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The Guildhall,
Wrexham,
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ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

12/08/2021

Annwyl Syr/Madam / Dear Sir/Madam,

**BWRIAD / PROPOSAL: ESTYNIADAU UNLLAWR IR BLAEN AR CEFN AC
ADDASIADAU ALLANOL IR ANNEDD BRESENNOL, DYMCHWEL GAREJ A CHODI
ANNEDD / SINGLE STOREY FRONT AND REAR EXTENSIONS AND EXTERNAL
ALTERATIONS TO EXISTING DWELLING, DEMOLITION OF GARAGE AND ERECTION
OF DWELLING**

**LLEOLIAD / LOCATION: CHURCH VIEW, SCHOOL LANE, BRONINGTON,
WHITCHURCH**

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the
above, which we received on 28/07/2021

**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, a condition regarding
protected species should be attached to any planning permission granted. Without
the inclusion of this condition and 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 Llyn Tegid 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 the new dwelling connecting to mains sewer. However, we advise you to seek further information as identified in the bullet point list given in the section titled 'What does this mean for development proposals involving connection to public wastewater treatment works' 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 Newts

There are records of Great Crested Newt (GCN) in the local area. In our view, the proposal has the potential to cause disturbance to GCN and/or loss or damage to their resting places. Great crested newts and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended) and they are classed as a material consideration for planning under the provisions of Technical Advice Note 5: Nature Conservation and Planning (TAN5).

We consider that it is possible that the species utilizes the site for foraging, dispersal or sheltering purposes. However, we consider that the development is not be likely to be detrimental to the maintenance of the favourable conservation status of the GCN populations provided that any subsequent consent is subject to the imposition of a condition requiring the submission and implementation of Amphibian Method Statement.

The Method Statement should include:

- Details of protective measures to be taken to minimise the impacts on GCN.
- Actions to be taken in event previously unidentified GCN features are found.
- Details of measures to prevent or reduce incidental capture or killing of GCN.

The Method Statement shall be carried out in accordance with the approved details.

Justification: To ensure that an approved Method Statement is implemented, which

protects GCNs affected by the development.

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

Waste produced during construction

Waste produced during the construction phase of your development must be dealt with appropriately and be in line with all relevant waste legislation including Duty of Care Regulations and Hazardous Waste Regulations. As part of your waste duty of care you must classify the waste produced:

- before it is collected, disposed of or recovered
- to identify the controls that apply to the movement of the waste
- to complete waste documents and records
- to identify suitably authorised waste management options
- to prevent harm to people and the environment.

Any waste removed from site will be subject to waste management controls. The links below provide information on how to classify waste and register as a waste carrier or hazardous waste producer:

<https://naturalresources.wales/permits-and-permissions/waste/?lang=en>

<https://naturalresources.wales/permits-and-permissions/waste/waste-permits/?lang=en>

Further guidance can be found on the GOV website here:

<https://www.gov.uk/managing-your-waste-an-overview/duty-of-care>

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