Cyfoeth Naturiol Cymru
Natural Resources Wales

Ein cyf/Our ref: CAS-284343-L5C1
Eich cyf/Your ref: P/2025/0525

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 30 July 2025

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: EXTENSION TO EXISTING CAR PARK, INSTALLATION OF A FARM SHOP WITHIN A CONVERTED SHIPPING CONTAINER, OUTDOOR SEATING AREA AND PLANTING AND LANDSCAPING

LLEOLIAD/LOCATION: LAND AT, ROSSETT ROAD, COMMONWOOD, HOLT, WREXHAM, LL12 0BN

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 10 July 2025.

We have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following condition to any planning permission granted:

Condition 1: Protected Species

We also advise that based on the information submitted to date, the document identified below should be included in the approved plans and documents condition on the decision notice.

Approved Document:

- **Great Crested Newt Management Plan, Lower Park Farm, reference: UES04733/07, dated 30/06/2025**

Without the inclusion of this condition and document we would object to this planning application.

Protected Species

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

- Great Crested Newt Impact Assessment, Lower Park Farm – Phase 2, reference: UES04733/05, dated 30/06/25, United Environmental Services Ltd.
- Great Crested Newt Management Plan, Lower Park Farm, reference: UES04733/07, dated 30/06/25

The information has identified that great crested newts (GCN) are material to the application site. Section 4.1 of the GCN Impact Assessment states that "*Pond 1 achieved a HSI score of 0.75, which indicates the pond is of 'good' suitability to support breeding GCNs*", Section 3.2.1 confirms that pond 1 is approximately 130m southwest of the application site and within a fenced section of the same pasture field.

Section 3.1.2 of the GCN Impact Assessment also states: "*High quality habitats, such as hedgerows, woodland, scattered trees and waterbodies are also scattered throughout the wider landscape. These habitats have potential to support foraging, commuting and breeding GCN*."

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.

However, while Section 5 of the GCN Impact Assessment provides some reasonable avoidance measures in respect of GCN, there is no information regarding fencing to prevent GCN accessing the site during the site clearance and construction phases.

We therefore advise that further information is required to manage the potential impacts of the scheme on GCN. However, we would be content for this further information to be provided via a suitably worded condition.

We therefore advise the following condition in respect of GCN is included on any permission granted.

Condition: No development *or* phase of development, including site clearance, shall commence until a Great Crested Newt (GCN) plan of reasonable avoidance measures has been submitted to and approved in writing by the Local Planning Authority. The plan of reasonable avoidance measures should include, but not necessarily be limited to:

- Build upon the principles outlined within the GCN impact Assessment, Lower Park Farm – Phase 2, reference: UES04733/05, dated 30/06/25, United Environmental Services Ltd
- fence design, construction and maintenance (the erection of a one-way amphibian fence, prior to and throughout the duration of construction operations)
- details of timing, phasing and delivery of reasonable avoidance measures

The plan of reasonable avoidance measures shall be carried out in accordance with the approved details.

Justification: To ensure that GCN are protected by the development.

Section 1.2 of the GCN Management Plan states that the works on site comprise two phases:

- *Phase 1 was the creation of hardstanding and a 2m wide educational trail/agricultural track. Planning permission was granted retrospectively by Wrexham County Borough Council on 13th March 2025 (P/2024/1167) for this phase of the development.*
- *Phase 2 is for an extension to the existing car park, installation of a farm shop within a converted shipping container, outdoor seating area, and landscaping.*

We consider that the GCN Management Plan provides an adequate basis upon which to consider the potential impacts of the scheme on GCN and inform the decision-making process in relation to Phase 2 of the proposed works.

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

- Great Crested Newt Management Plan, Lower Park Farm, reference: UES04733/07 dated 30/06/2025

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). 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.

However, recognising the specific nature of the application submitted, we are satisfied that there is unlikely to be a source of additional nutrients and/or a pathway for impacts. As such, in our opinion, it would be reasonable for your Authority to screen out this proposal as not

likely to have a significant effect on the River Dee and Bala Lake SAC in relation to nutrient inputs.

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.

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.