Ein cyf/Our ref: CAS-315637-B0Y6
Eich cyf/Your ref: P/2026/0466

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 03 September 2026

Annwyl Syr/Madam/Dear Sir/Madam,

Bwriad/Proposal: One Planet Wales development comprising of the erection of a dwelling, two buildings, two polytunnels, ancillary agricultural structures and alterations to access

Lleoliad/Location: Land West of Lower Lanes Farm, Lower Wych, Malpas, Whitchurch, SY14 7JZ

Thank you for consulting Cyfoeth Naturiol Cymru/Natural Resources Wales (NRW) about the above, which we received on 04 August 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 **foul drainage**. If this information is not provided, we would object to this planning application. Further details are provided below.

We also advise that based on the information submitted to date, the **condition** regarding **protected species** should be attached to any planning permission granted and the **document** identified below should be included in the approved plans and documents condition on the decision notice.

- Whitfield, K, (2025). Preliminary Ecological Appraisal: land at Lower Wych, Malpas, Cheshire, SY145 7JX. Arbtech. (Unpublished)

Without the inclusion of the condition and document we would object to this planning application.

Protected Sites – Foul Drainage

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 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 from the information submitted that a bespoke private drainage solution is proposed to serve the development. The submitted details indicate that grey water and black water will be managed and disposed of separately. Accordingly, each element has been considered independently as part of our assessment.

Blackwater

Separator toilets, also known as compost toilets are proposed which are unlikely to lead to increases in nutrient discharges to the SAC as detailed in our Advice. Therefore, on the basis of the details provided with the application, we are satisfied that there is unlikely to be a source of additional nutrients and a pathway for impacts. As such, in our opinion, it would be reasonable for your authority to screen out this element of the proposal (blackwater discharge) as not likely to have a significant effect on the River Dee and Bala Lake SAC in relation to nutrient inputs.

Greywater

Based on the information provided, greywater is proposed to be discharged to a reedbed treatment system and subsequent polishing pond. Consequently, the development has the potential to contribute additional nutrients to the receiving environment. As such, we refer you to our Advice and advise you to seek further information from the applicant

To ensure that the proposed wastewater treatment and disposal system can operate effectively without causing pollution or adverse impacts on the surrounding environment and nearby watercourses, we advise that the applicant provides the following additional information:

- Percolation and infiltration testing demonstrating the suitability and capacity of the receiving ground.
- A final greywater treatment and discharge scheme showing treatment components, drainage routes, discharge/infiltration areas, overflow arrangements and separation distances from sensitive receptors.
- A design statement demonstrating the proposed reedbed is appropriately sized and capable of achieving the required treatment performance.
- Details of proposed phosphorus management measures and long-term maintenance arrangements.
- Design details of the proposed polishing pond, including capacity, overflow arrangements and monitoring provisions.
- Confirmation that no cross-connections will occur between wastewater systems and clean-water features or watercourses.

Ultimately, the suitability of foul drainage arrangements for the proposed development is a matter for your authority to determine. 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 determine that an Appropriate Assessment is required, the applicant will then need to submit whatever evidence they deem appropriate, seeking advice from consultants as may be necessary, to demonstrate no adverse effect on site integrity.

Protected Species

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

- Whitfield, K, (2025). Preliminary Ecological Appraisal: land at Lower Wych, Malpas, Cheshire, SY145 7JX. Arbtech. (Unpublished)

The information has identified that Great Crested Newts (GCN) are material to the application site.

Field survey confirmed the presence of the species by eDNA surveillance techniques and outline mitigation proposals have been submitted.

The proposal has the potential to kill, injure, disturb GCN, or damage or destroy their breeding sites and resting places or to constitute an “attempt offence”. 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 (as amended). 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.

In this instance, we advise that works are carried out under an appropriate licence.

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 the submitted proposals are not likely to be detrimental to the maintenance of the favourable conservation status of the local population of great crested newts provided any subsequent consent is subject to the imposition of appropriate planning conditions.

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 above report provides an adequate basis upon which to consider the potential impacts of the scheme on this species, aspects of the proposed scheme will require further development. However, this further information can be provided via a suitably worded condition, included on the decision notice.

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

Condition: Great Crested Newts Conservation Plan: No development, including site clearance, shall commence until a Great Crested Newt Conservation Plan has been submitted to and approved in writing by the Local Planning Authority. The Conservation Plan should build upon the principles outlined in the ecology survey and GCN mitigation plan and include, but not necessarily be limited to:

- Further details concerning great crested newt/amphibian avoidance and mitigation measures. The details to include identified Reasonable Avoidance Measures (RAMS) such as barrier fencing; and measures to be carried that ensure working areas are clear of newts prior to the commencement of and throughout construction and related works
- Further details of amphibian compensation, restoration and enhancement works including management plan for the operational phase of the proposals that considers great crested newts and European protected species licensing requirements
- Details of timing, phasing and duration of construction activities and conservation measures
- A timetable for implementation demonstrating that works are aligned with the proposed phasing of the development
- Persons responsible for implementing the works; and
- Post-construction monitoring and record dissemination plan for a period of no less than10 years. Monitoring methodology shall accord with and results reported through the Wales GCN Monitoring Scheme
- Biosecurity Risk Assessment
- Mechanisms to evidence compliance (ie Ecological Compliance Audit (ECA) including defined Key Performance Indicators

The Conservation Plan shall be carried out in accordance with the approved details.

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

We also advise that the works are carried out under licence. We refer you to the Chief Planning Officer's letter dated 1 March 2018 which advises Local Planning Authorities to attach an informative regarding licence requirements to all consents and notices where European Protected Species are likely to be present on site.

Please note that any changes to proposals between planning consent and the licence application may affect the outcome of a licence application.

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.