Cyfoeth Naturiol Cymru
Natural Resources Wales

Ein cyf/Our ref: CAS-289558-R3V1
Eich cyf/Your ref: P/2024/1692

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 29 October 2025

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: Dymchwel Capel Engedi ac Eglwys Fethodistaidd Brymbo a chodi 16 o fflatiau / Demolition of Engedi Chapel and Brymbo Methodist Church and erection of 16 apartments

LLEOLIAD/LOCATION: Engedi Chapel and Brymbo Methodist Church, High Street, Brymbo, Wrexham, LL11 5BL

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the additional information for the above, which we received on 06 October 2025.

We continue to 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 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 protected species should be attached to any planning permission granted. Without the inclusion of these conditions we would object to this planning application.

We also advise that further consideration is required regarding foul drainage. Further details are provided below.

Protected Species

We have reviewed the following documents submitted in support of this application:

- Boyett, L. (2024) Brymbo Methodist Church and Engedi Chapel, Brymbo: Bat Mitigation Strategy, Reference 4159b.24.LB, Enfys Ecology.

- Boyett, L. (2024) Brymbo Methodist Church and Engedi Chapel, Brymbo: Preliminary Roost Assessment and Emergence Surveys, Reference 4159b.24.LB, Enfys Ecology

We note that the aforementioned ecology reports submitted in support of the above application have identified that bats are present at the application site. Species of bats recorded at the site include lesser horseshoe, common pipistrelle, soprano pipistrelle, myotis species and brown long-eared bats. From the information submitted, we consider that the proposed development represents a higher risk for bats, as defined in our guidance document '*Natural Resources Wales Approach to Bats and Planning* (2015)'.

Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). Where bats 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 tests set out in the Regulations (Please also refer to Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning). Please note, for the purposes of providing advice at the planning application stage, our comments are limited to the test relating to "demonstration of no detriment to the maintenance of the favourable conservation status of European protected species".

Based on the information submitted to date, we are unable to advise your Authority 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.

We note the comments submitted by your ecologist dated 01/10/2025 regarding the importance of this roost in terms of the eastern range of Lesser Horseshoe Bats and concur that this location could be a maternity roost and is therefore of conservation importance.

Following review of additional information and comments provided by your ecologist via email dated 01/10/2025 we advise that a revised report and compensation measures are submitted prior to determination to inform the decision-making process as detailed below:

- We note that the emergence surveys referred to in the Preliminary Roost Assessment and Emergence Surveys report were carried out in 2023. We recommend that additional emergence surveys should be carried out at the site as the existing survey data is now over 2 years old.
- Your ecologist raised concerns in relation to the potential for a small maternity colony at the site and that the submitted reports do not rule out this possibility therefore additional survey is also required with regard to this aspect.
- Whilst a temporary roost is proposed and previously considered acceptable, we share the concerns raised by your ecologist that there is potential for the temporary roost to be on site for a long time if the main development stalls. We therefore recommend that alternative provisions are considered such as the construction of a permanent block/brick built stand-alone compensatory roost in place of the currently proposed wooden temporary structure.

In addition to the submission of the further information detailed above, we also recommend the following conditions should be attached to any permission granted:

Condition 1: No development, including site clearance, shall commence until a Bat Conservation Plan has been submitted to and approved in writing by the Local Planning Authority. The Conservation Plan should build upon the principles outlined in the submitted ecology reports and include, but not necessarily be limited to:

- Details of timing, phasing and duration of construction activities and conservation measures.
- Predicted micro-climate within the proposed compensation roosts.
- Timetable for implementation and demonstrating that works are aligned with the proposed phasing of the development.
- Measures to prevent incidental capture or killing of bats.
- Persons responsible for implementing the works.
- Biosecurity measures.
- Post-construction monitoring and record dissemination for a period of not less than 5 years.
- Submission of a long-term site maintenance and management plan (for a duration of not less than 25 years*) that includes:
    a) defined aims and objectives (including targets that can be used as key performance indicators for monitoring purposes);
    b) Habitat management and roost maintenance prescriptions.
    c) site liaison, wardening, incident reporting and response arrangements;
    d) detail of the skills and competencies required by those undertaking identified works (including building maintenance) or activities (including surveillance) including whether they require European Protected Species licenses for the activities proposed;
    e) Surveillance and monitoring proposals methodologies and reporting requirements. This to include specified target environmental conditions within the bat compensation areas ; and
    f) Periodic review mechanism for the Management Plan.

The Conservation Plan shall be carried out in accordance with the approved details.

Condition: Prior to installation a Lighting Plan has been submitted to and approved in writing by the Local Planning Authority. This Lighting Plan shall consider existing and proposed lighting together with any spillage originating from internal light sources including:

- Details of lighting to be used during and post-construction
- Plans illustrating the location and type of lighting
- Plans illustrating projected or retained bat emergence points; together with retained or proposed features planned to be functionally used by bats for foraging/dispersal purposes
- Provisions of the scheme shall accord with the provisions of the Institution of Lighting Professionals and Bat Conservation Trust: Guidance Note 08/23 Guidance Note 8 Bats and Artificial Lighting | Institution of Lighting Professionals

We also advise that any subsequent consent is subject to the provisions of a planning obligation as noted below:

Planning Obligation: A Planning Obligation Section 106 Agreement (as opposed to a Unilateral Undertaking) will be required. We advise that in respect of any such agreement, provisions relating to ecology include:

- defined commuted sum and/or requirement for index linked ground rent service charges to include ecological management, maintenance of dedicated bat roost(s), surveillance and wardening in perpetuity (a costed management plan will be required);
- inclusion of a mechanism for the management and maintenance plan to be reviewed periodically (5 years is advised);
- Tenure and any proposed changes to tenure shall be carried to the satisfaction of the LPA in consultation with NRW to ensure the implementation of long-term measures is secure. (We advise that this is informed by the definition of a "responsible body" under Part 7 of the Environment Act 2021);.
- Restrictions on the occupation of any of the flats until actions including land transfer identified in (c) have been implemented to the satisfaction of the LPA;

NRW would refer the Local Authority to the Chief Planning Officer's letter dated 01 March 2018 which advises Local Planning Authorities to attach an informative regarding licence requirements to all consents and notices where European Protected Species are likely to be present on site.

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.

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.

Contaminated Land

We consider that the controlled waters at this site are not of the highest environmental sensitivity, therefore we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site.

These comments are based on our assumption that gross contamination is not present at this location. If, during development, gross contamination is found to be present at the site you may wish to re-consult us.

We recommend that developers should:

- Follow the risk management framework provided in Land contamination risk management (LCRM)

- 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.
- Refer to our groundwater protection advice on www.gov.uk

Landfill

According to our records the proposed development site is located near to land that is, or has been, used for the deposition of waste material. We would therefore advise you to consult with the local authority's Environmental Health and Building Control Departments, as they may hold detailed records, and may wish to make appropriate recommendations in respect of landfill gas investigation/remedial work. The developers should be made aware of the existence of the landfill site(s) so that they can decide whether or not to make their own investigations into the presence of landfill gas. It should also be noted that Waste Management Paper 27 states "It has been found that many sites which have taken only supposedly 'inert' waste have produced gas".

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

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.