

Maes Y Ffynnon,
Penrhosgarnedd,
Bangor,
Gwynedd
LL572DW

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

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

05/03/2021

Dear Sir/Madam,

**PROPOSAL: CONVERSION OF GARAGE AND STORES TO FORM ANNEX
ACCOMMODATION ASSOCIATED**

LOCATION: LLAINWEN, LLAINWEN BERSE ROAD, CAEGO, WREXHAM

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 22/02/2021.

We continue to have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if you include the following documents within the condition identifying approved plans and documents on the decision notice:

Plans/documents: Worsfold, S. (2020); Ecological Appraisal and Impact Assessment at Llainwen, Berse Road, Caego, Wrexham; Susan Worsfold; Unpublished.

Protected Sites and Foul Drainage

We note the application site is within the catchment of the River Dee Special Area of Conservation (SAC) and approximately 34m from the closest sewer network. 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.

In our opinion, any planning application that is likely to increase the concentration of organic materials discharged directly or indirectly into River Dee catchment, has the potential to increase phosphate levels and cause further deterioration of the SAC. Therefore, development proposals must be able to demonstrate through the Habitats Regulations Assessment (HRA) process that there is unlikely to be a significant adverse phosphate effect on the SAC.

The application site is over 10km from the River Dee SAC boundary and the further information shared with us in respect of foul drainage clarified that the intention is to remove the existing septic tank and replace this with a new Bio-disc Klargestor package treatment. In addition to the Drainage Plan and BioDisc specification, it was confirmed that the maximum daily discharge rate will be less than 2 cubic metres (m³) (quoted below):

With the existing dwelling comprising 3 bedrooms we could assume a maximum of 5 occupants, which would mean a daily output of 0.75 cubic metres per day (5 occupants x 0.15 cubic metres per person). As proposed, it would be a maximum of 6 occupants which would provide a daily output of 0.9 cubic metres per day.

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 on foul drainage grounds. 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

As stated in our previous response dated 15/02/2021 (our ref: CAS-136153-H4Y8), we have reviewed the following document:

- Worsfold, S. (2020); Ecological Appraisal and Impact Assessment at Llainwen, Berse Road, Caego, Wrexham; Susan Worsfold; Unpublished.

The ecological report lacks a range of material information to evidence that it accords with published guidelines. In our view, the survey appears to be satisfactory, however, the report lacks the underpinning details/evidence to justify the conclusions. We advise that for completeness your authority may wish to request additional information to address these conclusions. Our response is based on the stated conclusion of the report.

We note that the Ecological Appraisal and Impact Assessment stated:

There is not considered to be any threat to the conservation status of bats or danger of harm to individuals as the building was not being used by roosting bats. However, it is possible that transient bats may temporarily roost in the building in the future, therefore precautions must be taken.

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 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 their breeding sites and resting places at this site, provided the avoidance measures ("A lighting plan...designed in accordance with the Bat Conservation Trust guidelines", bat boxes and House Sparrow Terrace) described in the Ecological Appraisal and Impact Assessment 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.

Advice for the Developer

Pollution Prevention

During the construction phase you should take any precaution to prevent contamination of surface water drains and local watercourses. Oils and chemicals should be stored in bunded areas and spill kits should be readily available in case of accidental spillages.

For further guidance please refer to GPP 5 and PPG 6 at the following link:

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

Waste produced during construction

Waste produced during the construction phase of your development must be dealt with appropriately and be in line with all relevant waste legislation including Duty of Care Regulations and Hazardous Waste Regulations. As part of your waste duty of care you must classify the waste produced:

- before it is collected, disposed of or recovered
- to identify the controls that apply to the movement of the waste
- to complete waste documents and records
- to identify suitably authorised waste management options
- to prevent harm to people and the environment.

Any waste removed from site will be subject to waste management controls. The links below provide information on how to classify waste and register as a waste carrier or hazardous waste producer:

<https://naturalresources.wales/permits-and-permissions/waste/?lang=en>

<https://naturalresources.wales/permits-and-permissions/waste/waste-permits/?lang=en>

Further guidance can be found on the GOV website here:

<https://www.gov.uk/managing-your-waste-an-overview/duty-of-care>

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