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Wrexham County Borough Council,  
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22/08/2022

Annwyl Syr/Madam / Dear Sir/Madam,

**BWRIAD / PROPOSAL: AMRYWIO AMOD 3 CANIATAD CYNLLUNIO P/2016/0809 I YMESTYN TERFYN AMSER AR GYFER CYCHWYN DATBLYGIAD / VARIATION OF CONDITION 3 OF PLANNING PERMISSION P/2016/0809 TO EXTEND THE TIME LIMIT FOR COMMENCEMENT OF DEVELOPMENT**  
**LLEOLIAD / LOCATION: Land To The South Of The Black Horse, High Street, Rhostyllen, Wrexham, LL14 4AG (V.O.C. 3)**

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 10/08/2022.

**We have no objection to the proposed development as submitted and provide the following advice.**

### **Protected Sites and Foul Drainage**

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 21<sup>st</sup> 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.

We note this is a section 73 application to vary condition 3 of planning permission P/2016/0809. As such, even though the development proposed was judged to be acceptable in principle when the original permission was granted, that decision predates the publication of our evidence package. We therefore advise that you will need to consider the implications of this as part of your determination of this application. For further information, please refer to our Planning Advice. Ultimately, it is for your Authority to consider to what

extent you treat this advice as a material consideration in the context of the current application. If you determine that NRW's Planning Advice is a material consideration to this s73 application, then you will need to consider the Habitats Regulations and screen the proposal accordingly.

## **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