Cyfoeth Naturiol Cymru
Natural Resources Wales

Ein cyf/Our ref : CAS-298011-T2Q1
Eich cyf/Your ref: P/2026/0012

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 06 March 2026

Annwyl Syr/Madam/Dear Sir/Madam,

**BWRIAD/PROPOSAL: ERECTION OF BUILDING (CLASS D2-GYM) WITH ASSOCATED LANDSCAPING AND PARKING AREAS.**

**LLEOLIAD/LOCATION: LAND AT, VAUXHALL INDUSTRIAL ESTATE, RUABON, WREXHAM, LL14 6HA**

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 23 February 2026.

**We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following condition to any planning permission granted:**

**Condition: Protected Species**

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

**Protected Species**

We have reviewed the following information which has been submitted in support of the application:
Preliminary Ecological Appraisal for Land at Vauxhall Industrial Estate by Arbtech dated February 2026.

Great Crested Newts

The information has identified that great crested newts (GCN) are material to the application site.

GCN and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended) and Schedule 5 of the Wildlife and Countryside Act 1981. Where GCN 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 requirements set out in the legislation. A licence may only be authorised if:

i. The development works to be authorised are for the purpose of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.
ii. There is no satisfactory alternative; and,
iii. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

To avoid developments with planning permission subsequently not being granted a licence, the Local Planning Authority should take Planning Policy Wales and Technical Advice Note 5 into account when considering development proposals where a European Protected Species is present.

We consider that the above report provides an adequate basis upon which to consider the potential impacts of the scheme on this species and inform the decision-making process.

The information submitted/report has concluded that a precautionary working method is required in respect of GCN.

We advise that further information is required to manage the potential impacts of the scheme. However, we would be content for this further information to be provided via a suitably worded condition.

We therefore advise the following condition in respect of GCN is included on any permission granted.

Condition: No development including site clearance, shall commence until a Great Crested Newt (GCN) plan of reasonable avoidance measures has been submitted to and approved in writing by the Local Planning Authority. The plan of reasonable avoidance measures should include, but not necessarily be limited to:

- the submission of details and plans concerning GCN reasonable avoidance and mitigation measures including:
    - fence design, construction, and maintenance (the erection of a one-way amphibian fence, prior to and throughout the duration of construction operations)
    - fence design, construction, and maintenance (the erection of amphibian proof fencing, prior to and throughout the duration of construction operations)
    - proposals for the clearance of individuals from working areas,
    - details of timing, phasing, and delivery of reasonable avoidance measures

The plan of reasonable avoidance measures shall be carried out in accordance with the approved details.

Justification: To ensure that GCN are protected by the development.

Bats

We note that the information submitted in support of the above 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 with your internal ecological advisor.

**Protected Sites**

River Dee and Bala Lake Special Area of Conservation (SAC)

We note the application site is within the catchment of the River Dee 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.

However, recognising the specific nature of the application submitted (a building that will provide services/facilities for the local population) which meets the screening criteria set out in our Advice, we are satisfied that there is unlikely to be a source of additional nutrients and/or a pathway for impacts. As such, in our opinion, it would be reasonable for your Authority to screen out this proposal as not likely to have a significant effect on the River Dee SAC in relation to nutrient inputs.

Jonhstown Newts Site SAC

The application is located within 135 m from the Jonhstown Newts Site Special Area of Conservation (SAC

To secure appropriate mitigation measures, we advise that the condition set out in the protected species section above should be attached to any planning permission for this development. Provided the development is carried out in accordance with this condition, we do not consider that it will adversely affect the integrity of the SAC.

As the competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended), your authority must, before deciding to give consent for a project which is likely to have a significant effect on a SAC, either alone or in combination with other plans or projects, make an appropriate assessment of the implications of the project for that site in view of its conservation objectives. You must for the purposes of the assessment consult NRW and have regard to any representations we make within such reasonable time as you specify. In the absence of that assessment, NRW cannot advise that the proposals would not result in an adverse effect upon the SAC site.

Stryt Las a'r Hafod Site of Special Scientific Interest (SSSI)

We consider the proposed development has the potential to damage the Stryt Las a'r Hafod SSSI. Providing the impact pathways referenced above for the Special Area of Conservation are adequately addressed, NRW consider the notified features of the SSSI will also be adequately safeguarded.

**Pollution of controlled water**

Our map data has identified a culvert passes beneath the access road to the development site.

There is risk of breaking into this culverted section of the Afon Goch during excavations while preparing services foundations for the development, which has potential to lead to a pollution incident.

Therefore, we advise that Ordinary Watercourse Consent may be required and during the construction phase precautions should be taken to prevent contamination of surface water drains and local watercourses.

Oils and chemicals should be stored in bunded areas and spill kits should be readily available in case of accidental spillages.

For further guidance please refer to GPP 5 on the NetRegs website

**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,

**Sara Thomas**

Uwch Gynghorydd - Cynllunio Datblygu/Senior 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.