Ein cyf/Our ref: CAS-281151-L6L4
Eich cyf/Your ref: P/2024/1285

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 05 June 2025
05 June 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 21 May 2025.

We continue to 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 European Protected Species (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:

- NWS HQ Extension - Earthworks bunding proposal - north end, Net World Sports.NLD.003, Revision V3 dated 24/04/2025
- NWS HQ Extension - Earthworks bunding proposal - south end, Net World Sports.NLD.050, Revision V3, dated 24/04/2025
- NWS HQ Extension – Earthworks bunding proposals – before & after, Net World Sports.NLD.001 Revision V3, dated 24/04/2025

We welcome that three ponds have now been proposed in addition to the existing two ponds on site and that an existing ditch along the eastern boundary has been identified on the plans.

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. The tree planting is significantly less in area than that shown in Plan 2 of the Section 106 Agreement
b. The ecological area does not equate to the 51% site area as detailed in the Section 106

The on-site provision now proposed in this application is unclear in terms of extents shown in the various drawings of the Landscape and Ecological Management Plan (LEMP), (Reference 8304.010, Version 9 dated 20/05/2025, The Environment Partnership). The updated LEMP contains 4 drawings in appendix's H,I,J,K. The reference map on the four drawings show an extension to the eastern elevation of the existing headquarters building, and therefore it is unclear as to the total areas taken up by development and the area of mitigation land being provided for GCN. We presume this is an error and is related to the future extension of the site which is separate to this application and the strategic corridor of associated mitigation for the extension.

It therefore appears as if less than 51% is now proposed as mitigation land suitable for GCN, also with the removal of good quality habitat, i.e. the trees on the northern part of the site. We have concerns that the ecological provision in the revised proposals does not appear to accord with the specified requirements of habitat retention and creation. Clarification should be provided as to the total area and quality of the habitat being provided for mitigation land vs development land for this variation.

We have also reviewed the updated LEMP and note that Section 4.137 now refers to maintenance of the attenuation ponds and that inspections for invasive species will include fish. Section 4.141 states "*In the event invasive or harmful species are identified, a treatment plan will be drawn up; spot treatment or pulling by hand will be the preferred method. Any other remedial actions will be implemented accordingly*." We consider that insufficient information is provided in relation to what actions will be taken in the event of fish being found in the ponds and further details should be submitted in a revised LEMP.

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.