Cyfoeth Naturiol Cymru
Natural Resources Wales

Our ref: CAS-314079-F1Y6
Your ref: P/2026/0442

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Date: 20 August 2026

Annwyl Syr/Madam/Dear Sir/Madam,

Proposal: Change of use of building from class B2/B8 (general industry/storage and distribution) to mixed use class B1/B2/B8 (business/general industry/storage and distribution) to facilitate its use as a bakery, insertion of mezzanine level, erection of single bay rear extension and side extension, modified parking and servicing arrangements and installation of external silos and plant.

Location: Village Bakery Limited, Coed Aben Road, Wrexham Industrial Estate, Wrexham, LL13 9UH

Thank you for consulting Cyfoeth Naturiol Cymru/Natural Resources Wales (NRW) about the above, which we received on 17 August 2026.

We to have **concerns** with the application as submitted. To overcome these concerns, further consideration is required regarding **foul drainage**. We also advise that based on the information submitted to date, that a **condition** regarding **protected species** should be attached to any planning permission granted. Further details are provided below.

Protected Species

We have reviewed the following information which has/have been submitted in support of the application.

- Retrospective Ecological Appraisal, REA BJ26-056.1, April2026

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

The proposal has the potential to kill, injure, disturb GCN, or damage or destroy their breeding sites and resting places. 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 3rd test "demonstration of no detriment to the maintenance of the favourable conservation status of European protected species". We advise that before any consent is given, as informed by the provisions of Regulation 9 of the Conservation of Habitats and Species Regulations 2017 (as amended) the LPA satisfy itself as to whether the scheme satisfies the other two tests, namely a relevant Habitats Regulations purpose and whether there is no satisfactory alternative to the proposal.

Whilst we consider that the submitted report provides an adequate basis upon which to assess the impacts of the development on this species, sufficient detail has not been provided regarding the long-term management, monitoring and maintenance of the habitats intended to support the species. Given that the development has already been carried out, it is important that appropriate habitat management measures are secured and implemented to ensure the mitigation remains effective for the lifetime of the development.

We note that long-term habitat management is an established requirement of Local Planning Guidance Note No. 29 Wrexham Industrial Estate. These details could be secured through a suitably worded planning condition requiring the submission, approval and implementation of a Habitat Management and Monitoring Plan.

In light of the above, we advise that the Local Planning Authority considers the inclusion of the following condition on any planning permission granted.

Condition: Within three months of the date of this permission, a Great Crested Newt Conservation and Mitigation Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include:

- details of habitat creation, enhancement and/or compensation measures to be undertaken for Great Crested Newts, including plans showing the location and extent of the mitigation area;
- a timetable for implementation;

- arrangements for the management, maintenance and monitoring of mitigation habitats for a minimum period of 25 years, including details of the person(s) or organisation(s) responsible for implementing, managing and monitoring the mitigation measures;
- contingency measures to be implemented should monitoring identify that the mitigation objectives are not being achieved.
- biosecurity measures to prevent the introduction and spread of invasive non-native species and disease.

The approved mitigation measures shall be implemented in accordance with the approved timetable and thereafter retained, managed and monitored in accordance with the approved Plan for the lifetime of the development.

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

Protected Areas – Foul Drainage

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.

This application for change of use of building from class B2/B8 (general industry/storage and distribution) to mixed use class B1/B2/B8 (business/general industry/storage and distribution) to facilitate its use as a bakery, insertion of mezzanine level, erection of single bay rear extension and side extension, modified parking and servicing arrangements and installation of external silos and plant proposes connection of foul water to the mains sewer. 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. The majority of the River Dee and Bala Lake 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 note the following documents submitted in support of this application:

- DAF Plant Phosphorus Assessment, Report Ref: 204-XOS-XX-XX-RP-C-0010, XOspqaure Limited Consulting Engineers, April 2026

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 section 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?”

We therefore advise you to take the above into account in your determination of whether the development is likely to have a significant effect on the SAC. 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.

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,

Alisha Tyrrell-Liptrot

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.