

Ein cyf/Our ref: CAS-242509-N5V2
Eich cyf/Your ref: P/2023/0720

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 30 November 2023

Annwyl Syr/Madam/Dear Sir/Madam,

**BWRIAD/PROPOSAL: ADEILADU PWLL BYWYD GWYLLT A THIRLUNIO
CYSYLLTIEDIG / CONSTRUCTION OF WILDLIFE POND AND ASSOCIATED
LANDSCAPING**

**LLEOLIAD/LOCATION: LAND NORTH OF BRYN LANE WREXHAM INDUSTRIAL
ESTATE WREXHAM**

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 13 November 2023.

We have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should seek further information from the applicant regarding protected species. If this information is not provided, we would object to this planning application. Further details are provided below.

Protected Species

We have reviewed the following ecology reports submitted in support of the application:

- Tucker, C. (2023). Land North of Bryn Lane – Pond Application Habitat Management Plan, reference: 9134.017, The Environment Partnership
- Application Technical Note, reference 9134.020
- Proposed Wildlife Pond Details – drawing reference D9134.001C
- Phase 1 Habitat Survey – Pond Proposals, drawing reference G9134.035A
- Proposed Site Plan, reference G9134.037
- Great Crested Newt Survey Results – drawing reference G9134.034A

We note that the cover letter for this application, dated 05 October 2023 explains that this application is for the creation of a wildlife pond and wildlife area to replace a pond (Pond 1, drawing G9134.034A) that has recorded positive GCN eDNA records that would be lost

through the development proposed under a separate, adjacent application (reference P/2023/0497). It is also noted that the proposed removal of Pond 1 is to be considered under application reference P/2023/0497.

GCN and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended), and they are classed as a material consideration for planning under the provisions of Technical Advice Note 5: Nature Conservation and Planning (TAN5).

We advise that insufficient information has been submitted to fully assess the potential effects on Great Crested Newts (GCN), and how any effects will be avoided or mitigated. Further information should be submitted regarding how the proposed site layout for the wildlife pond and associated terrestrial habitat relates to the proposed site layout under application reference P/2023/0497, and in particular Unit 2 within that application.

Currently the submitted Location Plan (reference G9134.036) and Proposed Site Plan (reference G9134.037) do not align and appear offset by up to 30m. We therefore have concerns that the building and associated hardstanding detailed for 'Unit 2' within application reference P/2023/0497 may encroach into the proposed wildlife area. Further information should be submitted to confirm that there would be no encroachment into the wildlife area or pond from development associated with the P/2023/0497 application.

In the meantime, we are unable to give you any assurance that the proposal would not be likely to be detrimental to the maintenance of the GCN population at a favourable conservation status in its natural range.

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 (e.g., Chytrid).

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: No development, including site clearance, shall commence until a Biosecurity Risk Assessment, and Method Statement that considers invasive non-native species and specific diseases (e.g. Chytrid) 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 prevent or control the spread and effective management of any invasive non-native species and listed diseases at the site.

Foul Drainage and 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](#) (August 2023), under the Habitats Regulations, Planning Authorities must consider the phosphorus impact of proposed developments on water quality within SAC river catchments.

However, the application as submitted 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.

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.