Date: 21 May 2026
Our ref: 548189
Your ref: P/2026/0075

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BY EMAIL ONLY

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Dear Robin

Planning consultation: P/2026/0075 - Installation Of In-Vessel Composting (Ivc) Facility And Associated Development
Location: Befesa, Fenns Bank, Whitchurch, SY13 3PA (Wrexham LPA / Flintshire CC)

Thank you for your consultation on the above dated 06 May 2026 which was received by Natural England on 06 May 2026.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES

As submitted, this application could have potential significant effects on Fenn's, Whixall, Bettisfield, Wem & Cadney Mosses Special Area of Conservation (SAC), which is a European site. The site is also listed as part of the Midlands Meres and Mosses Phase 2 Ramsar and the sites are also notified at a national level as Fenn's, Whixall, Bettisfield, Wem & Cadney Mosses Site of Special Scientific Interest (SSSI).

Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following additional information is required:

- **Water Quality and Quantity**; Natural England require clear plans to be provided which outline all existing water pathways on the proposal site, including, pumps, drains and hydrological flows both during normal conditions and flooding, in order to understand how water will be managed and impacted both in the proposed attenuation ponds and during flooding events, including climate change projections.

- **An in-combination assessment** of the proposal, which considers the possible combined effects of the proposal with other plans or projects in line with the HRA principles Habitats regulations assessments: protecting a European site - GOV.UK. Your proposal alone may have an effect on a European site that's not significant. You must check if this effect could combine with any other proposal planned or underway and affects the same site, that on its own also does not have a significant effect. If, in combination, your proposal could have a significant effect on the European site, you will need to do an appropriate assessment.

Without this information, Natural England may need to object to the proposal. Please re-consult Natural England once this information has been obtained.

Natural England's further advice on designated sites/landscapes and advice on other issues is set out below.

European / International Sites

The application site is within 185m of the following protected sites: Fenn's, Whixall, Bettisfield, Wem & Cadney Mosses Special Area of Conservation (SAC) which is a European site. The site is also listed as part of The Midlands Meres and Mosses Phase 2 Ramsar, designated locally as Fenn's, Whixall, Bettisfield, Wem & Cadney Mosses Site of Special Scientific Interest (SSSI).

Natural England advise that the designated sites cross the border between England and Wales. Some features may only occur in one Country. Natural England note that the advice of Natural Resources Wales has been sought separately. The SAC qualifying features in England include 'active raised bog' (a priority natural habitat) and 'degraded raised bog capable of natural regeneration'. Both qualifying features occur close to the application site and include units in 'unfavourable declining' condition.

The existing unfavourable declining conditions on the SSSI encourage more vigorous plant communities, (in particular, Purple moor grass - *Molinia caerulea*) to dominate which changes the vegetation composition on the Mosses. Molinia also has significant implications for increased fire risk, particularly with climate change.

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant. As competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions. Your authority should confirm to Natural England whether it intends to adopt this HRA to fulfil your duty as competent authority.

Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process, and a competent authority should have regard to Natural England's advice.

Based on the information provided in the application, including the Shadow HRA appropriate assessment, Natural England's advice is that there is currently insufficient information and the assessment is not sufficiently rigorous or robust enough to justify the conclusion. It is therefore not possible to ascertain that the proposal will not result in adverse effects on the integrity of the sites in question. We advise that your authority should not grant planning permission at this stage.

Natural England should be re-consulted once additional work has been undertaken.

Additional Information required

Hydrological pathways – water quality and quantity

Natural England require additional information to understand the potential risks posed by surface water run-off from the proposal site into Fenn's moss.

Natural England advise that the existing hydrological pathways from the proposed development source to designated site receptors in this area are complex. This complexity is exacerbated by the raising of water levels on the mosses (and related flooding) as part of the significant ongoing peat restoration.

The majority of Fenn's moss is within the Welsh River Dee catchment and water flow moves north from the northern unit and south from the southern unit into the peat / SSSI area. Although the proposed development source is in the northern unit, directional flow modelling suggests that the site is on the boundary of directional flows and potential impacts on water quality and quantity cannot therefore be ruled out.

Natural England note that there is an existing sealed drainage system on the proposal site which relies on several pumps to manage / transfer the water around a site which has often been subject to extensive flooding. The water table in this area is also noted to be high with the presence of existing groundwater contamination.

Natural England require clear plans to be provided which outline all existing water pathways on and adjacent to the proposal site, including but not limited to; pumps, drains and hydrological flows both during normal conditions and flooding, in order to understand how water will be managed and

impacted in existing and proposed drainage systems, including the proposed new attenuation ponds. Plans and related calculations should also consider water movement and attenuation during flooding events including future climate change considerations and projections.

Air Quality - Standing Advice

Natural England now provide 'Standing Advice' on Air Quality as set out below

Our Standing Advice *'Air pollution and development: advice for local authorities. How to assess sector-specific planning applications that could affect air quality on a protected site'* is intended to provide advice for consultations with the potential for air pollution impacts in the following development sectors: agriculture; industry; and transport. This standing advice is Natural England's formal statutory advice and is a material consideration. It provides decision makers with the information needed to fulfil their statutory duties when making decisions on planning applications with potential air pollution impacts.

Natural England will send all local authorities a survey as an opportunity to provide any feedback you may have on applying Natural England's advice. We will consider this feedback when deciding if any changes or updates to the advice may be required.

For any general enquiries on Natural England's standard advice letters and our Standing advice *'Air pollution and development: advice for local authorities. How to assess sector-specific planning applications that could affect air quality on a protected* site', please send your correspondence to LPA-AQStandingAdvicequeries@naturalengland.org.uk. We aim to respond within 10 working days.

Please note this mailbox will not respond to case specific queries. If the proposal is not in a category which is covered by the standing advice you should send it to consultations@naturalengland.org.uk.

Other advice

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Please note that we are not seeking further information on other aspects of the natural environment, although we may make comments on other issues in our final response.

On receipt of the information requested, we will aim to provide a full response within 21 days of receipt. Please be aware that if the information requested is not supplied, Natural England may need to consider objecting to the proposal on the basis of potential harm to the above designated site.

Should the developer wish to explore options for avoiding or mitigating effects on the natural environment with Natural England, we recommend that they use our Discretionary Advice Service.

Further general advice on the protected species and other natural environment issues is provided at Annex A. Please consult us again once the information requested above, has been provided. Please send further correspondence, marked for my attention, to consultations@naturalengland.org.uk quoting our reference 548189

Yours sincerely

Sally McLaughlin

Sally McLaughlin - Senior Adviser
Land use planning – West Midlands Area Team
Planning for a Better Environment – West Midlands Team

Annex A – Natural England general advice

Wider landscapes

Paragraph 180 of the NPPF highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland, or dry-stone walls) could be incorporated into the development to respond to and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape and Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the Landscape Institute Guidelines for Landscape and Visual Impact Assessment for further guidance.

Biodiversity duty

The local planning authority has a duty to conserve and enhance biodiversity as part of its decision making. Further information is available here.

Designated nature conservation sites

Paragraphs 186-188 of the NPPF set out the principles for determining applications impacting on Sites of Special Scientific Interest (SSSI) and habitats sites. Both the direct and indirect impacts of the development should be considered. A Habitats Regulations Assessment is needed where there is a likely significant effect on a habitats site and Natural England must be consulted on 'appropriate assessments'. Natural England must also be consulted where development is in or likely to affect a SSSI and provides advice on potential impacts on SSSIs either via Impact Risk Zones or as standard or bespoke consultation responses.

Biodiversity and wider environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 180(d), 185 and 186. Major development (defined in the NPPF glossary) is required by law to deliver a biodiversity gain of at least 10% from 12 February 2024 and this requirement is expected to be extended to smaller scale development in spring 2024. For nationally significant infrastructure projects (NSIPs), it is anticipated that the requirement for biodiversity net gain will be implemented from 2025.

Further information on biodiversity net gain, including draft Planning Practice Guidance, can be found here.

The statutory Biodiversity Metric should be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. For small development sites, the Small Sites Metric may be used. This is a simplified version of the Biodiversity Metric and is designed for use where certain criteria are met.

The mitigation hierarchy as set out in paragraph 186 of the NPPF should be followed to firstly consider what existing habitats within the site can be retained or enhanced. Where on-site measures are not possible, provision off-site will need to be considered.

Development also provides opportunities to secure wider biodiversity enhancements and environmental gains, as outlined in the NPPF (paragraphs 8, 74, 108, 124, 180, 181 and 186). Opportunities for enhancement might include incorporating features to support specific species within the design of new buildings such as swift or bat boxes or designing lighting to encourage wildlife. Natural England's Environmental Benefits from Nature tool may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside the Biodiversity Metric and is available as a beta test version.

Further information on biodiversity net gain, the mitigation hierarchy and wider environmental net gain can be found in government Planning Practice Guidance for the natural environment.

Ancient woodland, ancient and veteran trees

The local planning authority should consider any impacts on ancient woodland and ancient and

veteran trees in line with paragraph 186 of the NPPF. Natural England maintains the Ancient Woodland Inventory which can help identify ancient woodland. Natural England and the Forestry Commission have produced standing advice for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Best and most versatile agricultural land and soils
Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 180 and 181). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in GOV.UK guidance Agricultural Land Classification information is available on the Magic website and the Data.Gov.uk website

Guidance on soil protection is available in the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, and we recommend its use in the design and construction of development, including any planning conditions. For mineral working and landfilling, separate guidance on soil protection for site restoration and aftercare is available on Gov.uk website. Detailed guidance on soil handling for mineral sites is contained in the Institute of Quarrying *Good Practice Guide for Handling Soils in Mineral Workings.*

Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

Green Infrastructure
Natural England's Green Infrastructure Framework provides evidence-based advice and tools on how to design, deliver and manage green and blue infrastructure (GI). GI should create and maintain green liveable places that enable people to experience and connect with nature, and that offer everyone, wherever they live, access to good quality parks, greenspaces, recreational, walking and cycling routes that are inclusive, safe, welcoming, well-managed and accessible for all. GI provision should enhance ecological networks, support ecosystems services and connect as a living network at local, regional and national scales.

Development should be designed to meet the 15 Green Infrastructure Principles. The GI Standards can be used to inform the quality, quantity and type of GI to be provided. Major development should have a GI plan including a long-term delivery and management plan. Relevant aspects of local authority GI strategies should be delivered where appropriate.

GI mapping resources are available here and here. These can be used to help assess deficiencies in greenspace provision and identify priority locations for new GI provision.

Access and Recreation
Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths, together with the creation of new footpaths and bridleways should be considered. Links to urban fringe areas should also be explored to strengthen access networks, reduce fragmentation, and promote wider green infrastructure.

Rights of Way, Access land, Coastal access and National Trails
Paragraphs 104 and 180 of the NPPF highlight the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

Further information is set out in Planning Practice Guidance on the natural environment