

FAO Philip Forster

24/01/2019

Annwyl / Dear Philip,

TOWN AND COUNTRY PLANNING ACT 1990
DEDDF CYNLLUNIO GWLAD A THREF 1990

BWRIAD / PROPOSAL:

**CONVERSION OF OUTBUILDING TO PROVIDE ANCILLARY ACCOMMODATION TO
EXISTING DWELLING AND PROVISION OF SEPARATE BAT ROOST**

LLEOLIAD / LOCATION:

Hoseley House, Hoseley Lane, Marford Wrexham

Thank you for re-consulting Natural Resources Wales (NRW) about the above, which was received on 17/01/2019.

We recommend that you should only grant planning permission if you attach the following conditions. These conditions would address significant concerns that we have identified, and we would not object provided you attach it to the planning permission.

Summary of Conditions

Condition 1: Protected Species: Planning permission should include conditions necessary to secure all avoidance and mitigation measures described in the bat report.

Condition 2: Submission and implementation of an approved ecological compliance audit (ECA) scheme to the satisfaction of the LPA.

Protected Species

We note that the bat report submitted in support of the above application reference Boyett, L (15/01/2019) Outbuildings at Hoseley House, Marford. Preliminary Bat Roost Assessment and Emergence Survey, Version 2. Enfys Ecology (unpublished) has identified that the brown long eared bat is present at the application site. From the information submitted, we consider that the proposed development represents a higher 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.

We advise that the proposed development is likely to harm or disturb the bats or their breeding sites and resting places at this site. Therefore, we advise that the below condition(s) should be attached to any planning permission for this scheme to ensure appropriate avoidance and mitigation measures. Provided those measures are implemented, we consider that the proposed development is not likely to be detrimental to the maintenance of the favourable conservation status of the local population of bats.

Planning permission should include conditions necessary to secure all avoidance and mitigation measures described in the bat report and listed below:

- (a) Submission and implementation of detailed mitigation and compensation measures including timing of works and proposals clearly marked on final plans to the satisfaction of the LPA;
- (b) Submission and implementation of an external lighting scheme to the satisfaction of the LPA;
- (c) Submission and implementation of a post construction monitoring scheme to the satisfaction of the LPA;

NRW would refer the Local Authority to the Chief Planning Officer's letter dated 01 March 2018 which advises Local Planning Authorities to attach an informative regarding licence requirements to all consents and notices where European Protected Species are likely to be present on site.

Ecological Compliance Audit

We advise that any future consent includes the imposition of a condition that requires the submission and implementation of an approved ecological compliance audit (ECA) scheme to the satisfaction of the LPA.

The purpose of the Ecological Compliance Audit is to evidence compliant implementation of all ecological avoidance, mitigation and compensation works, either proposed or subject to the provisions of reserved matters conditions. The Audit shall identify Key Performance Indicators (KPI's) that are to be used for the purposes of assessing and evidencing compliant implementation of proposals.

Please do not hesitate to contact us if you require further information or clarification on any of the above.

Our comments above only relate specifically to matters that are listed in our 'Consultation Topics' document (September 2018) which is published on our website: (<https://cdn.naturalresources.wales/media/686847/dpas-consultation-topics-august-2018-eng.pdf?mode=pad&rnd=131819256840000000>). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance.

Advice for the Applicant / Developer:

Foul Drainage

With respect to the proposed septic tank, the applicant will need to apply for an environmental permit or register an exemption with NRW. The applicant must obtain any necessary permit or exemption prior to commencement of work on site. Septic tanks and small sewage treatment works may be registered as exempt from the requirement to obtain an environmental permit of certain criteria is met.

More information, including a step by step guide to registering and the relevant application forms are available on our website: <http://naturalresources.wales/permits-and-permissions/water-discharges/discharges-to-surface-water-and-groundwater/apply-for-a-new-bespoke-permit/?lang=en>

Where private sewage treatment/disposal facilities are utilised, they must be installed and maintained in accordance with BS 6297 and Approved Document H of the Building Regulations.

Pollution Prevention

Any work which is to take place should be done so with pollution prevention in mind. Pollution prevention advice and guidance can be found via this link:

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

Should any pollution occur during the operational phase, Natural Resources Wales should be notified via the incident hotline – 03000 65 3000.

Waste Regulation

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 provided information on how to classify waste and register as a waste carrier or hazardous waste producer:

<http://naturalresources.wales/waste/how-to-classify-and-assess-waste/?lang=en>

<http://naturalresources.wales/apply-for-a-permit/waste/?lang=en>

Further guidance can be found on the GOV website here:

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

The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

Yn gywir / Yours sincerely,

Daniel Davies

Daniel Davies

Cynghorydd Cynllunio Datblygu / Development Planning Advisor

Cyfoeth Naturiol Cymru / Natural Resources Wales