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01/09/2021

Annwyl Syr/Madam / Dear Sir/Madam,

BWRIAD / PROPOSAL: CONVERSION AND EXTENSION TO BARN TO FORM DWELLING

LLEOLIAD / LOCATION: FIR TREE HOUSE, CLOY LANE, LIGHTWOOD GREEN

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 17/08/2021

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 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 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 septic tank 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 bullet point list given 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

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.

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:

- Appropriate measures to control any identified Invasive Alien Species (IAS) Invasive Non-native Species (INNS) on site.
- 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 including those concerning any subsequent reserved matters consultations in respect of biosecurity.

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.

Advice for the Developer

Environmental Management

All works at the site must be carried out in accordance with PPG6: 'Working at construction and demolition sites' which are available on the following website:

<http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

The activity of importing waste into the site for use as, for example hardcore, must be registered with Natural Resources Wales as an exempt/permittable activity under the Environmental Permitting Regulations 2016. The developer should contact Natural Resources Wales to discuss the necessity for an exemption/permit for any material imported to and exported from the site.

If during construction/excavation works any contaminated material is revealed, then the movement of such material either on or off site should be done in consultation with Natural Resources Wales. Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 34 of the Environmental Protection Act 1990. Carriers transporting waste from the site must be registered waste carriers and movement of any Hazardous Waste from the site must be accompanied by Hazardous waste consignment notes.

If you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully

Rhys Jones

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