Cyfoeth Naturiol Cymru
Natural Resources Wales

Ein cyf/Our ref: CAS-283999-L8N5
Eich cyf/Your ref: P/2025/0510

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Date: 24 July 2025

Dear Sir/Madam,

PROPOSAL: CHANGE OF USE OF LAND FROM AGRICULTURAL TO RESIDENTIAL TO INCLUDE SITING OF MOBILE HOME DWELLING, DRAINAGE, PARKING, DRIVEWAY AND ACCESS

LOCATION: MOSS BANK FARM, BORRAS ROAD, BORRAS, WREXHAM, LL13 9TN

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 04 July 2025.

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 foul drainage. If this information is not provided, we would object to this planning application. Further details are provided below.

We also advise that based on the information submitted to date, the documents identified below should be included in the approved plans and documents condition on the decision notice. Without the inclusion of these documents we would object to this planning application.

- Bat Activity Surveys and Reasonable Avoidance Measures for Great Crested Newts at Moss Bank Farm, Borras Road, Borras Head, Wrexham. LL13 9TN, Susan Worsfold, 09/07/21
- Worsfold,. S. (2025). Ecology Update for Moss Bank farm, Borras, LI13 9TN. Susan Worsfold. (Unpublished)

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

Protected Sites

Foul drainage

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. 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 from the information submitted that a new package treatment plant (PTP) is to be installed to provide foul drainage. The development therefore has the potential to increase the amount of nutrients being discharged from the site.

While we note that the application form for the current proposal states that a new PTP will be installed, the submitted percolation test results (Blue Print Architectural Services SO93/002, dated 2021) appear to be identical to those submitted for the adjacent planning application P/2021/0288. We therefore advise that you clarify whether the proposed development will connect to the PTP associated with application P/2021/0288, or whether a new PTP system is to be installed as indicated on the application form.

As such, we refer you to our Advice and advise you to seek further information from the applicant as identified in the sections titled *'What does this mean for development proposals involving private sewage treatment systems'* or *'Can additional wastewater be discharged to existing private sewage treatment systems?'* of that Advice.

Ultimately, the suitability of foul drainage arrangements for the proposed development is a matter for your Authority to determine. We therefore advise you to take the above into account in your determination of whether the development is likely to have a significant effect on the SAC. Should you determine that an Appropriate Assessment is required, the Applicant will then need to submit whatever evidence they deem appropriate (seeking advice from consultants as may be necessary) to demonstrate no adverse effect on site integrity.

Protected Species

Great Crested Newts

We have reviewed the following information which has been submitted in support of the application:

- Worsfold,. S. (2025). Ecology Update for Moss Bank farm, Borras, LI13 9TN. Susan Worsfold. (Unpublished)
- Bat Activity Surveys and Reasonable Avoidance Measures for Great Crested Newts at Moss Bank Farm, Borras Road, Borras Head, Wrexham. LL13 9TN, Susan Worsfold, 09/07/21

The information has identified that great crested newts (GCN) are material to the application site.

GCN and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended) and Schedule 5 of the Wildlife and Countryside Act 1981. Where GCN are present and a development proposal is likely to contravene the legal protection, they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three requirements set out in the legislation. A licence may only be authorised if:

i. The development works to be authorised are for the purpose of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment;
ii. There is no satisfactory alternative; and,
iii. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

To avoid developments with planning permission subsequently not being granted a licence, the Local Planning Authority should take Planning Policy Wales and Technical Advice Note 5 into account when considering development proposals where a European Protected Species is present.

Please note, for the purposes of providing advice at the planning application stage, our comments are limited to the third test "demonstration of no detriment to the maintenance of the favourable conservation status of European protected species". We advise that before any consent is given, as informed by the provisions of Regulation 9 of the Conservation of Habitats and Species Regulations 2017 (as amended) the LPA satisfy itself as to whether the scheme satisfies the other two tests, namely a relevant Habitats Regulations purpose and whether there is no satisfactory alternative to the proposal.

We consider that the above reports provide an adequate basis upon which to consider the potential impacts of the scheme on this species and inform the decision-making process.

Therefore, we advise that the following documents are included in the approved list of plans / documents condition within the decision notice:

- Bat Activity Surveys and Reasonable Avoidance Measures for Great Crested Newts at Moss Bank Farm, Borras Road, Borras Head, Wrexham. LL13 9TN, Susan Worsfold, 09/07/21
- Worsfold,. S. (2025). Ecology Update for Moss Bank farm, Borras, Ll13 9TN. Susan Worsfold. (Unpublished)

Please note, any changes to plans between planning consent and a licence application may affect the outcome of the licence application.

Other Matters

The advice in this letter relates to matters which are included on our consultation topics list. We do not rule out the potential for the proposed development to affect other environmental interests that are not included on this list.

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,

Ruth Prichard
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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.