Cyfoeth Naturiol Cymru
Natural Resources Wales

Ein cyf/Our ref: CAS-311988-S3W8
Eich cyf/Your ref: P/2026/0365

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 17 July 2026

Annwyl Syr/Madam/Dear Sir/Madam,

Bwriad/Proposal: Change of use of land to a 2-pitch family gypsy and traveller site

Lleoliad/Location: Land at Brandie, Brandy, Ruabon, Wrexham, LL14 6RB

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

We 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 **protected sites and European protected species**. If this information is not provided, we would object to this planning application. Further details are provided below.

Protected species

We note there are records of Great Crested Newts (GCN), a European Protected Species at 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:

- 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;
- There is no satisfactory alternative; and,

- 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. Please note, for the purposes of providing advice at the planning application stage, our comments are limited to compliance with the third test only.

No information about this species has been submitted with the application and as such we consider that there is currently insufficient information to assess the potential impacts of the proposal on GCN. We advise consideration of the local planning guidance note 35 GCN Mitigation Requirements for Johnstown Newt Site SAC and the Wider Countryside.

We therefore advise that further information should be submitted to inform the decision-making process in the form of a Great Crested Newt Conservation Strategy. This submission should demonstrate that the proposed development would not be likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

The strategy should include, but not be limited to the following:

- Details of any new habitat to be created including extent, location and planting details.
- Details of on-site or off-site conservation measures
- Details of the ownership of proposed off-site
- Details of timing, phasing and duration of construction activities and conservation measures
- Details and plan concerning GCN avoidance and mitigation measures including fence construction and maintenance
- Mechanisms to evidence compliance
- Biosecurity Risk Assessment (The amphibian fungus Chytrid has been found on site.)
- Persons responsible for implementing the works

Protected sites

The application site is located within 5m of the boundary of Johnstown Newt Sites Special Area of Conservation (SAC). The application site is also located within 5m of the boundary of Stryt Las a'r Hafod Site of Special Scientific Interest (SSSI).

Without prejudice to your assessment, we consider that the proposal is not likely to cause a direct impact on the conservation objectives of this Site.

However, based on our understanding of the location and nature of the scheme together with the proximity of greenspace; we consider that proposals may in this case be required for the purposes of addressing in combination indirect impacts on the SAC, particularly those associated with potential in combination increases in recreational pressures within the SAC. We therefore advise that following this assessment that measures (e.g. provision of a commuted sum) is proposed to offset possible impacts.

Great crested newts

The Johnstown Newt Sites SAC and Stryt Las a'r Hafod SSSI support a nationally important population of great crested newt (Triturus cristatus) and an assemblage of amphibian species.

Please see our detailed comments above regarding GCNs.

Foul drainage

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, 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.

We note foul water disposal is proposed via the installation of two cess pits, rather than connecting to the mains sewer. However, as you are aware, the site is within a sewered area.

Ultimately, the suitability of foul drainage arrangements for the proposed development is a matter for your Authority to determine. However, the installation of private sewage treatment facilities within publicly sewered areas is not normally considered environmentally acceptable because of the greater risk of failures leading to pollution of the water environment compared to public sewerage systems.

Section 6.6.21 of Planning Policy Wales states:

> "Any development discharging domestic sewage should connect to the foul sewer where it is reasonable to do so. Development proposing the use of non-mains drainage schemes will only be considered acceptable where connection to the main sewer is not feasible..."

Government guidance on private sewerage in Welsh Government Circular 008/2018 stresses that the first presumption must be to provide a system of foul drainage discharging into a public sewer. Only where having taken into account the cost and/or practicability it can be shown to the satisfaction of the local planning authority that connection to a public sewer is not feasible, should non-mains foul sewage disposal solutions be considered.

We therefore advise the Applicant to either amend their proposals to ensure that the foul drainage is connected to the mains sewerage system or provide detailed evidence to demonstrate that it is not reasonable to connect.

The Applicant should thoroughly investigate the possibility of connecting to the foul sewer by taking the following steps:

- Approach the sewerage undertaker to reach an agreement for a connection to the foul sewer.

- If the sewerage undertaker refuses connection to the public sewer, request that they adopt the proposed treatment system.
- If the sewerage undertaker refuses both of the above, you must appeal the refusal with Ofwat.

For further details please see Natural Resources Wales / Private sewage treatment in an area with a public sewer

The Applicant should be aware that should a connection to the mains sewer not be feasible, they will also need to demonstrate that the proposal would not pose an unacceptable risk to the water environment. Welsh Government Circular 008/2018 advises that a full and detailed consideration be given to the environmental criteria listed under paragraph 2.6 of the Circular, in order to justify the use of private sewerage.

As stated above, we expect developers discharging domestic sewage to connect to the public foul sewer where it is reasonable to do so. We will not normally grant a discharge permit for a private sewage treatment system where it is reasonable to connect to the public foul sewer. We also expect discharges of trade effluent to connect to the public foul sewer where it is reasonable to do so and subject to the sewerage undertaker granting a trade effluent consent or entering into a trade effluent agreement.

Furthermore, we refer you to the section in our Advice titled “What does this mean for development proposals involving connection to public wastewater treatment works”.

Habitats Regulations Assessment (HRA)

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/SPA/Ramsar site, 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/SPA/Ramsar site.

Ancient woodland

We note there is an area of ancient woodland in the vicinity of the site, we refer you to our advice on ancient woodland available on our website: Natural Resources Wales / Advice to planning authorities considering proposals affecting ancient woodland

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,

A Fracchiolla

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.