Ein cyf/Our ref: CAS-273995-H9X5
Eich cyf/Your ref: P/2024/1285

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 06 March 2025

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: Variation of condition 1 of planning permission P/2021/0610 to amend landscape.

LLEOLIAD/LOCATION: Net World Sports, Bryn Lane

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the additional information for the above, which we received on 17 February 2025.

We have concerns with the application as submitted. We do not recommend your Authority varies condition 1 for the following reasons.

Condition 1

NRW considers Wrexham Industrial Estate and its environs to support one of the two nationally important populations of great crested newts (GCN) in Wrexham. Consequently, this part of the county supports one of the principal 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”. Conservation actions should therefore focus on restorative measures including safeguarding sufficient habitats together with long term habitat creation and its subsequent management.

The original outline application was subject to a Section 106 agreement 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 18/08/20.

The Section 106 agreement (Annex 1, Section 5.1, Landscape and Ecological Management Framework, dated June 2013, HOW Planning LLP) and the subsequent EPS license stated that the proposals would provide 51% of the application site area 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.

We have reviewed the following revised bund profile sections and tree planting proposals:

- Section 5, Net World Sports.NLD.202 dated 02/12/2024
- Sections 2 & 7, Net World Sports.NLD.201 dated 03/12/2024NWS HQ Extension - Earthworks bunding proposal - north end, Net World Sports.NLD.003 dated 03/12/2024
- NWS HQ Extension - Earthworks bunding proposal - south end, Net World Sports.NLD.050 dated 03/12/2024

We note that two ponds have been created on site (Section 4.104 of the LEMP) along with a single block of tree planting along the eastern boundary bund.

In our view, the revised proposals do not accord with the provisions of 5.1 of the Section 106 Agreement dated 02/06/2016. The rationale for this includes:

a. We do not consider two ponds to equate to “a series of ponds” as shown in Plan 2 of Section 106 Agreement
b. The tree planting is significantly less in area than that shown in Plan 2 of the Section 106 Agreement
c. There is no provision of a network of open ditches

We have also reviewed the updated Landscape and Ecological Management Plan (LEMP), (Reference 8304.010, Version 7 dated 11/12/2024, The Environment Partnership). We note that the section regarding maintenance of the attenuation ponds as detailed in section 4.127 of an earlier version of this LEMP (Reference 8304.010, Version 5 dated 19/08/2024, The Environment Partnership) has now been removed from the current LEMP (Version 7).

Section 5.1 of the Management Framework within the Section 106 Agreement states that all water bodies are required to be designed or enhanced to maximise benefits for protected species. We therefore consider it appropriate to include the attenuation ponds within the provisions of the LEMP. Furthermore, we consider the overarching management priority of these features, as informed by the Section 106 Agreement, to be for species conservation purposes. This should be included in the LEMP together with clear reference to licensing requirements for future maintenance.

We understand the applicant now has a significant legal interest in land within and in the environs of the Wrexham Industrial Estate. We note that in the document ‘Response to NRW & WCBC Comments’ it is stated “*The Applicant is developing a strategic approach for ecology that will complement these proposals and their wider portfolio of sites, delivering a greater ecological benefit for the wider Wrexham Industrial Estate”.*

We welcome this approach and encourage the applicant to prepare an appropriate overarching GCN conservation strategy that accords with the long-term conservation requirements for the species. This approach could ensure delivery of net benefits for GCN and biodiversity in general in the applications currently being progressed by Networld Sports. However we have not seen or been involved in the discussions or preparations of this strategic approach and would welcome sight of the strategy to advise on its suitability.

Once developed and agreed the provisions of the strategy could materially inform the detail and acceptability of the LEMP associated with this variation.

As stated in our previous advice to you (dated 03/10/2024), the long-term actions clearly identified in section 5.1 of the Section 106 Agreement and EPS licence 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 Agreement (Annex 1, Section 5.1) 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.

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,

Rachael Burke
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.