

Ein cyf/Our ref: CAS-289100-P7C1
Eich cyf/Your ref: P/2023/0497

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 07 November 2025

Dear Sir/Madam,

BWRIAD/PROPOSAL: HYBRID APPLICATION SEEKING: FULL PLANNING PERMISSION FOR THE DEMOLITION OF EXISTING BUILDINGS, THE ERECTION OF BUILDINGS FOR CLASS B1, B2 AND B8 USE AND FORMATION OF VEHICULAR ACCESS; AND OUTLINE PLANNING PERMISSION FOR THE ERECTION OF BUILDINGS FOR CLASS B1, B2 AND B8 USE AND RETAIL, DRIVE THRU, HOTEL AND PETROL FILLING STATION (CLASSES A1, A3, C1 AND SUI GENERIS AND ASSOCIATED INFRASTRUCTURE (ALL MATTERS RESERVED)

LLEOLIAD/LOCATION: Land North Of, Bryn Lane, Wrexham Industrial Estate, Wrexham, LL13 9US

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the additional information for the above, which we received on 03 October 2024.

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 foul drainage, protected species and contaminated land. 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 and contaminated land should be attached to any planning permission granted and the document identified below should be included in the approved plans and documents condition on the decision notice. Without the inclusion of these conditions and document we would object to this planning application.

Approved Document: Biosecurity Risk Assessment, February 2024, reference 9134.021
Version 1, The Environment Partnership

Foul Drainage and 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. We therefore advise you to consider whether the proposals, as submitted, would increase the volume of foul discharge from the site in planning terms.

We note the report (Harrison, A., Technical Note: Phosphate Assessment, Reference TE1624-TE-00-XX-TN-GE-002-V02, June 2023, Tier Environmental Ltd) submitted in support of the application. Section 2.6 of the report confirms that a connection to the existing Dŵr Cymru/Welsh Water (DCWW) Five Fords Wastewater Treatment Works (WwTw) is proposed. However, Section 6 of the report states that DCWW have confirmed that Five Fords WwTW is unlikely to have sufficient headroom to accommodate the development. If it is confirmed that connection to the mains system is not feasible, the report states that an on-site wastewater treatment system has been designed in order to treat foul drainage on site, which would ultimately discharge via a pumping station into an existing ditch.

Section 6.6.21 of Planning Policy Wales states 'Any development discharging domestic sewage should connect to the foul sewer where it is reasonable to do so. Development proposing the use of non-mains drainage schemes will only be considered acceptable where connection to the main sewer is not feasible...'

Furthermore, government guidance on private sewerage in Welsh Government Circular 008/2018 stresses that the first presumption must be to provide a system of foul drainage discharging into a public sewer. Only where having taken into account the cost and/or practicability it can be shown to the satisfaction of the local planning authority that connection to a public sewer is not feasible, should non-mains foul sewage disposal solutions be considered.

Subject to the method of foul drainage being confirmed, we refer you to our Planning Advice and the information set out in the sections titled 'What does this mean for development proposals involving connection to public wastewater treatment works' or 'What does this mean for development proposals involving private sewage treatment systems'.

Ultimately, the suitability of foul drainage arrangements for the proposed development is a matter for your Authority to determine. We therefore advise you to take the above into account in your determination of whether the development is likely to have a significant effect on the SAC. Should you determine that an Appropriate Assessment is required, the Applicant will then need to submit whatever evidence they deem appropriate (seeking advice from consultants as may be necessary) to demonstrate no adverse effect on site integrity.

Protected Species

Great Crested Newts

We have reviewed the following additional information submitted on the 3rd and 10th October 2025 in support of the application:

- Additional Great Crested Newt Mitigation Site reference G9134.040
 - Technical note re corridor widening.
 - Response to NRW Letter (undated), uploaded to portal 10/10/25.
 - P-2023-0497 – Land North of Byrn Lane, Wrexham – Response to NRW Letter
 - Landscape Strategy – Overall Overview, map reference 22-2630 V5 dated 19/12/2023.
 - Great Crested Newt Off-Site Mitigation Phasing Plan, reference G9134.042A dated 18/07/2025.
 - 9134.025 EPS Development Licence Method Statement, Version 3.0 dated 10/09/2025.
 - Habitat Management Plan (Natural Resource Wales – Great Crested Newt) reference 9134.05.001 – v6.0 dated 19/09/2025.
 - G9134.007B Phase 1 Habitat Survey
 - Fencing Plan (Phase One Development) reference G9143.038 dated 23/07/2024.
 - Temporary fencing ref D9134.002 (Figure TEP.ECO.001) dated 10/09/2025.
 - Pond Construction – clay lined – ref TEP.AQUA.004A dated 04/08/2017.
 - Amphibian Hibernacula detail ref TEP.MIS.010 dated April 2003
 - Drift Fencing and sub-terranean tunnel detail TEP.MIS.018A dated 01/01/2003.
- Response to NRW Letter

We acknowledge point 3 of the letter in relation to the applicant having undertaken a substantial amount of work to address the concerns we have previously raised and we welcome this approach.

As previously stated, we have concerns the existing proposed on-site corridor is too narrow and advise a wider width be considered.

Furthermore, we are concerned that the multifunctional use of the on-site corridor may hinder effective management and compromise the ability to deliver positive outcomes for both great crested newts (GCN) and other land uses.

Our preferred approach remains the provision of a wider corridor on-site. However, without prejudice, we would be prepared to accept the current proposal strictly on the proviso that the off-site ecology land is occupied and subject to long-term management, monitoring and wardening by a body that accords with the definition of a 'responsible body' under Part 7 of the Environment Act 2021.

Failure to action this advice may mean that relevant future licence applications are not capable of demonstrating no detriment to the maintenance of the favourable conservation status of GCN in its natural range. This outstanding issue is material to the determination of any approval in respect of this specific application, in our view.

We also advise that consideration is given to including Bryn Lane in the roads referred to in section E.3.3.2 of the EPS Development Licence Method Statement regarding the construction of amphibian tunnels. We note that a tunnel could be constructed to provide

connectivity between this application and a further proposed development being progressed by the applicant south of Bryn Lane under reference P/2025/0143.

Ref. 2 in Table 1 states that “Whilst Wrexham Industrial Estate may support a nationally important population of GCN the proposed development site is separated from it and therefore unlikely to support a nationally important population”. We disagree with this statement and continue to advise that Wrexham Industrial Estate and its environs supports a nationally important population of GCN and therefore advise that any impacts should not be considered as local.

However, we note that the submitted EPS Development Licence Method Statement has been based on assuming a large population as previously discussed with our Senior Species Officer.

We note that the corresponding off-site compensation for this application is being progressed under a separate planning application (P/2025/0431), we therefore advise that your Authority secures its delivery to your satisfaction either through a ‘Grampian’ style condition or legal agreement.

- EPS Development Licence Method Statement

We note the submission of an EPS Development Licence Method Statement and advise that the following points are addressed and submitted in an updated EPS Development Licence Method Statement:

- We advise that an over-arching strategy and approach to licensing the various Net World Sports developments at Wrexham Industrial Estate is considered. We would advocate that a new licence application is submitted that includes all land in plan number G9134.42A where planning consents have been approved and any ecological reserved conditions discharged. Each new planning application will need to request the revocation (relinquishment) of any previous extant licence and all conditions and obligations required under the extant licence transferred to the new licence amendment.
- Sections B.2.3 and B.2.4 refer to the Site Masterplan reference 22-136-SGP-ZZ-ZZ-DR-A-111001 regarding Phase 1 and future phases of development at that application site. Given the large number of amended documents associated with this application, we advise that a copy of the Site Masterplan is included as an Appendix to the EPS Development Licence Method Statement for clarity.
- We advise that section C.1 is updated to include detailed information regarding extant records of GCN and the current conservation status (CCS) of GCN on site and within the environs. NRW consider the CCS of the Wrexham Industrial Estate and environs GCN population to be unfavourable therefore proposals need to take this into account to restore the population to favourable conservation status (FCS)
- We advise that additional survey data should be submitted as the data referred to in both sections C.6.1, C.6.2 and Table 1 was collected in June 2022. We advise that survey data should not be older than two years old.
- Section C.8 does not provide any interpretation of survey results in relation to published reports regarding GCN within the context of the environment. We advise that section C.8 is updated to refer to the following published reports:

- The North-East Wales Pondscape in Nicolet, P; Weatherby, A.; Biggs, J., Williams, P., and Hatton-Ellis. T. (2007) A preliminary assessment of Important Areas for Ponds (IAPs) in Wales (Report Prepared by Pond Conservation for the Countryside Council for Wales)
 - Review of the Current Conservation Status (CCS) of the Great Crested Newt in Wales, with specific references to its long-term prospects and within its stronghold in North-East Wales, Report No 259, NRW, 2018
 - Spatial Action Plan for Great Crested Newts in Wrexham, Report No 77, NRW 2017
- The document list under section E.2.4.1 may need to be updated once the temporary fencing specification has been amended to the recommended depth of 300-350mm. the list should also be updated to include the Site Masterplan 22-136-SGP-ZZ-ZZ-DR-A-111001 once added to the Appendix
- We note that section E.3.3.3 states “The use of salt on roads and footpath in cold weather will be prohibited and alternative should be used”. We concur that salt should not be used and advise that the text is amended to state:
 - The use of salt on roads and footpaths in cold weather will be prohibited and alternatives will be used subject to the approval of NRW (through the licensing process).
- In relation to section F, in our view different approaches regarding tenure will be required in respect of on-site and off-site land. The rationale for this is that the on-site scheme is multifunctional whereas the offsite areas are for nature conservation purpose only. As previously advised, the long-term occupier(s) of the off-site ecology areas will need to accord with the definition of a responsible body under Part 7 of the Environment Act 2021. This body must be appointed and occupying one or more of the off-site ecology areas before the commencement of the operational phase of the proposals.
- The long-term funding will need to be confirmed within the provisions of any future licence application. We note and concur with the approach described in section F.1.3 that estate management charges will be levied on all future occupiers to provide long-term site management, monitoring and wardening throughout the operational phase of the proposals.
- Section F.2 - in line with comments regarding section 4.2 of the HMP below, we advise that owing to the importance of the Wrexham Industrial Estate GCN population, 25 years is too short a duration, therefore surveillance will be necessary throughout the operational phase of the proposals.
- We note the timetable of works in section G and advise that the following additional activity is included within the table:
 - Transfer of occupancy of one or more ecology areas before commencement of the operational phase of the proposals
- We note that section H.2.1 states “All land used for GCN mitigation will remain under the ownership and management of the developer Networkd post completion. An appropriate ecological consultants with GCN licences will be employed to support the developer owner”. We continue to advise that the occupancy of off-site ecology areas is transferred to a body that accords with the definition of a responsible body under part 7 of the Environment Act 2021.

- Habitat Management Plan

We note the submission of a Habitat Management Plan (HMP) and advise that the following points are addressed and submitted in an updated HMP:

- Section 2.3 of the HMP states “The managing organisation will require the necessary experience and certificates of competence to undertake landscape management operations on site. Where practical, contractors with experience in biodiversity management will be sought.” We advise that the managing organisation must have species knowledge and expertise in amphibian conservation; relevant licences for undertaking surveillance and management and also sufficient resources for undertaking management, monitoring and wardening without reliance on the owner. We advise that this also applies to section 4.4 in relation to surveillance requirements.
- Section 2.8 states that the “management organisation should have a sufficient awareness of new and ongoing biosecurity threats”, we advise that the wording is amended to ‘...must have an awareness...’
- We advise that the following Key Performance Indicator is included in section 2.10:
 - To restore a population of GCN with a monitoring Key Performance Indicator of 25 GCN.
- Section 2.28 refers to GCN being protected under the Conservation of Habitats and Species Regulations 2017 (as amended), we advise that reference to Regulation 43 of that legislation is added to the statements regarding offences in relation to GCN and their habitats.
- Section 2.40 states “Net World Sport are responsible for considering the local community groups and their influence on the current use and future requirements of this landscape”. We advise that the text is amended to reflect that the over-riding consideration within the ecological areas (including shared use) is the GCN population.
- Section 3.9 of the Site Wide Management Intentions refers to measures to be employed in relation to GCN when litter picking near ponds. We advise that the text is amended to apply these measures site wide and not restricted to areas around ponds.
- Section 3.19 states “Disturbance to GCN refuge features should be avoided by cordoning off areas known to contain the species during works”. We advise that that the text is amended to state: Disturbance to GCN refuge features will be avoided by cordoning off areas known to contain the species during works.
- Section 3.60 states “Bare soil will be hand cultivated with appropriate tools by aerating and turning the soil to remove compacted areas and breaking the surface crust and removing weed growth. Care will be taken not to damage plants and their root structures”. We advise that this maintenance item is removed from the HMP and not carried out due to the subterranean nature of GCN.
- We advise that Section 3.61 is revised to avoid the need for turning the soil to incorporate fertiliser due to the subterranean nature of GCN.
- Section 3.62 states “amenity grassland will contribute to the sites overall amenity value and will provide additional wildlife habitat for noted wildlife species on-site and the surrounding landscape”. We note that section 3.63 confirms grass length to be kept at 35-50mm. We advise that this is amended to a minimum height of 100mm in order to provide “additional wildlife habitat”.

- Section 3.128 states “During winter months and during periods of ice and frost salt will be avoided in favour of gritting roads to support the ecological value of the Site”. Clarification on the nature of gritting and material to be used is needed, this will need to accord with section E.3.3.3 of the EPS Development Licence Method Statement that states the use of salt on roads and footpaths will be prohibited.
- Section 4.2 states that the Post Construction Monitoring Plan will be implemented on-site for the duration of the 25-year management period. We advise that owing to the importance of the Wrexham Industrial Estate GCN population, 25 years is too short a duration, therefore surveillance will be necessary throughout the operational phase of the proposals.
- Section 4.10 states that an “appropriately qualified landscape consultant” will formally re-assess the HMP. We advise that the HMP is re-assessed by a suitably qualified and experienced ecologist to ensure that the on-site mitigation areas are appropriately managed, otherwise additional mitigation areas will be required.

- Temporary fencing ref D9134.002 (Figure TEP.ECO.001) dated 10/09/2025

We note that the specification drawing reference D9134.002 (Figure TEP.ECO.001) dated 10/09/2025 shows a buried depth of 200-300mm. As advised in our previous response, we consider this to be too shallow, and that the fencing depth should be increased to between 300mm and 350mm depth underground.

- Agent Correspondence

We disagree with the agent’s statement that it is inappropriate to compare developments at St Asaph Business Park and Wrexham Industrial Estate. Both are commercial development areas that support large nationally important populations of GCN.

Furthermore, development at both sites will have to consider the maintenance or restoration of their respective GCN populations to FCS.

- Planning Obligation

We would advise that any subsequent consent should be subject to the provisions of a Planning Obligation Section 106 Agreement (as opposed to a Unilateral Undertaking). We advise that in respect of any such agreement, provisions relating to ecology include:

- a) A defined commuted sum and/or requirement for index-linked ground rent service charges to resource ecological surveillance, management and wardening (a costed management plan will be required to inform costings)
- b) Management Plan review, at minimum every 5 years (or timescales agreed with the Local Planning Authority (LPA)).
- c) Funding to cover the cost of input from Public Bodies if required to review monitoring results/undertake liaison and comment on proposed Environment Management Plan Reviews.
- d) Transfer freehold ownership of the defined Ecology Area to a body that accords with the definition of “responsible” under Part 7 of the Environment Act 2021 [e.g., an appropriate body that is approved by the Local Planning Authority] before occupation of the unit.
- e) Tenure and any proposed changes to tenure shall be carried out to the satisfaction of the LPA in consultation with NRW.

Biosecurity

We note the submission of a Biosecurity Risk Assessment (February 2024, reference 9134.021 Version 1, The Environment Partnership) in relation to point 9 of our previous response (dated 23/11/24, reference: CAS-248678-S8X8) and are satisfied with the proposed biosecurity measures.

We advise that the Biosecurity Risk Assessment should be included in the 'approved list of plans/documents' condition within the decision notice should consent for the project be granted.

Bats

We note that the bat report submitted in support of the above application (Bat Tree Roost Survey Report, Reference 9134.04.001v2, The Environment Partnership) identified that bats were not observed during the emergence surveys.

The additional Bat Survey Technical Note (Crowder, J., July 2024, Bat Survey Technical Note, Ref 9134.024 Version 1, The Environment Partnership) states that additional surveys/assessments will be carried out prior to the demolition of buildings or removal of trees.

We concur with this approach and advise that any subsequent consent is subject to a condition for each phase of development for pre-commencement bat surveys to be carried out to the satisfaction of the LPA. If surveys indicate that bats are likely to be affected a conservation scheme should be submitted to the satisfaction of the LPA.

Contaminated Land

We have reviewed the submitted 'Ground Investigation Report for Bryn Lane – Full Planning Areas' (Tier Environmental Ltd, October 2023) and 'Ground Investigation Report for Bryn Lane – Outline Planning' (Tier Environmental Ltd, October 2023). Site investigations undertaken on the site have identified isolated concentrations of hydrocarbons and some metals on site, associated with made ground used to backfill ponds. However, investigations have confirmed the presence of at least 10m clay till deposits over the sandstone bedrock, which is considered to offer protection of the Principal bedrock aquifer underlying the site. The site comprises agricultural land and no other potential sources of significant contamination have been identified on the site. We generally agree with the conclusions.

Proposals also include a petrol station within the outline planning application area. Petrol filling stations have the potential to cause pollution of controlled waters. We have concerns with the application as submitted because inadequate information has been provided to understand the potential risk to groundwater. To assess the potential impacts, we advise that the following information is submitted by the applicant:

- a) Location of the storage tanks. An annotated site plan showing the location of the new and old tanks and pipelines to pumps.
- b) The depth to the water table. The seasonal variation of the water table should be considered, and any seasonal highs should be compared with the tank invert level. If the water table is shown to be above the invert level of the storage tanks, a risk

assessment with respect to the groundwater should be submitted along with mitigation measures to reduce any risks.

- c) Design of the tanks and infrastructure. Details of the tanks and infrastructure design and cross sections of the geology and tanks with depths below the ground. If the tanks and infrastructure are sub-water table a risk assessment should be submitted, and mitigation measures confirmed. The design should be in accordance with the Association for Petroleum and Explosives Administration's (APEA) 'Blue Book' – Guidance for Design, Construction, Modification, Maintenance and Decommissioning of Filling Stations.

In addition to the submission of the information detailed above regarding fuel storage, we would advise that you should only grant planning permission for this scheme if the conditions listed below are attached to the planning permission:

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.

We note that the ground investigation report (Ground Investigation Report for Bryn Lane, Reference TE1750-TE-00-XX-RP-GE-001-V05 Dated 20 October 2023) advises that piles could be considered where loadings cannot be transferred to shallow soils. Therefore, if the proposals would include a piled foundation solution, we would also advise the following condition is applied:

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 designs shall be implemented in accordance with the approved details.

Justification: 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.

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.