

Ein cyf/Our ref: CAS-298076-N0C9  
Eich cyf/Your ref: P/2022/0754

Wrexham County Borough Council  
The Guildhall  
Wrexham  
LL11 1AY

Dyddiad/Date: 11 February 2026

Annwyl Syr/Madam/Dear Sir/Madam,

**BWRIAD/PROPOSAL: Demolition of existing building and erection of 5 dwellings**

**LLEOLIAD/LOCATION: Terfynfa, Smelt Road, Coedpoeth, Wrexham, LL11 3SH**

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 22 January 2026.

**We continue to have concerns with the application as submitted. To overcome these concerns, further consideration is required regarding foul drainage.**

**We also have concerns in relation to land contamination. However, we are satisfied that these concerns can be overcome by attaching the following condition to any planning permission granted:**

**Condition 1 - 4: Land contamination**

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

### **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.

This application for the erection of five dwellings proposes connection of foul water to the mains sewer. 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 SAC. The majority of the River Dee and Bala Lake catchment 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.

Ultimately, the suitability of foul drainage arrangements for the proposed development is a matter for your Authority to determine. We advise your Authority that further consideration is required and to follow our [Advice](#) specifically the section titled '*What does this mean for development proposals involving connection to public wastewater treatment works?*'

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 conclude that an Appropriate Assessment is required, the Applicant will need to provide whatever evidence they consider appropriate (seeking advice from consultants as necessary) to demonstrate no adverse effect on site integrity.

Please consult us on any Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended). However, until the development can demonstrate it will not lead to an increase of phosphorus load from the receiving wastewater treatment works into the river we would be unable to advise you that the proposed development would not result in an adverse effect on the integrity of the site.

## **Land Contamination**

We note the land contamination memorandum submitted by Wrexham County Borough Council, which confirms that the proposed development site has previously been formally determined as 'contaminated land'.

The site is considered to be of high sensitivity in terms of controlled waters and there is reason to suspect that contamination may be present. A preliminary risk assessment has not been submitted and as a minimum, we would request this is carried out in line with the following:

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](http://www.gov.uk)

We request the following conditions:

### **Condition 1 – Land Affected by Contamination**

No development or phase of development 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 – Contamination Verification Report**

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 3 – Unsuspected Contamination**

If, during development, contamination not previously identified is found to be present at the site then no further development 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 the water environment and to ensure that the development can be carried out without unacceptable risks. A site investigation may not uncover all instances of contamination and this condition ensures that contamination encountered during the development phase is dealt with appropriately.

#### **Condition 4 - Surface water drainage**

No infiltration of surface water drainage into the ground Site 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. There is an increased potential for pollution from inappropriately located infiltration systems such as soakaways, unsealed porous pavement systems or infiltration basins

#### **Protected Species**

We note that the information submitted in support of the above application (Preliminary Ecological Appraisal and Roost Assssment by Arbtech, dated 8<sup>th</sup> November 2024) has identified that bats are unlikely to be using the application site. We therefore have no comments to make on the application as submitted in respect of bats.

We recommend that you discuss the need to secure further measures/ avoidance measures with your internal ecological advisor.

#### **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,

#### **John Littlemore**

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.