Ein cyf/Our ref: CAS-292788-S1Z2
Eich cyf/Your ref: P/2025/0844

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 27 November 2025

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: Amrywio amod 1 o ganiatâd materion a gadwyd yn ôl P/2024/1074 i diwygio cynlluniau cymeradwy - newid y lleiniau/cynllun y safle / Variation of condition 1 of reserved matters approval P/2024/1074 to amend approved plans - plot substitution/site layout

LLEOLIAD/LOCATION: Land to the North and South of Lane Farm, Rossett Road, Trevalyn, LL12 0DS

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

We have no objection to the variation of condition 1 and provide the following advice.

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 (22 October 2025), 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 this is an application to vary condition 1 of planning permission P/2024/1074. As such, even though the development proposed was judged to be acceptable in principle when the original permission was granted, that decision predates the publication of our river SAC Advice. We therefore advise that you will need to consider the implications of this as part of your determination of this application. For further information, please refer to our Advice.

We also advise that your Authority considers the Court of Appeal's recent judgment in *C G Fry & Son Ltd v SSHCLG* [2024] EWCA Civ 730). The implication of the Fry judgement is that where there is an application relating to an implementing decision under a planning permission, a Habitat Regulations Assessment (HRA) may need to be carried out in respect of the project. We suggest you seek your own expert advice on this matter, to properly inform your determination of the application as submitted.

Ultimately, it is for your Authority to consider to what extent the above is a material consideration in the context of the current application. If you determine that NRW's Advice is a material consideration to this application, then you will need to consider the Habitats Regulations and screen the proposal accordingly.

Flood Risk

Following publication of the Flood Map for Planning (FMfP), the application site is identified to be at risk of flooding and sits partially within Flood Zone 2 (Rivers). We note that the variation of condition application seeks to substitute plots and layout of the previously consented proposals under planning reference P/2024/1074. Therefore, as permission for the development was granted prior to the publication of the FMfP and the variation of condition 1 has no impact on the flood risk, we have no comments relating to flood risk.

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.

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.