

Philip Forster
Planning Control Department
Wrexham County Borough Council
16 Lord Street
Wrexham
LL11 1LG

Date: 2nd August 2016

Dear Mr Forster,

**OUTLINE APPLICATION FOR REMOVAL OF GARAGE AND STORE ERECTION OF A NEW
DETACHED HOUSE TOGETHER WITH A NEW GARAGE TO SERVE THE EXISTING
COTTAGE
THE COTTAGE, MILL LANE, HORSEMANS GREEN, SY13 3DY**

Thank you for consulting us on the above application, which we received on the 15th July 2016.

We recommend that that you should only grant planning permission if the scheme can meet the following requirements and you attach the conditions listed below:

Requirement 1: That the method of foul drainage is confirmed, with information submitted that the method of foul drainage is adequate.

Requirement 2: That a condition is included within any permission that all avoidance measures described in the submitted ecology report are set out in a method statement, and implemented.

These requirements are explained in further detail below.

Foul and Surface Water Drainage

The proposed development is located within an area with historic drainage issues. The method of foul drainage has not been confirmed within the application.

Prior to determination of this application, the applicant should confirm the method, and the suitability of the proposed means of sewage disposal, in accordance with Welsh Office Circular 10/99, and that the installation will comply with the requirements of British Standard BS 6297 (1983). The results of the foul drainage assessment and/or porosity tests, if appropriate, should be forwarded via the Local Planning Authority to NRW for confirmation. The applicant is advised to follow Pollution Prevention Guidance Note 4 "Treatment and disposal of sewage where no foul sewer is available" from the NetRegs website.

The private foul drainage system associated with this development will require an Environmental Permit under the Environmental Permitting Regulations 2010, from Natural Resources Wales,

unless an exemption applies. The applicant is advised to contact Natural Resources Wales on 0300 065 3000 for further advice and to discuss the issues likely to be raised. The applicant should be aware that a permit may not be granted. Additional guidance on 'Environmental Permitting' can be accessed: <https://www.gov.uk/environmental-permit-check-if-you-need-one>

We would also recommend that you consult your local drainage engineers with regard to the disposal of surface water, as the method of disposal has been noted as by way of soakaway.

Protected Species

We note that the ecology report submitted in support of the above application (Reference: Atkinson, J. (2016). The Cottage: Protected Species Assessment. All Things Trees. Unpublished. has identified the potential for great crested newts to be present at the application site

Great crested newts and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2010 (as amended). Any development that would contravene the protection afforded to Great Crested Newts under the Regulations would require a derogation licence from Natural Resources Wales. A licence may only be authorised if:

- i. There is no satisfactory alternative and
- ii. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. In addition,
- iii. The development works to be authorised must be for the purposes of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.

Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning (TAN5) states that your Authority should not grant planning permission without having satisfied itself that the proposed development either would not impact adversely on any great crested newts on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied.

In this case, the ecology report concludes that the proposed development is not likely to harm or disturb great crested newts or their breeding sites and resting places at this site, provided that avoidance measures described in the report are implemented. Also, because the development represents a lower risk to newts in this case, we do not consider that the development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Therefore, we require that all avoidance measures described in the ecology report are set out in a method statement and secured through the inclusion of suitable planning conditions and/or a Section 106 agreement.

This advice applies to the proposal in its present form. If the plans are changed in ways that may harm or disturb the newts or their breeding sites and resting places at this site, you would need a revised report that takes account of such changes. If, in light of modifications, it was no longer possible to avoid harming or disturbing the newts or their breeding sites and resting places at this site, the applicant would also need a licence from Natural Resources Wales and probably additional mitigation measures to reduce adverse effects.

Yn gywir / Yours' faithfully,



Mr. GARETH THOMAS

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cc: Miles Designs Ltd.