Cyfoeth Naturiol Cymru
Natural Resources Wales

Ein cyf/Our ref: CAS-288519-N5Y6
Eich cyf/Your ref: P/2025/0685

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Date: 06 October 2025

Dear Sir/Madam,

PROPOSAL: ERECTION OF STORAGE BUILDING CLASS - B8 (STORAGE AND DISTRIBUTION)

LOCATION: UNIT 47 AND 48, CLYWEDOG ROAD NORTH, WREXHAM INDUSTRIAL ESTATE, WREXHAM, LL13 9XN

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 16 September 2025.

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

Condition 1-3: Land Contamination
Condition 4: European Protected Species

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

Land Contamination

The application site is suspected to have land affected by historic contamination.

We have some concerns about the lack of detail on the groundworks, which are described by the supplier as requiring further investigation to determine ground characteristics. The options for groundworks range from simple steel pilings to the insertion of concrete pillars. Our concern is the potential for the creation of new pollutant linkages. We also note that it is not clear from the submitted documents how surface water runoff will be dealt with.

We note from a previous case on site (ref: P/2022/1052) that the need for an intrusive phase of investigation had been identified by the applicants' consultant. Whether or not this further

site investigation would be deemed as material to managing the risks for this application e.g. erection of a temporary building is up to your Local Authority to decide.

We therefore advise that you include the following conditions on any planning permission granted:

Condition 1: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Justification**:** To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks

Condition 2: No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Justification: To prevent both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution.

Condition 3: No development shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation details shall be implemented in accordance with the approved details.

Justification: The piling/foundation details should be submitted to ensure there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development or phase of development.

Land Contamination Advice to the Applicant:

Natural Resources Wales recommends that developers should:

1. Follow the risk management framework provided in Land contamination risk management (LCRM)
2. Refer to 'Development of land affected by contamination: A guide for developers' (WLGA, 2023) for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
3. Refer to our groundwater protection advice on www.gov.uk.

Protected Species

We note there are multiple records of great crested newts (GCN), a European Protected Species near to the site and 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 only.

No information about this species has been submitted with the application. We therefore consider that there is currently insufficient information to assess the potential impacts of the proposal on GCN. We understand the proposal is for a temporary structure. However, we advise that further information is required to manage the potential impacts of the scheme. In this instance, 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 4**:** No 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:

- The submission of details and plans concerning GCN reasonable avoidance and mitigation measures including:
- Fence design, construction and maintenance (the erection of a one-way amphibian fence/alternative barrier on hardstanding, prior to and throughout the duration of construction operations)
- Proposals for the clearance of individuals from working areas,
- details of timing, phasing and delivery of reasonable avoidance measures

- Biosecurity measures which consider invasive non-native species and specific diseases (e.g., Chytrid) to prevent the introduction of and where present control, removal or for the long-term management of invasive species both during construction and operation.

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

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 e.g. erection of a temporary storage building for commercial use with no proposed connection to foul drainage, 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,

Shaun Thomas
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.