Cyfoeth Naturiol Cymru
Natural Resources Wales

Ein cyf/Our ref: CAS-285033-Z1V2
Eich cyf/Your ref: P/2024/1689

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 31 July 2025

Annwyl Syr/Madam/Dear Sir/Madam,

**BWRIAD/PROPOSAL: AMRYWIO AMODAU 1, 2, 11 A 22 CANIATÂD CYNLLUNIO P/2019/0647 I YMESTYN TERFYN AMSER AR GYFER CYCHWYN DATBLYGIAD, DIWYGIO DYLUNIAD, DIWYGIO GEIRIAD AMOD 11 A DIWYGIO MANYLION ECOLEG / VARIATION OF CONDITIONS 1, 2, 11 AND 22 OF PLANNING PERMISSION P/2019/0647 TO EXTEND TIME LIMIT FOR COMMENCEMENT OF DEVELOPMENT, AMEND DESIGN, AMEND WORDING OF CONDITION 11 AND AMEND ECOLOGY DETAILS**

**LLEOLIAD/LOCATION: LOWER FARM, BOWLING BANK, WREXHAM, LL13 9RY**

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 22 July 2025.

**We have no objection to the variation of Conditions 11 and 22. We have no comment on the variation of Conditions 1 and 2.**

**Condition 11 - 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 this is an application to vary conditions 1, 2, 11 and 22 of planning permission P/2019/0647. 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 river SAC Advice. 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 Advice.

We also advise that your Authority considers the Court of Appeal's recent judgment in *C G Fry & Son Ltd v SSHCLG* [2024] EWCA Civ 730). The implication of the Fry judgement is that where there is an application relating to an implementing decision under a planning permission, a Habitats Regulations Assessment (HRA) may need to be carried out in respect of the project. We suggest you seek your own expert advice on this matter, to properly inform your determination of the application as submitted.

Ultimately, it is for your Authority to consider to what extent the above is a material consideration in the context of the current application. If you determine that NRW's Advice is a material consideration to this application, then you will need to consider the Habitats Regulations and screen the proposal accordingly.

**Condition 22 - Ecology**

We have reviewed the submitted updated bat report (reference: Jones, B. (2025), Bat Survey Results at Lower Farm Barns, Bowling Bank, Wrexham, LL13 9RY, by Ben Jones Ecology) and consider it to be satisfactory for the purposes of varying condition 22 for the above proposal.

**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,

**Ruth Prichard**
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.