

Maes Y Ffynnon,
Penrhosgarnedd,
Bangor,
Gwynedd
LL572DW

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

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

31/03/2021

Annwyl Syr/Madam / Dear Sir/Madam,

**BWRIAD / PROPOSAL: TRAWSNEWID BARN I DAU GORAU GWESTY'R GWELY /
CONVERSION OF A BARN INTO A TWO BEDROOM GUEST HOUSE**

**LLEOLIAD / LOCATION: WERN TOWER, PEN BRYN, WERN TOWER ROAD,
PONTFADOG, WREXHAM**

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 12/03/2021

We have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if the following requirement is met. Otherwise, we would object to this planning application.

Requirement 1: Protected Species: Further information is required to assess the extent of adverse effects on the bats and any avoidance or mitigation measures required. This must demonstrate that the proposed development would not be likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Protected Species

We note that the bat report submitted in support of the above application (Bat Emergence and Re-entry Surveys. Wern Tower Farm, Pontfadog, Llangollen, LL20 7AT. Samantha Little, 01/10/2019) has identified that bats are present at the application site. 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)'. However, we advise that the bat report has insufficient information to assess the need for avoidance / mitigation measures. Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended).

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13 Pipistrelle bats were found to be using the building, but no information on mitigation measures are included in the report. In order to be able to assess the impact of the development on bats, further information will be required including:

- Reasonable Avoidance Measures.
- Mitigation/Compensation Measures.
- External lighting/internal light spillage assessment and plans that are compliant with the provisions of the Institution of Lighting Professionals and Bat Conservation Trust: Guidance Note 08/18: Bats and Artificial Lighting in the UK

In the meantime, we are unable to give you any assurance that the proposal would not be likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Protected Sites

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 phosphate 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 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 also issued [Interim Planning Advice](#), which gives specific advice in respect of foul drainage arrangements for new developments.

We note from the information submitted that a septic tank is to be used to provide foul drainage for the conversion of the barn to a two-bedroom guest house. As such, we refer you to our [Interim Planning Advice](#) and confirm that provided this guidance is followed and you are able to conclude that the development is not likely to have a significant effect on the SAC, we 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).

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

Environmental Management

All works at the site must be carried out in accordance with PPG6: 'Working at construction and demolition sites' which are available on the following website:

<http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

The activity of importing waste into the site for use as, for example hardcore, must be registered with Natural Resources Wales as an exempt/permittable activity under the Environmental Permitting Regulations 2016. The developer should contact Natural Resources Wales to discuss the necessity for an exemption/permit for any material imported to and exported from the site.

If during construction/excavation works any contaminated material is revealed, then the movement of such material either on or off site should be done in consultation with Natural Resources Wales. Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 34 of the Environmental Protection Act 1990. Carriers transporting waste from the site must be registered waste carriers and movement of any Hazardous Waste from the site must be accompanied by Hazardous waste consignment notes.

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