

Maes Y Ffynnon,
Penrhosgarnedd,
Bangor,
Gwynedd
LL572DW

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

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

09/01/2023

Annwyl Syr/Madam / Dear Sir/Madam,

**BWRIAD / PROPOSAL: TRAWSNEWID AC YMESTYN ADEILAD I FFURFIO LLETY
GWYLIAU / CONVERSION AND EXTENSION OF BUILDING TO FORM HOLIDAY LET**

LLEOLIAD / LOCATION: OLD MILL WELSH SHOP, LLANARMON

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 21/12/2022.

We have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should seek further information from the applicant regarding foul drainage and protected species (bats). If this information is not provided, we would object to this planning application. Further details are provided below.

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). As you are aware, on the 21st January 2021, we published an evidence package outlining phosphorus levels for all river SACs across Wales.

In line with our [Planning Advice](#) (July 2022), under the Habitats Regulations, Planning Authorities must consider the phosphorus 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.

The application, as submitted, proposes conversion and extension of an existing building to form a holiday let. As such, this development is expected to serve a population from outside of an SAC catchment who are not already served by residential connections to existing public or private sewers discharging within the SAC river catchment. We refer you to our

Planning Advice and the section titled 'What types of non-residential development lead to increases in phosphorus discharges?'

Ultimately, the suitability of foul drainage arrangements for the proposed development is a matter for your Authority to determine.

We therefore advise your Authority to undertake a Habitats Regulations Assessment (HRA). 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. You should then consult us on your Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Protected Species

We note that the bat report submitted in support of the above application (Ecological Impact Assessment at Old Mill Welsh Shop, Llanarmon Dyffryn Ceiriog. Susan Worsfold 09/10/2022) identified that bats were not currently using the application site, but that old bat droppings were found in the loft. 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). Where bats 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 tests set out in the Regulations (please also refer to Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning). Please note, for the purposes of providing advice at the planning application stage, our comments are limited to the test relating to *"demonstration of no detriment to the maintenance of the favourable conservation status of European protected species"*.

We advise that further information is submitted 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.

The bat droppings found in the loft have not been identified to species. Therefore, we consider that the use of the building by Lesser Horseshoe Bats (LHBs) cannot be ruled out. We advise that further information and/or analysis is submitted e.g., whether or not there are any access points for free flying bats, whether the loft can only be accessed by crevice-dwelling species, or analysis of the droppings, if collected and/or photographed.

If use of the loft by LHBs cannot be ruled out, then we advise that a precautionary approach is taken and suitable mitigation for LHBs is included in the design.

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.

We also note that a single bat box is proposed to compensate for the loss of crevices when the building is renovated. The report suggests that there are numerous opportunities for crevice dwelling bats on the walls of the building, therefore we would welcome roosting provisions for crevice dwelling bats included on different aspects of the building.

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.

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