

Maes Y Ffynnon,
Penrhosgarnedd,
Bangor,
Gwynedd
LL572DW

Wrexham County Borough Council,
The Guildhall,
Wrexham,
LL11 1AY

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

09/07/2021

Dear Sir/Madam,

PROPOSAL: CONSERVATION AREA CONSENT, CONSTRUCTION OF TWO NEW TWO STOREY DWELLINGS

LOCATION: LAND TO THE REAR OF CHURCH VIEW, CHURCH ROAD, WORTHENBURY, WREXHAM

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales with additional information about the above, which we received on 24/06/2021.

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 foul drainage and protected sites. 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 document identified below should be included in the approved plans and documents condition on the decision notice. Without the inclusion of this document we would object to this planning application.

Approved document: Griffin, E. (2021). Bat Emergence Survey: Garage Opposite Church Road, Church View, Worthenbury, Wrexham, LL13 0AW. Arbtech. Unpublished

Foul Drainage and Protected Sites

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 private sewage treatment system discharging domestic wastewater to ground is proposed. 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', particularly the following:

- Where discharges to ground are proposed, developers should provide the results of infiltration testing with calculations to demonstrate that the drainage field size and design is appropriate for the volume of discharge proposed and follows the relevant British Standard [BS 6297:2007+A1:2008](#).

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 Emergence Survey report (Griffin, E. 2021. Arbtech. Unpublished) submitted in support of the above application has concluded:

No bat roost confirmed in B1. No bats were seen to be emerging from B1. Bat activity by common and soprano pipistrelles was recorded within the area surrounding B1.

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 amended).

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 any breeding sites and resting places at this site, provided the avoidance measures described in the Bat Emergence Survey 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.

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.

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

Yours faithfully,

Tristan Williams

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