

Community Well-being and Development
Wrexham County Borough Council
16 Lord Street
Wrexham
LL11 1LG

Ein cyf / Our ref:je/CAS-33408-V0S2

Eich cyf / Your ref:P/2017/0368

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Er sylw/ For the attention of:
Kevin Hughes

31/ 05/ 2017

Dear Mr Hughes,

**DEANS FARM, KNOLTON BRYN, OVERTON - P/2017/0368
CONVERSION OF PART OF FIRST FLOOR OF OUTBUILDING TO PROVIDE
ACCOMMODATION ANCILLARY TO THE MAIN DWELLING**

Thank you for consulting Natural Resources Wales regarding the above proposal, received on 12th May 2017.

We have significant concerns with the proposed development as submitted. We recommend that you should only grant planning permission if the scheme can meet the following requirement. We would object if the scheme does not meet this requirement.

Requirement: *Submission of bat emergence survey report, and appropriate mitigation proposals to the satisfaction of the LPA, prior to approval of application*

Protected Species

We note that the preliminary bat report submitted in support of the above application (Dunelm Ecology. (March 2017): Deans Farm, Knolton Bryn, Overton, Wrexham - Preliminary Protected Species Survey / Unpublished) confirms that evidence of bats were found inside the barn proposed for conversion.

The proposal has the potential to cause disturbance to bats and/or loss or damage to their resting places. Bats and their breeding sites 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

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Croesewir gohebiaeth yn y Gymraeg a'r Saesneg
Correspondence welcomed in Welsh and English

- 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.

We consider that there is not enough information to assess potential effects of the proposal on bats. We advise that the following additional information is needed prior to the determination of the application:

<u><i>Requirement</i></u>	<i>Submission of bat emergence survey report and mitigation measures if appropriate, to the satisfaction of the LPA, prior to approval of application</i>
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The emergence surveys should be carried out when bats are active (May to September).

As recommended in the preliminary bat report and as advised by Wrexham LPA's own Ecology Officer, emergence surveys and report are required to confirm whether bats are using the buildings. They should be used to determine the functionality of the structure and also inform any required avoidance, mitigation and compensation measures, with plans where appropriate.

The results will also inform whether the development needs to proceed under a European Protected Species Licence, issued by NRW.

Without these additional surveys, NRW is unable to conclude that the development will not have adverse effects on the favourable conservation status of populations of bats.

Please advise the applicant that should the surveys conclude that the building is used as a bat roost, there may be a need to obtain an EPS licence from Natural Resources Wales prior to any work taking place. The granting of planning consent does not negate the need to obtain an EPS licence and an NRW EPS licence can only be issued once planning permission has been granted.

Foul Drainage

It should be ensured that any existing tank is in a good state of repair, regularly desludged and of sufficient capacity to deal with any increase in flow and loading which may occur as a result of this proposal.

Government policy states that, where practicable, foul drainage should be discharged to the mains sewer. Where this is not possible and private sewage treatment / disposal facilities are utilised, they must be installed and maintained in accordance with British Standard 6297 and Approved Document H of the Building Regulations 2000. You should also have regard to Welsh Office Circular 10/99 in respect of planning requirements for non mains sewerage.

The written consent of NRW or registration for exemption by the developer will be required for any discharge e.g. foul drainage to a watercourse/ditch etc, from the site and may also be required for certain categories of discharges to land. All necessary NRW consents, or exemptions must be obtained prior to works progressing on site. The applicant will need to apply for a Permit or Exemption, if they wish to discharge anything apart from uncontaminated surface water to a watercourse/ditch. They may also need to apply for a Permit from our National Permitting Team to allow certain discharges into ground. They must obtain any necessary Permit prior to works starting on site.

The Welsh Government has also advised that all septic tanks and small sewage treatment plant discharges in Wales will need to be registered. More information, including a step by step guide to registering, is available on our website www.naturalresourceswales.gov.uk / www.cyfoethnaturiolcymru.gov.uk

Environmental Management

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. Please do not hesitate to contact us if we can be of any further assistance to you or if you wish clarification on the above.

Our comments only relate specifically to matters that are included on our checklist "Natural Resources Wales and Planning Consultations" (March 2015) which is published on our website: (<https://naturalresources.wales/media/5271/150302-natural-resources-wales-and-planning-consultations-final-eng.pdf>). 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.*

Any site owner/developer 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.
Yours sincerely,

Joy Evans

Joy Evans
Development Planning Advisor