Ein cyf/Our ref: CAS-278044-X5W5
Eich cyf/Your ref: P/2025/0300

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 22 April 2025

Annwyl Syr/Madam/Dear Sir/Madam,

PROPOSAL: CHANGE OF USE OF LAND FOR USE AS CHRISTMAS TREE FARM AND OUTDOOR RECREATION CENTRE TO INCLUDE REINDEER CENTRE, PADDLE BOARDING, WATER RELATED ACTIVITIES AND EXTENSION OF EXISTING LAKE, CREATION OF BARK FOOTPATH, ERECTION OF BUILDING TO PROVIDE OFFICE, MACHINE AND EQUIPMENT STORE, HAY/STRAW STORAGE AND SICK BAY/MATERNITY BAY SPACE FOR REINDEER, AND CREATION OF CAR PARK, ACCESS AND SITE LANDSCAPING

LOCATION: CHRISTMAS FARM, LLAY ROAD, CEFN Y BEDD, WREXHAM, LL12 9UG

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 02 April 2025.

We have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following conditions to any planning permission granted:

Condition 1: Protected Sites
Condition 2-3: Protected Species

Please note, without the inclusion of these conditions we would object to this planning application. Further details are provided below.

Protected Sites

Special Areas of Conservation

- Otter
The development site, which holds 2 waterbodies, is within 310m of a watercourse which is hydrologically connected to the River Dee and Bala Lake Special Area of Conservation (SAC).

We have concerns that harm from the proposed development on the SAC cannot be ruled out.

We have identified the following potential impact pathway to Otters, a feature of the River Dee and Bala Lake SAC:

- Potential harm/killing during the construction phase.

To secure appropriate mitigation measures, we advise that the condition set out below should be attached to any planning permission for this development. Provided the development is carried out in accordance with those conditions, we do not consider that it will adversely affect the integrity of the SAC.

Condition 1: No works shall take place (including vegetation site clearance) until a Reasonable Avoidance Measures scheme for Otter, to include an otter-friendly lighting plan, has been submitted to and approved in writing by the local planning authority.

Nutrient Sensitive SAC Catchment

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.

- Foul Drainage (Private System)
Recognising the specific nature of the application submitted, a private sewage treatment system which meets the screening criteria set out in our Advice, we are satisfied that there is unlikely to be a source of additional nutrients and/or a pathway for impacts. As such, in our opinion, it would be reasonable for your Authority to screen out this proposal as not likely to have a significant effect on the River Dee and Bala Lake SAC in relation to nutrient inputs.

- Reindeer
The application as submitted is unlikely to increase the amount of nutrients entering the catchment. Therefore, we are satisfied that the proposal is not likely to have a significant effect on the River Dee and Bala Lake SAC.

Please note, any manure produced must be managed (storage and application to land) in line with The Code of Good Agricultural Practice (CoGAP) for the Protection of Water, Soil and Air for Wales. If manure is managed correctly then the application as submitted is unlikely to increase the amount of nutrients entering the catchment. Therefore, we are satisfied that the proposal is not likely to have a significant effect on the River Dee and Bala Lake SAC.

As the competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended), your authority must, before deciding to give consent for a project which is likely to have a significant effect on a SAC/SPA/Ramsar site, either alone or in combination with other plans or projects, make an appropriate assessment of the implications of the project for that site in view of its conservation objectives. You must for the purposes of the assessment consult NRW and have regard to any representations we make within such reasonable time as the you specify. In the absence of that assessment, NRW cannot advise that the proposals would not result in an adverse effect upon the SAC/SPA/Ramsar site.

Sites of Special Scientific Interest (SSSI)

The development is located within 2m of the Llay Bog SSSI. Based on the information submitted, we consider that the proposed development is not likely to damage the features for which the Llay Bog is of special interest, provided no development or storing of materials takes place outside the development red line and the developer adheres to pollution prevention guidelines.

Protected Species

Great Crested Newts (GCN), Bats, Otter

We note that the ecological report submitted in support of the above application:

- Preliminary Ecological Appraisal, Cefn Y Bedd, Wrexham, LL12 9UG/ Leigh Ecology. August 2021)
- Land South of Llay Road, Cefn-Y-Bedd Wrexham, Ecological Addendum. Leigh Ecology. March 2025

has identified that GCN, Bats, and Otter, may be present at the application site.

The above species, their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). We advise that any consent is subject to the imposition of the following condition:

Condition 2: No development shall commence until a protected species Conservation Plan has been submitted to and approved in writing by the Local Planning Authority. The Conservation Plan shall include, but not necessarily be limited to:

(i) Build upon the principles outlined in the PEA and Addendum by Leigh Ecology.

(ii) Submission of details and associated plans concerning GCN avoidance and mitigation measures including fence design, specifications and proposed locations; consideration of access issues across fence lines (including PROW if applicable); fence monitoring and maintenance requirements; and supervised removal of barrier fences. Submission to include proposed timescales and reporting requirements

(iii) Submission of long-term site management plan (for a duration of *not less than 25 years**) that includes:

- For each identified ecological feature including GCN, Otter and Bats, defined aims and objectives (including targets that can be used as key performance indicators for monitoring purposes).

- habitat management prescriptions for aquatic and terrestrial habitats.
- appropriate amphibian reasonable avoidance measures.
- contingency prescriptions if fish and/or invasive non-native species (INNS) are detected.
- site liaison, wardening, incident reporting and response arrangements.
- detail of the skills and competencies required by those undertaking the management, surveillance or other works or activities including whether they require European Protected Species licenses for the activities proposed.
- Biennial surveillance and monitoring, with results uploaded into the Wales GCN Monitoring Scheme.
- Five-year reporting requirements associated with ecological surveillance and habitat management; and
- Periodic review mechanism for the Management Plan.

(iv) Timetable for implementation demonstrating that works are aligned with the proposed development

(v) Ecological Compliance Audit, including defined key performance indicators for each identified ecological feature to evidence compliant implementation of specified ecology proposals

(vi) Persons responsible for implementing the works

The Conservation Plan shall be carried out in accordance with the approved details[

Justification: To ensure that an approved Protected Species Conservation Plan is implemented, which protects GCN affected by the development.

Otter

Please see our comments in the protected sites section above, and we advise that the submission and implementation of Otter Reasonable Avoidance Measures is secured via Condition.

Water Vole

We advise that the surveys and assessments in respect of water vole are satisfactory when considered with extant information.

Biosecurity

We consider biosecurity to be a material consideration owing to the nature and location of the proposal. In this case, biosecurity issues concern invasive non-native species (INNS) and diseases.

We therefore advise that any consent includes the imposition of a condition requiring the submission and implementation of a Biosecurity Risk Assessment to the satisfaction of the LPA.

We consider that this assessment must include:

(i) appropriate measures to control any INNS on site; and

(ii) measures or actions that aim to prevent INNS being introduced to the site for the duration of construction and operational phases of the scheme.

Justification: To ensure that an approved Biosecurity Risk Assessment is implemented to secure measures to control the spread and effective management of any invasive non-native species at the site.

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

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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.