

Maes Y Ffynnon,
Penrhosgarnedd,
Bangor,
Gwynedd
LL572DW

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

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

11/01/2022

Dear Sir/Madam,

PROPOSAL: CONVERSION OF AGRICULTURAL BUILDING TO DWELLING

LOCATION: MULSFORD FARM, MULSFORD, SARN, WREXHAM, SY14 7LP

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 22/12/2021.

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 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 protected species 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.

Approved document: Pritchard, M. (2021). Barn at Mulsford Farm, via Mulsford Lane, Sarn, Malpas, SY14 7LP Dusk Survey Results. Tyrer Environmental Consultants. (Unpublished).

Foul Drainage and 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. 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 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 a proposed septic tank. However, 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).

Protected Species

We have reviewed the following submission:

- Pritchard, M. (2021). Barn at Mulsford Farm, via Mulsford Lane, Sarn, Malpas, SY14 7LP Dusk Survey Results. Tyrer Environmental Consultants. (Unpublished).

We note that the ecological report 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 works are carried out under licence.

We advise that any consent is subject to the imposition of the following condition in respect of bats. 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 each of the local populations of bat present at this site.

Condition: No development shall commence until a bat Conservation Plan has been submitted to and approved in writing by the Local Planning Authority. The Conservation Plan include:

- post-construction monitoring plan (we suggest two years post-construction); and

- External lighting/internal light spillage assessment and plans that are 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.

The Conservation Plan shall be carried out in accordance with the approved details.

Justification: To ensure that an approved species Conservation Plan is implemented, which protects bats affected by the development.

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.

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