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Planning Services,
Wrexham County Borough Council,
The Guildhall,
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19/05/2016

Dear Sir/Madam,

PROPOSAL: Partial demolition of existing concrete garage and extension of cattery building to the rear retained section
LOCATION: Ysgubor Ganol, Ty Canol Road, Ty Canol Road, Penycae

Thank you for consulting Natural Resources Wales about the above, which was received on 11/05/2016.

We have no objection to the proposal subject to the advice below being taken into consideration.

Protected Species

We note that the application proposal includes partial demolition of the existing garage.

We therefore recommend that your Authority screens the application to see if there is a reasonable likelihood of bats being present and whether a bat survey is required to support the application determination process in accordance with Technical Advice Note 5: Nature Conservation and Planning (paragraph 6.2.2).

Bats and their breeding 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.

Please consult us again if the survey finds that bats are present at the site. In the meantime, we cannot confirm that the proposal would not harm or disturb bats, or a breeding site or resting place used by bats. Therefore, nor can confirm that the proposal would not be detrimental the maintenance of a population of bats a favourable Conservation status in its natural range.

Waste Disposal

Any waste, excavation material or building waste generated in the course of the development must be disposed of satisfactorily in accordance with duty of care requirements under section 34 of the Environmental Protection Act 1990. The waste shall be transported using registered waste carriers to suitably permitted or exempt sites. Transfer notes shall be kept for each load for a minimum of 2 years.

Drainage

It is noted from the application form that the applicant intends to connect to the existing septic tank on site.

The applicant shall ensure that the existing foul drainage system is in a good state of repair, regularly desludged, and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of this proposal.

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>

Local and Regional Interests

Please note we have not considered possible effects on all local or regional interests. Therefore, you should not rule out the possibility of adverse effects on local or regional interests, which would be relevant to the Local Authority's general duty to have regard to conserving biodiversity, as set out in section 40 of the Natural Environment and Rural Communities (NERC) Act (2006). This advice includes any consideration of the planned provision of "linear" and "stepping stone" habitats as defined in Article 10 of the Habitats Directive.

To comply with the local authority's duty under section 40 of the NERC Act, to have regard to conserving biodiversity, your decision should take account of possible adverse effects on such interests. We recommend that you seek further advice from the Local Authority's internal ecological adviser and/or third sector nature conservation organisations such as the local wildlife trust, RSPB, etc. The Wales Biodiversity Partnership's web site has guidance for assessing proposals that have implications for section 42 habitats and species (www.biodiversitywales.org.uk).

We thank you for consulting with NRW. Please do not hesitate to contact us if we can be of any further assistance to you.

Yn gywir / yours faithfully

Angharad Wyn Crump
Uwch Swyddog Cadwraeth / Senior Casework Officer
Tîm Gwaith Achos / Casework Team