Cyfoeth Naturiol Cymru
Natural Resources Wales

Ein cyf/Our ref: CAS-284441-M0J5
Eich cyf/Your ref: P/2025/0527

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 06 August 2025

Annwyl Syr/Madam/Dear Sir/Madam,

**BWRIAD/PROPOSAL: CODI ADEILAD ATEGOL (DOSBARTH B2 - DIWYDIANNOL CYFFREDINOL) AR LAWR CALED/ERECTION OF AUXILIARY BUILDING (CLASS B2 - GENERAL INDUSTRIAL) ON EXISTING HARDSTANDING**

**LLEOLIAD/LOCATION: ARDAGH METAL BEVERAGE, BRIDGE ROAD NORTH, WREXHAM INDUSTRIAL ESTATE, WREXHAM, LL13 9PS**

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 11 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**

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

**Protected Species**

No ecological information has been submitted in support of this application. There are multiple records of Great Crested Newt (GCN), a European Protected Species, within 250m of the application site. The neighbouring site to the west supports a long-term GCN mitigation area and is subject to long-term GCN surveillance. The overall population of GCN present within and in the environs of the Wrexham Industrial Estate is considered to be of national importance. Therefore, there is a reasonable likelihood of GCN being present on 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 compliance with 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 therefore advise that further information is required to manage the potential impacts of the scheme on this species. However, we would be content for this further information to be provided via a suitably worded condition.

We therefore advise the following conditions in respect of GCN are included on any permission granted.

Condition 1: No development, including site clearance, shall commence until a 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:

- proposals for the clearance of GCN individuals from working areas,
- 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.

**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.