



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-22330-V5Y1
Eich cyf/Your ref: P/2016/0756

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Wrexham County Borough Council
Planning Officer
16 Lord Street
Wrexham
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Date: 19th August 2016

Dear Sir/Madam,

**ERECTION OF DETACHED DWELLING AND ASSOCIATED DOUBLE GARAGE AND
CONSTRUCTION OF NEW ACCESS OFF VILLAGE WALKS
DISUSED SHIPPON LAND ADJOINING POPLAR COTTAGE MARFORD HILL MARFORD
WREXHAM**

Thank you for referring the above planning application received at our office 11th August 2016.

We have the following comments for consideration:

We note that the bat report submitted in support of a previous application (Reference Anon. (2015), The Shippin, Village Walks, Marford, Wrexham, LL12 8SZ: Inspection and Assessment in Relation to Bats and Breeding Bird. Tyrer Partnership. Unpublished has identified that bats are present at the application site.

Bats 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 bats 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 bats on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied.

In respect of this application, we consider that there is not enough information to assess potential effects of the proposal on the bats present at this site. We consider that the following additional information is required to assess the extent of adverse effects on the bats:

- Submission of a bat survey and assessment
- Submission of proposals to either retain bat roosting site(s) or provided compensation. Proposed roosting areas must be clearly marked on plans
- Submission of bat avoidance and mitigation measures
- Submission of bat post construction surveillance proposals

Therefore, we recommend development as currently proposed is not subject to approval until it can be demonstrated that the proposed development will either not harm or disturb the bats or their breeding sites and resting places at this site, or all 3 conditions for the eventual grant of a licence under the Conservation of Habitats and Species Regulations 2010 (as amended) are likely to be satisfied.

Yn gywir / Yours' faithfully,

Ruth Prichard

Swyddog Cyswllt Cynllunio / Planning Liaison Officer

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Deialu uniongyrchol/Direct dial: (0300) 065 3787 **Siaradwr Cymraeg / Welsh Speaker**



cc: