Cyfoeth Naturiol Cymru
Natural Resources Wales

Ein cyf/Our ref: CAS-286212-M4G5
Eich cyf/Your ref: P/2025/0471

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 12 September 2025

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: TRAWSNEWID ADEILADAU AMAETHYDDOL I 1 ANNEDD, ADEILADU GAREJ A TIRLUNIO / CONVERSION OF AGRICULTURAL BUILDINGS TO 1 DWELLING, ERECTION OF GARAGE AND LANDSCAPING

LLEOLIAD/LOCATION: LOWER RACKERY, DARK LANE, BURTON, ROSSETT, WREXHAM, LL12 0AG

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the additional information for the above, which we received on 03 September 2025.

We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome if the document identified below is included in the approved plans and documents condition on the decision notice:

Approved Document: Statement of Reasonable Avoidance Measures (RAMs) for Great Crested Newt, Richard Roe, 22/08/2025

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

Protected Species

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

- Statement of Reasonable Avoidance Measures (RAMs) for Great Crested Newt, Richard Roe, 22/08/2025

Our records indicate that GCN have been record in the vicinity of 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 3rd 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 report provides 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 document is included in the approved list of plans / documents condition within the decision notice: Statement of Reasonable Avoidance Measures (RAMs) for Great Crested Newt, Richard Roe, 22/08/2025.

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.

You may wish to refer to our Advice regarding *' What development proposals are unlikely to increase nutrient levels within a river SAC'* to secure details regarding the proposed systems' compliance with BS 6297:2007+A1:2008.

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.