Cyfoeth Naturiol Cymru
Natural Resources Wales

Our Ref: CAS-304266-T8M6

Your Ref: SC/2026/0001

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 01 May 2026

Annwyl Syr/Madam/Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990 THE DEVELOPMENTS OF NATIONAL SIGNIFICANCE (PROCEDURE) (WALES) ORDER 2016

TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT (WALES) REGULATIONS 2017

Bwriad/Proposal: Scoping opinion for outline planning application for the erection of buildings (use classes B2, B8, B1 (C)) including land for ecological mitigation and associated infrastructure, including means of access, with matters reserved relating to appearance, landscaping, scale and layout reserved for future determination

Lleoliad/Location: Land adjacent to sewage disposal works Five Fords, Bedwell Road, Cross Lanes, Wrexham, LL13 0PA

Thank you for consulting us on the scoping opinion request for the above application which we received on the 26 March 2026.

Natural Resources Wales (NRW) has reviewed the information provided in the 'EIA Scoping Report' (EIA Scoping Report, Land off Sesswick Way, Wrexham, dated 24/03/2026, Carter Jonas).

We are commenting because we consider that the proposals are likely to give rise to significant effects.

We advise that the likely significant effects are assessed by the applicant and we consider that they should be 'scoped in' to any future Environmental Statement (ES).

Please note that the comments provided herein are made without prejudice to any further advice we may need to give, or decisions we may need to take, should different circumstances or new information emerge that we will need to take into account.

Our following comments include those matters within our remit that we consider will need to be taken into account and applied to the Environment Impact Assessment (EIA) and the resulting ES. In order to aid review, where possible we have provided cross-references to the relevant sections of 'the report'.

Our advice is made without prejudice to comments we may subsequently wish to make when consulted on any planning application, the submission of more detailed information or an ES.

Description of the Project (Section 2 of the EIA Scoping Report)

Within the EIA, the proposed scheme should be described in detail in its entirety. This description should cover construction, operation and decommissioning phases as appropriate and include detailed, scaled maps and drawings as appropriate.

Any maps, drawings and illustrations that are produced to describe the project should be designed in such a way that they can be overlaid with drawings and illustrations produced for other sections of the ES, such as biodiversity.

Protected Sites

Phosphorus sensitive river Special Areas of Conservation (Section 4.41 of the EIA Scoping Report)

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, under the Habitats Regulations, Planning Authorities must consider the impact of proposed developments on water quality within SAC river catchments.

"Flood Risk and Drainage" are referred to in section 4.0 of the EIA Scoping Report under "Environmental topics scoped out or not requiring an individual chapter". Furthermore, we note that section 4.41 of the EIA Scoping Report scopes out drainage (as part of Flood Risk and Drainage) based on the following rationale:

> "With regard to phosphate neutrality, as the scheme will be largely warehousing and offices, the increase in wastewater discharges associated with the scheme will be limited. Phosphorus loads will be estimated using established NRW nutrient budget methodologies, and appropriate mitigation provided, with a financial contribution made to offset any deficit if on-site measures cannot achieve neutrality. Consequently, any impacts on sensitive European Designated sites will be negligible."

However, under section 5.0 of the EIA Scoping Report, potentially significant effects have been detailed in section 4.115 (pages 30 -31), and includes indirect effects on the River Dee and Bala Lake SAC:

> “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.”

We concur with the inclusion of the impacts on River Dee and Bala Lake in section 5 “Matters Scoped In” to the ES in relation to potential increases in phosphorus load from the receiving wastewater treatment works into the River Dee and Bala Lake SAC.

The suitability of foul drainage arrangements for the proposed development is a matter for Your Authority to determine. We therefore also advise that as part of any future planning application submission, the applicant provides Your Authority with sufficient details e.g., of the proposed method of foul drainage to inform their Habitats Regulations Assessment (HRA). If additional wastewater is to be discharged, it is likely Your Authority will require further information from the applicant to inform their HRA.

River Dee and Bala Lake SAC and River Dee Site of Special Scientific Interest (SSSI)

Section 4.115 (pages 30-31) references potentially significant effects on the River Dee and Bala Lake through the construction phase via run-off and/or pollution that could impact on the Afon Clywedog which is within 60 meters (m) of the application site and is a major tributary of the River Dee.

We concur with the indirect effects on the River Dee and Bala Lake SAC and River Dee SSSI being scoped in with respect to potential run-off and/or pollution during the construction phase.

We note that the Air Quality Assessment (Readmore Environmental, reference 8180r1, 17/04/2025) has screened out environmental receptors (Table 12, section 4.5.2) based on distances from the site boundary. We concur with this approach as the air quality impacts to sensitive features (bryophytes) are sufficiently distant so as not likely to be impacted.

We advise that there should be sufficient infrastructure in place to mitigate and contain any spills and a review of the site surface water drainage and oil interceptors should be undertaken and submitted before planning permission is granted. An appropriate environmental management system (EMS) should be implemented, which addresses emergency procedures.

Protected Species

In general the EIA for this development should include sufficient information to enable your Authority to determine the extent of any environmental impacts arising from the proposed scheme on legally protected species, including those which may also comprise notified features of designated sites affected by the proposals.

Evaluation of the impacts of the scheme should include: direct and indirect; secondary; cumulative; short, medium and long term; permanent and temporary; positive and negative, and construction, operation and decommissioning phase and long-term site security impacts on the nature conservation resource, landscape and public access.

Significance and Favourable Conservation Status

We advise that the ES considers significance (both alone and in combination) and where applicable conservation status. In respect of conservation status, we advise consideration to be given to current conservation status (CCS), and demonstration of no likely detriment to maintenance of favourable conservation status (FCS) during construction, operation and decommissioning phases of the scheme. Reference to CCS and FCS in accordance with EC Guidance[1] is advocated.

Key Habitats

Any habitat surveys should accord with the NCC Phase 1 survey guidelines (NCC (1990) Handbook for Phase 1 habitat survey. NCC, Peterborough). We advise that Phase 1 surveys are undertaken and completed during the summer to ensure the best chance of identifying the habitats present. We also advise that Habitats Directive Annex 1 habitats are identified as part of this assessment.

Protected Species Surveys

We advise the site is subject to assessment to determine the likelihood of protected species and that targeted species surveys are undertaken for all species scoped in. These should comply with current best practice guidelines and if the surveys deviate or there are good reasons for deviation that full justification for this is included within the EIA.

Should protected species be found during the surveys, information must be provided identifying the species-specific impacts in the short, medium, and long term together with any mitigation and compensation measures. We advise that the EIA sets out how the long-term site security of any mitigation or compensation will be assured, including management, monitoring, financial and tenure responsibilities. Where the potential for significant impacts on protected species is identified, we advocate that a Conservation Plan is prepared for the relevant species and included as an Annex to the EA. In respect of European protected species, we advise consideration of Section 3.3.2 of Guidance on the strict protection of animal species of Community interest under the Habitats Directive.

Where a European Protected Species is identified and the development proposal is predicted to likely contravene the legal protection they are afforded, a licence should be sought from NRW. The EIA must include consideration of the requirements for a licence and set out how the works will satisfy each of the three requirements as set out in the Conservation of Habitats and Species Regulations 2017 (as amended).

Where a European Protected Species is 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:

a) It satisfies an appropriate derogation or licencing purposes, which in the case of development is most likely to be 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;
b) There is no satisfactory alternative and

[1] EUR-Lex - C(2021)7301 - EN - EUR-Lex (europa.eu). See section 3.2.3.b) re. conservation status

c) 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.

These requirements are translated into planning policy through Planning Policy Wales (PPW) Edition 12 dated February 2024, sections 6.4.35 and 6.4.26 and Technical Advice Note (TAN) 5, Nature Conservation and Planning (September 2009). The planning authority should take them into account when considering development proposals where a European Protected Species is present and avoid developments with planning permission subsequently not being granted derogations in relation to European protected species, planning authorities must take the above three requirements for derogation into account when considering development proposals where a European protected species is present

Local Biodiversity Interests

We recommend that the developer consults the local authority Ecologists on the scope of the work to ensure that regional and local biodiversity issues are adequately considered, particularly those habitats and species listed in the relevant Local Biodiversity Action Plan, and areas that are considered important for the conservation of biological diversity in Wales.

We would expect the developer to contact other relevant people/organisations for biological information/records relevant to the site and its surrounds. These include the relevant Local Records Centre and any local ecological interest groups (E.g. bat groups, mammal groups).

Legislation and Policy Compliance Review

We advise that provisions of the EIA audit compliance in respect of relevant nature conservation legislation (UK and Wales) together with relevant local and national policies including BS 42020:2013.

Great Crested Newt (GCN)

We note that section 4.109 of the EIA Scoping Report refers to consultation with our Senior Species Officer in April 2025 and an agreed approach:

> "for the development to follow a GCN mitigation strategy informed by the eDNA results, acknowledging the national population of GCN within the Wrexham Industrial Estate and providing the mitigation at Five Fords followed the previous approval."

Section 4.110 states that a number of background studies have already been completed included GCN eDNA sampling for off-site ponds in June 2024.

We advise that the GCN Mitigation Strategy should consider the following points

1. In respect of European protected species assessments will need to consider current conservation status (CCS) and favourable conservation status (FCS) at various spatial scales

2. Given the current conservation status of the Wrexham Industrial Estate GCN population is unfavourable, demonstration of no detriment to FCS to consider restoration as opposed to maintenance (to FCS)
3. In respect of GCN, we are aware of previous surveys being carried out. We therefore advise surveys also include abundance as opposed to only carrying out presence/absence based eDNA surveys
4. The applicant is reminded that in order to help demonstrate no detriment to the maintenance (or restoration) of FCS, the minimum area of ecology land to be provided must equate to at least the size of the footprint of the development area. This will need to be clearly referenced in the ES. We also advise discussion with the Local Planning Authority and that reference is made to Local Planning Guidance Note No 29 - Wrexham Industrial Estate Employment Development and Nature Conservation
5. The ES will need to consider risk of incidental capture killing during the operational phase of the proposals. We advise against the installation of any gullypots

We note and concur with section 4.134 confirming that the Ecology ES Chapter will be supported by the listed technical reports: Ecology Desk Study, Ecological Impact Assessment and Breeding Bird Survey Report.

We advise that further survey report in relation to abundance counts for GCN are also submitted in support of the Ecology ES Chapter.

Groundwater and Land Contamination

In addition to the EIA Scoping Report, we have reviewed the following report:

- Ground Investigations Report for Plot 2, Five Fords, reference TE1890-TE-00-XX-RP-GE-001-V02, dated 20/02/2025

Section 4.22 provides rationale for scoping out 'Ground Conditions and Contamination' based on the results of the Phase II ground investigations and a Preliminary UXO Desk Study.

In relation 'Ground Conditions and Contamination' we concur with the rationale for scoping out of the ES. However, we advise that the information is submitted in support of any subsequent planning application.

Flood Risk and Drainage (sections 4.35 – 4.41 of the EIA Scoping Report)

Section 4.41 confirms that flood risk and drainage has been scoped out, please see our comments above under 'Protected Sites' in relation foul drainage and scoping in/out.

In relation to flood risk alone, we concur with the rationale for scoping out on the basis that that the application site is located with Flood Zone, as confirmed in section 4.36.

However, as the site is partially impacted by surface water flooding (section 4.37) we advise that further advice is sought from Wrexham County Borough Council drainage

department in their capacity as lead local flood authority to advise on any local problems in relation to surface water disposal and any associated flood risk.

Waste Management

No information regarding the management of waste materials resulting from the proposed development has been provided in the EIA Scoping Report.

Whilst this may not require a standalone chapter in the ES, we advise that information regarding proposals for waste management is included within the ES.

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
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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.