

Ein cyf/Our ref: CAS-299921-J0C3  
Eich cyf/Your ref: P/2023/0497

Wrexham County Borough Council  
The Guildhall  
Wrexham  
LL11 1AY

Dyddiad/Date: 19 February 2026

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 06 February 2026.

**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 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 \(22 October 2025\)](#), 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.

This application proposes connection of foul water to the mains sewer (albeit with pre-treatment on site through the use of private treatment plants prior to discharge into the public's mains sewer). The proposed development could 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 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.

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

- Utopia City, Bryn Lane, Phosphate Assessment, Project reference T/21/2486, Version 1.0 dated November 2025, Tier Consult Ltd
- Strategic Ecological Corridor, Wrexham, Phosphate Assessment, Project reference T/25/2894, Version 1.0 dated November 2025, Tier Consult Ltd
- Planning Technical Note – Net World Sports, Wrexham: Phosphates and Nutrient neutrality (undated)
- Foul Drainage Strategy (letter), reference: 2486-TCG-XX-XX-LET-C-10002-1.0-NRW Response Letter, dated 05/02/2026, Tier Consult Ltd

We note that the letter titled Foul Drainage Strategy dated 05/02/2026 confirms that a Hydraulic Modelling Assessment has been carried out in conjunction with Dŵr Cymru/Welsh Water (DC/WW) and that specific upgrades have been identified and the “required network improvements have now been incorporated into the Wrexham CBC Investment Zone”

We continue to advise that you discuss the proposed approach of pre-treatment on site through the use of private treatment plants prior to discharge into the public's mains sewer with DC/WW to establish if this approach is acceptable.

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 sections titled ‘*What does this mean for development proposals involving connection to public wastewater treatment works?*’ and ‘*Can chemical pre-treatment be used to enable connection to a public sewer where phosphorus constraints apply?*’.

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.

## Protected Species

### Great Crested Newts

We have reviewed the following additional information submitted on the 24th November 2025 in support of the application:

- 9134.025 EPS Development Licence Method Statement, Version 5.0 dated 18/11/2025.
- Habitat Management Plan (Natural Resource Wales – Great Crested Newt) reference 9134.05.001 – v8.0 dated 20/11/2025.

#### 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.

As stated in our response dated 07/11/2025 (CAS-289100-P7C1), we continue to have concerns the existing proposed on-site corridor is too narrow and again, advise a wider width is 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 advise that consideration is given to including Bryn Lane in the roads referred to in section E.3.3.2 of the European Protected Species (EPS) Development Licence Method Statement, regarding the construction of amphibian tunnels. An additional tunnel could likely improve connectivity between this application site and a further proposed development by the same applicant, south of Bryn Lane under reference P/2025/0143. This aspect should be discussed with your Authority's ecologist, and is an approach that we would support.

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.

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, which include previous comments, are addressed and submitted in an updated version:

- 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 A5 and B.1.13 refer to "Conservation of Habitats and Species Regulations 2010", these sections should be updated to refer to the "Conservation of Habitats and Species Regulations 2017 (as amended)".
- Section A.2 states the development area is approximately 37.21ha whereas section E.3.2.2 states that the total development area is 36.35ha. Clarification on the hectareage should be provided.
- Section C.6.2 contains details regarding surveys carried out and references to 'Pond ID' which does not correlate with national databases. We advise that the pond identification codes are updated to correctly correspond with the referencing system used by Cofnod / Wales GCN monitoring scheme for accurate and consistent cross referencing.
- The document list under section E.2.4.1 should be updated with dates and version numbers of drawings and plans included/referenced within the EPS Development Licence Method Statement. The list should also be updated to include the GCN specific provisions referenced above once available.
- 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 for a duration of a minimum 25-year management period.
- 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 Net World 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. Furthermore, our comments only relate to the detail of this specific development as opposed to being applicable to any other land including proposed offsite compensation (receptor) areas
- Annex K.2 contains the drawing ‘Great Crested Newt Survey Results’ reference G9134.034A. The drawing shows an area highlighted as the “Application Boundary”, however this does not match the red-line application boundary for this application P/2023/0497. We advise that the drawing is updated to reflect the correct red-line application boundary.

### 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 2.11 outlines the management objectives including “To implement the HMP for a period of 25 years to ensure habitats are managed and maintained accordingly”. We advise that the wording is amended to state “for a minimum of 25 years”.
- Sections 3.68 (Amenity Grass), 3.73 (Wildflower Meadow, Wildflower and Shady Grass) and 3.83 (Wetland and Pond Edge Mix) all state that “Any bare ground will be cultivated and re-seeded as required to successfully establish sward. This will be carried out twice annually between August and October”. We advise against the inclusion or implementation of ‘cultivation’ of bare ground, which in our view is an avoidable activity. Our advice considers the subterranean nature of GCN.
- 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, the text should be amended to “be implemented on-site for the duration of a minimum 25-year management period”. We would also welcome reference to Section 2.11 and the GCN population targets in this section.
- Table 4 provides the key measures for Site Monitoring. Whilst we note the inclusion of “Hibernacula” in the table, we advise that further monitoring targets regarding

GCN habitat management (terrestrial and aquatic) are included within the table to ensure ecological provisions are also considered in the Site Monitoring.

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

We note that the specification drawing included within Annexe K.2 of the EPS Development Licence Method Statement has been updated to show a buried depth of 300-350mm. However, the separate specification drawing on the LPA portal, reference D9134.002 (Figure TEP.ECO.001) dated 10/09/2025 shows a buried depth of 200-300m. 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 on all relevant specification drawings.

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 favourable conservation status.

Planning Obligation

We continue to 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 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.