Ellie Jones

From: planning_admin
To: Emma Broad
Subject: RE: P/2024/1285 - Net World Sports Bryn Lane (V.O.C. 1)V2 - NRW Response NRW:08543848

From: North Planning <NorthPlanning@cyfoethnaturiolcymru.gov.uk>
Sent: 18 October 2024 09:38
To: Emma Broad <Emma.Broad@wrexham.gov.uk>
Cc: Nick Atkinson <Nick.Atkinson@wrexham.gov.uk>
Subject: FW: P/2024/1285 - Net World Sports Bryn Lane (V.O.C. 1)V2 - NRW Response NRW:08543848

Hi Emma,

As requested, copy of the response sent regarding the Networld HQ variation of condition 1.

Any queries please let me know.
Rachael

---------- Original Message ----------
From: North Planning Mailbox Queue <northplanning@cyfoethnaturiolcymru.gov.uk>;
Received: Thu Oct 03 2024 14:02:18 GMT+0100 (British Summer Time)
To: Matthew Phillips <Matthew.Phillips@wrexham.gov.uk>;
Subject: P/2024/1285 - Net World Sports Bryn Lane (V.O.C. 1)V2 - NRW Response NRW:08543848

Dear Matthew,

Thank you for consulting us on the variation of condition 1 of planning permission P/2021/0610 to amend landscape which we received on 21/08/24.

NRW considers Wrexham Industrial Estate and its environs to support one of the two nationally important population of great crested newts in Wrexham. Consequently this part of the county supports one of the principle local populations of the species within an overall North East Wales pondscape of European importance (Important Area for Ponds in Wales (A preliminary assessment of Important Areas for Ponds (IAPs)), April 2007, Pond Conservation & Countryside Council for Wales). However, we consider the current conservation status of this population to be “unfavourable”. Whenever current conservation status is considered to be unfavourable, NRW considers conservation actions must focus on restorative measures including safeguarding sufficient habitats together with long term habitat creation and its subsequent management.

We advise that the original outline application was subject to a Section 106 agreement (attached for reference) which we believe is still a material consideration for this application to vary a condition on the reserved matters. This planning agreement was also specifically referenced in the EPS licence application which was granted for the site, dated 18/08/2020.

The section 106 (Annex 1 Section 5.1 Landscape and Ecological Management Framework dated June 2013, HOW Planning LLP) and the subsequent EPS license stated that the outcome of the works would provide 51% of the area of the site for long-term ecological purposes with the provision of a series of ponds together with terrestrial habitats that include planting of woodland blocks. Both CCW legacy guidance

associated with informing the demonstration of no detriment to the maintenance of FCS and WCBC Local Planning Guidance Note No. 29 (regarding Wrexham Industrial Estate) identify the requirement to provide compensation land on a “like for like” basis together with habitat creation and enhancement.

Broadleaf woodland are important components of amphibian terrestrial habitats and are used for shelter, foraging, dispersal and hibernation purposes. Consequently, broadleaf woodland can form optimal newt habitat with suggested densities of over 300 individuals per hectare.
We therefore consider that appropriate long term landscaping objectives would include woodland creation and management that accords with the Section 106 Agreement dated June 2013 and is specifically identified in Section 8 of the original EPS licence application dated 18/08/2020 . The current revised landscaping proposals do not include a series of ponds or woodland blocks. Consequently, we are of the view that the revised proposals do not accord with the obligations under the Section 106 Agreement or the requirements of the European protected species licence numbers S088525-1, S088525-2, and S088525-3.

In our view, the long-term actions clearly identified in section 5.1 of the 106 and EPS licence itself are suitable for the purposes of demonstrating no detriment to the maintenance of the FCS of the local population of GCN. However, the revised proposals do not accord with the specified requirements of habitat retention and creation. We therefore advise that a revised landscaping scheme be submitted that accords with the description in the Section 106 (Annex 1 Section 5.1) Agreement dated June 2013. The LPA may also wish to consider the provisions of Regulation 59 of the Conservation of Habitats and Species Regulations 2017 (as amended) during their decision making process for this application.

If you have any queries please do not hesitate to contact me.

Kind Regards
Rachel Burke

Tîm Cynllunio Datblygu / Development Planning Team
Cyfoeth Naturiol Cymru / Natural Resources Wales

www.cyfoethnaturiolcymru.gov.uk / www.naturalresourceswales.gov.uk

Yn falch o arwain y ffordd at ddyfodol gwell i Gymru trwy reoli’r amgylchedd ac adnoddau naturiol yn gynaliadwy / Proud to be leading the way to a better future for Wales by managing the environment and natural resources sustainably.

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.