

Ein cyf/Our ref: CAS-250467-J9F8
Eich cyf/Your ref: P/2024/0117

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Date: 12 March 2024

Dear Sir/Madam,

PROPOSAL: ALTERATIONS TO EXISTING ACCESS, CONSTRUCTION OF ADDITIONAL CAR AND LORRY SPACES, SITING OF SECURITY GATE AND BARRIERS AND INSTALLATION OF NEW SECURITY GATE AND BARRIER TO EXISTING CAR PARK

LOCATION: Annyalla Chicks Uk Ltd, Abenbury Way, Wrexham Industrial Estate, Wrexham, LL13 9UZ

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 01 March 2024.

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 Species

Condition 2: Biosecurity

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

Protected Species

We note that the ecological report submitted in support of the above application (Emms, C and Barnett, L. (2024, Preliminary Ecological Appraisal: Abenbury Way, Wrexham Industrial Estate, Wrexham) has identified that protected species are not present within the application site.

We consider the assessment to be satisfactory in respect of bats, dormouse, otter and water vole.

In respect of Great Crested Newt (GCN), the Wrexham Industrial Estate and its environs is considered to support a nationally important population of GCN. GCN have previously been

recorded within 150m of the application site. No apparent consideration has been given to the subterranean behaviour of GCN.

GCN are protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended). We therefore advise that a condition should be attached to any planning permission to ensure appropriate avoidance measures. Provided those measures are implemented, we do not consider that the proposed development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Condition 1: No development shall take place until a GCN Reasonable Avoidance Measures scheme has been submitted to and approved in writing by the Local Planning Authority. The Reasonable Avoidance Measures (RAMs) shall include, but not necessarily be limited to:

- further details and associated plans concerning GCN avoidance and mitigation measures (prior to and throughout the duration of any work).

The Reasonable Avoidance Measures scheme shall be carried out in accordance with the approved details.

Justification: To ensure that an approved GCN Reasonable Avoidance Measures scheme is implemented, which protects GCN affected by the development.

NRW would refer the Local Authority to the Chief Planning Officer's letter dated 1 March 2018 which advises Local Planning Authorities to attach an informative regarding licence requirements to all consents and notices where European Protected Species are likely to be present on site.

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.

Condition 2: No development or phase of development, with the potential to impact on invasive species, shall commence until a Biosecurity Risk Assessment has been submitted to and approved in writing by the Local Planning Authority.

The Risk Assessment must include:

- (i) appropriate measures to control any INNS on site;
- (ii) measures or actions that aim to prevent INNS from being introduced to the site for the duration of construction and operational phases of the scheme. The Biosecurity Risk Assessment shall be carried out in accordance with the approved details.

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.

Protected Sites

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.

However, recognising the specific nature of the application submitted, we are satisfied that it is unlikely to increase the amount of phosphorus 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.

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.

Yours faithfully,

Tristan Williams

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.