Ein cyf/Our ref: CAS-316401-N5G3
Eich cyf/Your ref: P/2026/0085

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 03 September 2026

Annwyl Syr/Madam/Dear Sir/Madam,

Bwriad/Proposal: Change of use of land to storage for raw timber, logs and woodchip

Lleoliad/Location: Land West of, Tudor Drive, Penley, Wrexham, LL13 0JN

Thank you for consulting Cyfoeth Naturiol Cymru/Natural Resources Wales (NRW) about the above, which we received on 13 August 2026.

We continue to have **concerns** with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following **condition** to any planning permission granted:

- Condition: Biosecurity Risk Assessment

In addition to the above condition the **document** identified below should be included in the approved plans and documents condition on the decision notice:

- Cobb, T. (2026) Land West of Tudor Drive, Penley, Wrexham, LL12 0JN: Preliminary Ecological Appraisal and Protected Species Report. Wildbanks Ecology (Unpublished).

Please note, without the inclusion of this condition and document we would object to this planning application. Further details are provided below.

Protected Species

Great Crested Newts

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

- Cobb, T. (2026) Land West of Tudor Drive, Penley, Wrexham, LL12 0JN: Preliminary Ecological Appraisal and Protected Species Report. Wildbanks Ecology (Unpublished).

The submitted information identifies that great crested newts (GCN) are material to 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 afforded to them, development may only proceed under a licence issued by Natural Resources Wales, having satisfied the three tests 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 within its natural range.

To avoid developments receiving planning permission but subsequently being unable to obtain the necessary 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 that, for the purposes of providing advice at the planning application stage, our comments are limited to the third test, namely the demonstration of no detriment to the maintenance of the favourable conservation status of European Protected Species. We advise that, before any consent is granted, and having regard to the provisions of Regulation 9 of the Conservation of Habitats and Species Regulations 2017 (as amended), the Local Planning Authority should satisfy itself that the proposal also meets the first two tests, namely that there is a relevant Habitats Regulations purpose and that there is no satisfactory alternative.

While impacts on GCN are likely to be limited, the assessment may underestimate the potential use of the site by GCN. It does not fully consider dispersal distances, the value of woodland and hardstanding-associated habitats, or the influence of recent dry conditions on the species' distribution and breeding activity.

Notwithstanding the above observations, we consider that the report provides an adequate basis upon which to assess the likely impacts of the development on GCN and to inform the decision-making process. We note the recommendations set out in Section 6 of the report and recommend that any planning permission granted includes a condition requiring the implementation of, and evidence of compliance with, the ecological recommendations and mitigation measures set out within the submitted report.

Therefore, we advise that the following document is included within the approved plans and documents condition attached to any decision notice:

- Cobb, T. (2026) Land West of Tudor Drive, Penley, Wrexham, LL12 0JN: Preliminary Ecological Appraisal and Protected Species Report. Wildbanks Ecology (Unpublished).

We also advise that any consent includes the imposition of a condition requiring the submission and implementation of a Biosecurity Risk Assessment approved to the satisfaction of the LPA.

Furthermore, should one or more GCN be discovered during site clearance, construction, or any associated works, all works in the affected area must cease immediately. Works must not recommence until appropriate advice has been obtained and, where required, an appropriate licence has been issued by Natural Resources Wales under Regulation 55(2) of the Conservation of Habitats and Species Regulations 2017 (as amended).

Bats

We note that the information submitted in support of the above application (Cobb, T. (2026) Land West of Tudor Drive, Penley, Wrexham, LL12 0JN: Preliminary Ecological Appraisal and Protected Species Report Wildbanks Ecology (Unpublished)) has identified that bats are present at the application site. From the information submitted, we consider that the proposed development represents a lower risk for bats, as defined in our guidance document Natural Resources Wales Approach to Bats and Planning (2015).

Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). Where bats 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 NRW, having satisfied the three tests set out in the Regulations (please also refer to Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning). Please note, for the purposes of providing advice at the planning application stage, our comments are limited to the test relating to "demonstration of no detriment to the maintenance of the favourable conservation status of European protected species."

As this is a lower risk case for bats, we consider that the development is not likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. We recommend that you discuss the need to secure any avoidance or mitigation measures with your internal ecological advisor.

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.

However, recognising the specific nature of the application submitted for the change of use of land to storage for raw timber, logs and woodchip with no additional foul drainage provisions, 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 proposal as not likely to have a significant effect on the River Dee and Bala Lake SAC in relation to nutrient inputs.

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.