Cyfoeth Naturiol Cymru
Natural Resources Wales

Ein cyf/Our ref: CAS-285394-Z2T4
Eich cyf/Your ref: P/2025/0567

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 14 August 2025

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: DEMOLITION OF EXISTING DWELLING AND ERECTION OF REPLACEMENT DWELLING

LLEOLIAD/LOCATION: 2 MILL LANE COTTAGES, HORSEMANS GREEN, WHITCHURCH, SY13 3EA

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 28 July 2025.

We have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome if the document identified below is 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.

- **Preliminary Ecological Appraisal, by Switch Ecology, 13 August 2024**

We also advise that further consideration is required regarding foul drainage. Further details are provided below.

Protected Species

Great Crested Newts

The information has identified that Great Crested Newts (GCN) are material to the application site.

Great Crested Newts (GCN) and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended) and Schedule 5 of the Wildlife and Countryside Act 1981. Where GCN are present and a development proposal is likely to contravene the legal protection, they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three requirements set out in the legislation. A licence may only be authorised if:

i. The development works to be authorised are for the purposes of preserving public health or safety, or for other imperative reasons overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment;
ii. There is no satisfactory alternative for the environment; and,
iii. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conversation status in it's natural range.

To avoid developments with planning permission subsequently not being granted a licence, the Local Planning Authority should take Planning Policy Wales and Technical Advice Note 5 into account when considering development proposals where a European Protected Species is present.

Please note, for the purposes of providing advice at the planning application stage, our comments are limited to the third test "demonstration of no detriment to the maintenance of the favourable conservation status of European protected species". We advise that before any consent is given, as informed by the provisions of Regulation 9 of the Conservation of Habitats and Species Regulations 2017 (as amended) the LPA satisfy itself as to whether the scheme satisfies the other two tests, namely a relevant Habitats Regulations purpose and whether there is no satisfactory alternative to the proposal.

We consider that Section 5.3.1 (Reasonable Avoidance Measures) of the submitted ecological report provides an adequate basis upon which to consider the potential impacts of the scheme on GCN and inform the decision-making process.

Therefore, we advise that the following document is included in the approved list of plans / documents condition within the decision notice:

- Preliminary Ecological Appraisal, by Switch Ecology, 13 August 2024.

Bats

We note that the ecological assessment submitted in support of the above application (Preliminary Ecological Appraisal, by Switch Ecology, dated 13 August 2024) has concluded that bats are not roosting at the application site. However, as bat activity was observed at the site we would advise that the recommendations within Section 5.3.3 of the report are appropriately secured in any future consent to the satisfaction of your Authority.

Protected Sites

Foul drainage

We note the application site is within the catchment of the River Dee and Bala Lake Special Area of Conservation (SAC). In line with our *Advice to Planning Authorities for Planning Applications Affecting Nutrient Sensitive River Special Areas of Conservation* (28 June 2024), under the Habitats Regulations, Planning Authorities must consider the impact of proposed developments on water quality within SAC river catchments. We therefore advise you to consider whether the proposals, as submitted, would increase the volume of foul discharge from the site in planning terms.

We note from the information submitted that a package treatment plant is to be installed to provide foul drainage. Although the site is in a sewered area previous justification for private foul drainage being utilised at this location was provided for application reference

P/2024/1515 at the same site. As such, we refer you to our Advice and advise you to seek further information from the applicant as identified in the section titled *'What does this mean for development proposals involving private sewage treatment systems'* of that Advice.

Ultimately, the suitability of foul drainage arrangements for the proposed development is a matter for your Authority to determine. We therefore advise you to take the above into account in your determination of whether the development is likely to have a significant effect on the SAC. Should you determine that an Appropriate Assessment is required, the Applicant will then need to submit whatever evidence they deem appropriate (seeking advice from consultants as may be necessary) to demonstrate no adverse effect on site integrity.

Other Matters

The advice in this letter relates to matters which are included on our consultation topics list. We do not rule out the potential for the proposed development to affect other environmental interests that are not included on this list.

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.

Yn gywir / Yours faithfully,

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

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Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi./Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.