biosecurity Risk Assessment to the satisfaction of the LPA.

We consider that this assessment must include :

- (i) appropriate measures to control any INNS on site; and
- (ii) measures or actions that aim to prevent INNS

being introduced to the site for the duration of construction and operational phases of the scheme.

Condition: No development, including site clearance, shall commence until a Biosecurity Risk Assessment, and Method Statement that considers invasive non-native species and specific diseases (e.g. Chytrid) has been submitted to and approved in writing by the Local Planning Authority. The risk assessment shall include measures to prevent the introduction of and where present control, removal or for the long-term management of invasive species both during construction and operation. The risk assessment shall consider landscaping and

other related plans. The Biosecurity Risk Assessment shall be carried out in accordance with the approved details.

Justification: To ensure that an approved Biosecurity Risk Assessment is implemented to secure measures to prevent or control the spread and effective management of any invasive non-native species and listed diseases at the site.

- *Great Crested Newts*

We note the Great Crested Newt method statement has been submitted in support of the above application (Anon. (2022). Great Crested Newt Method Statement: Wolveacre Hall. Arbor Vitae Environment Limited. (Unpublished)). Great Crested Newts and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017.

We advise that the proposed development is not likely to harm or disturb the GCN or their breeding sites and resting places at this site, provided GCN method statement (as detailed in the submitted report) are implemented.

We therefore 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.

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

- *Bats*

We note that there is no information about bats with the application and, therefore, are assuming that your Authority has screened the application and concluded that there is not a reasonable likelihood of this protected species being present.

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