Cyfoeth Naturiol Cymru
Natural Resources Wales

Ein cyf/Our ref: CAS-290038-Y7G1
Eich cyf/Your ref: P/2025/0697

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Date: 28 October 2025

Dear Sir/Madam,

PROPOSAL: Hybrid Planning Application: A) Full Planning Permission For Change Of Use Of Warehouse To Class B2 (Brewery) And The Change Of Use Of Building To A Museum/Taproom/Restaurant/Shop, And B) Outline Planning Permission For A New Commercial Office Building, Creation Of Public Realm And Landscaping, Accessibility Improvements Including New Highway Infrastructure And Pedestrian Footbridge, Parking Facilities And Coach/Taxi Drop Off (Some Matters Reserved)

LOCATION: Land At Wrexham General Railway Station, Station Approach, Wrexham, Ll11 2aa

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 11 October 2025.

We have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should seek further information from the applicant regarding protected sites and protected species. If this information is not provided, we would object to this planning application. Further details are provided below.

We also advise that based on the information submitted to date, conditions regarding contamination should be attached to any planning permission granted. Without the inclusion of these conditions we would object to this planning application.

Protected Species

1. Bats

We have concerns about the above proposal and advise that further information is submitted in support of the application to assess the impacts of the proposal on bats, as

European Protected Species. Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended).

We have reviewed the following information submitted in support of the application: Futures Ecology (July 2025) Ecological Impact Assessment

We note that the submitted report has identified that bats may be present at the application site. However, section 5.39 Buildings B1 and B2 are classified as having moderate and low bat roosting potential respectively and, as such, the presence of a bat roost cannot be ruled out at this stage. Therefore, B1 and B2 will be subject to further survey work to ascertain presence or likely absence of a bat roost. We concur with this advice.

We advise that the additional survey work recommended in the report is undertaken and results submitted prior to determination of the application. Surveys should be undertaken in accordance with published best practice. If evidence of bat use is found, suitable avoidance, mitigation or compensation measures should also be provided as appropriate to the species and their use of the site.

Based on the application, as submitted, we are unable to provide your Authority with any assurance that the proposal would not be likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

2. Great Crested Newt

We note that the Futures Ecology (July 2025) Ecological Impact Assessment) submitted in support of the above application has identified great crested newts (GCN) to be material to the application site. Section 5.52 “Given the suitable connective habitat between the waterbody and the application site permission was sought to undertake an eDNA assessment on P1 to determine presence or likely absence of GCN.” Findings of this are required.

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.

We consider that there is currently insufficient information to assess potential effects of the proposal on any GCN that may be present. We concur with the recommendations of the ecological report that further information is required to inform the planning application.

We therefore advise that the information as set out in Section 5.52 of the above report is submitted to assess the impact of the scheme on GCN and any conservation measures required. This must demonstrate that the proposed development would not be likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Protected Sites – 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… under the Habitats Regulations, Planning Authorities must consider the impact of proposed developments on water quality within SAC river catchments.

The proposed development could potentially lead to an increase of phosphorus load from the receiving wastewater treatment works into the River Dee and Bala Lake Special Area of Conservation. The majority of the River Dee catchment in Wales is currently failing to meet water quality targets for phosphorus. The nutrient impacts of new connections need to be considered on a case-by-case basis within the Habitats Regulations Assessment process. Whilst NRW permitting service has completed a Review of Water Company Discharge Permits we are currently undertaking further data analysis for the River Dee following a number of enquiries and questions from stakeholders and several ongoing Appeals. We will be able to provide further advice to your Authority once we have concluded the review.

Contamination

We have reviewed the following information:

Wrexham Gateway, Wrexham Sites A and B (Application Site) – Phase 1 Desk Study. Civic Earth, Report Reference 51146-CE-XX-XX-R-G-1001, Status P01 – Issue 1, July 2025.

Potential for land contamination

We have reviewed the desk study and agree that site investigation and risk assessment with respect to controlled waters is required; this is due to the previous historical land uses. We note that fuel tanks have been identified on site which need focused targeted site investigation that includes above ground and below ground tanks. We recommend these are removed from site.

To ensure this site investigation works are completed, we request the following suite of land contamination conditions and informative be imposed on any planning permission granted.

In addition to the planning conditions, Environmental Permits from NRW may be required (during construction and operation) and we recommend early consultation with the relevant permitting teams to ensure all permits are in place prior to commencement of development.

Condition 1: No development, of land known to be / suspected of contamination, shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.

1. A preliminary risk assessment which has identified:

    - all previous uses
    - potential contaminants associated with those uses
    - a conceptual model of the site indicating sources, pathways and receptors
    - potentially unacceptable risks arising from contamination at the site

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Justification: To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination.

Condition 2: Prior to the operation of the development a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

Justification: To ensure the methods identified in the verification plan have been implemented and completed and the risk associated with the contamination at the site has been remediated prior to occupation or operation, to prevent both future users of the land

and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Condition: Prior to the occupation or operation of the development, a long-term monitoring plan for land contamination shall be submitted and approved in writing by the Local Planning Authority. The long-term monitoring plan should include:

- Details of the methods and triggers for action to be undertaken.
- Timescales for the long-term monitoring and curtailment mechanisms e.g. a scheme of monitoring for 3 years unless the monitoring reports indicate that subsequent monitoring is or is not required
- Timescales for submission of monitoring reports to the LPA e.g. annually
- Details of any necessary contingency and remedial actions and timescales for actions
- Details confirming that the contingency and remedial actions have been carried out.
- The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

Justification: A long-term monitoring plan should be submitted prior to occupation or operation, to ensure necessary monitoring measures are approved to manage any potential adverse impacts as a result of development on controlled waters.

Condition 3: 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.

Informative/ advice to LPA

These conditions has been recommended as Natural Resources Wales is satisfied that there are generic remedial options available to deal with the risks to controlled waters posed by contamination at this site. However, further details will be required in order to ensure that risks are appropriately addressed prior to development commencing.

In line with the advice given in Planning Policy Wales we understand that the Authority must decide whether to obtain such information prior to determining the application or as a condition of the permission. Should the LPA decide to obtain the necessary information under condition we would request that this condition is applied.

Informative/ advice to applicant

Natural Resources Wales recommends that developers should:

- Follow the risk management framework provided in Land contamination risk management (LCRM)
- Refer to 'Land Contamination: a guide for developers (WLGA, 2017) 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.
- Refer to our groundwater protection advice on www.gov.uk

Informative/ advice to applicant

The treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an environmental permit.

Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, Natural Resources Wales should be contacted for advice at an early stage to avoid any delays.

Drainage

We note foul water will be disposed of to the existing local mains sewer network. For surface water runoff the proposed disposal appears to be via infiltration methods, we recommend site investigation to make sure the ground conditions are suitable for coping with the required volumes to be disposed of and that infiltration is away from areas where historical contamination was present to reduce the risk of mobilisation.

If the ground is not suitable and alternative disposal methods are proposed, please reconsult us for further representations

Condition 4: 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 pollution to the water environment.

Permitting Advice

The applicant/ operator will need to review the permitting guidance for installations on NRW's website.

Natural Resources Wales / Find out if you need an Environmental Permit for your installation

Depending on the scale of operations and proposed activities, an environmental permit may be required.

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 about the above, please do not hesitate to contact us.

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.