

Maes Y Ffynnon,
Penrhosgarnedd,
Bangor,
Gwynedd
LL572DW

Wrexham County Borough Council,
The Guildhall,
Wrexham,
LL11 1AY

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

30/06/2022

Dear Sir/Madam,

PROPOSAL: FORMATION OF MANEGE

LOCATION: TRESAITH, PLAS BENNION ROAD, PENYCAE, WREXHAM

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 14/06/2022.

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 (Great Crested Newt). If this information is not provided, we would object to this planning application. Further details are provided below.

Protected Species

We have reviewed the Ecological Impact Assessment (Thorne, R.G. and Thorne, A.K. 2022. Churton Ecology). We note that no apparent consultation with the relevant local records centre (Cofnod) was carried out.

Great Crested Newt (GCN)

We note that the Ecological Impact Assessment submitted in support of the above application has concluded:

No newt eggs were recorded on the small amount of suitable marginal vegetation present and no newt larvae or adults were netted.

However, we advise that the Ecological Impact Assessment has insufficient information to assess the need for avoidance / mitigation measures. GCN and their breeding and resting

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

We advise that the survey techniques used are unsatisfactory for the purposes of assessing GCN presence and abundance and there is no reference to European Protected Species licensing. We therefore do not concur with the conclusions of the ecological report in respect of GCN.

We advise that further information is required to assess the extent of adverse effects on GCN and any avoidance or mitigation measures required. In the first instance, we advise that a further GCN survey is required.

Natural Resources Wales would refer the Planning Authority to the letter from the Welsh Government 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.

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.

Bats

We note that the Ecological Impact Assessment report submitted in support of the above application has identified that bats were not using the application site. We therefore have no comments to make on the application as submitted regarding bats.

Protected Sites

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, recognising the specific nature of the application submitted, we are satisfied that it 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.

Yours faithfully,

Tristan Williams

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