

Ein cyf/Our ref: CAS-317754-C3C3
Eich cyf/Your ref: P/2023/0497

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 18 September 2026

Annwyl Syr/Madam/Dear Sir/Madam,

Bwriad/Proposal: Hybrid application seeking: Full planning permission for the demolition of existing buildings, the erection of buildings for class B1, B2 and B8 use and formation of vehicular access; and outline planning permission for the erection of buildings for class B1, B2 and B8 use and retail, drive thru, hotel and petrol filling station (classes A1, A3, C1 and sui generis and associated infrastructure (all matters reserved)

Lleoliad/Location: Land North Of, Bryn Lane, Wrexham Industrial Estate, Wrexham, LL13 9US

Thank you for consulting Cyfoeth Naturiol Cymru/Natural Resources Wales (NRW) about the additional information for the above, which we received on 28 August 2026.

We continue to 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 species and contaminated land**. 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 following **conditions** regarding **protected sites, protected species and contaminated land** should be attached to any planning permission granted:

- Condition 1: Protected sites
- Condition 2: Protected species
- Condition 3-5: Contaminated land

The **documents** identified below should also be included in the approved plans and documents condition on the decision notice.

Approved documents:

- Habitat Management Plan (Natural Resource Wales – Great Crested Newt) reference 9134.05.001 – v9.0 dated 24/02/2026
- Biosecurity Risk Assessment (February 2024, reference 9134.021 Version 1, The Environment Partnership)

Without the inclusion of these conditions and documents we would object to this planning application.

Foul Drainage and Protected Sites

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. We therefore advise you to consider whether the proposals, as submitted, would increase the volume of foul discharge from the site in planning terms.

This application proposes connection of foul water to the mains sewer. The proposed development could 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 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 have reviewed the following additional document submitted in support of this application:

- Shadow Habitats Regulations Assessment, reference 9134.013, version 4.0 dated 17/08/2026, The Environment Partnership Ltd

It is ultimately for your Authority to be satisfied whether a proposal will result in an adverse effect on the integrity of the River Dee and Bala Lake SAC. To assist you with your assessment of the proposal, we advise as follows:

We note Section 7.2 of the previously submitted Phosphate Assessment (Utopia City, Bryn Lane, Phosphate Assessment, Project reference T/21/2486, Version 1.1 dated 09/03/2026, Tier Consult Ltd) confirms that the total phosphorus mitigation required by the proposed development is 9.09kg TP (Total Phosphorus)/year. We understand the intention is for this mitigation to be provided as part of the Strategic Ecological Corridor, which is the subject of a separate planning application (ref P/2025/0431). Subject to the corridor being guaranteed, and suitable long-term management and maintenance arrangements being secured for the lifetime of the development, we would consider this to be acceptable mitigation.

We therefore continue to advise that should you be minded to grant permission for this application, your Authority secure the delivery of the proposed Strategic Ecological Corridor to your satisfaction either through a Grampian style condition (Condition 1:

Protected Sites) or a legal agreement. The condition or legal agreement should ensure that the corridor is in place and capable of performing the function required to offset the phosphorus discharges prior to the occupation or operation of the development and maintained as such for the duration of the development. Please also refer to our comments regarding securing the Strategic Ecological Corridor in relation to providing off-site compensation for great crested newts (GCN) under 'Protected Species' below.

We advise that the application is supported by an appropriately scaled figure, clearly identifying the relevant land parcels within the Strategic Ecological Corridor that are proposed to form part of this development, in relation to both phosphates and GCN. This will ensure clarity and consistency in the identification of land areas associated with phosphates and GCN mitigation.

If your Authority is able to reasonably conclude that the proposal will not result in adverse effect on the integrity of the River Dee and Bala Lake SAC, we raise no concerns with regards protected sites.

Please consult us on any Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Protected Species

We have reviewed the following additional information submitted on the 17th March 2026 in support of the application:

- Consultation Response Letter, reference 9134.028, dated 27/02/2026, The Environment Partnership
- 9134.025 EPS Development Licence Method Statement, Version 6.0 dated 27/02/2026.
- Habitat Management Plan (Natural Resource Wales – Great Crested Newt) reference 9134.05.001 – v9.0 dated 24/02/2026.

Great crested newts

Consultation response letter

We note the response in Table 1 regarding “no definitive prescribed widths for wildlife corridors” and that the proposed widths for the on-site corridors are “considered adequate for GCN to move through the site”. However, as stated in previous responses, we continue to have concerns the existing proposed on-site corridor is too narrow and would advise a wider width is considered.

Furthermore, we remain concerned that the multifunctional use of the on-site corridor may hinder effective management and compromise the ability to deliver positive outcomes for both great crested newts (GCN) and other land uses. However, we note that Section F of the European Protected Species (EPS) Development Licence Method Statement that “management and surveillance of the ecological areas will be secured under a S106 commitment”.

Our preferred approach remains the provision of a wider corridor on-site. However, without prejudice, we would be prepared to accept the current proposal strictly on the proviso that the off-site ecology land is occupied and subject to long-term management, monitoring and wardening, by a body that accords with the definition of a 'responsible body' under Part 7 of the Environment Act 2021.

Failure to action this advice may mean that relevant future licence applications are not capable of demonstrating no detriment to the maintenance of the favourable conservation status of GCN in its natural range. This outstanding issue is material to the determination of any approval in respect of this specific application, in our view.

Condition 2: Protected species

We note that the corresponding off-site compensation for this application is being progressed under a separate planning application (P/2025/0431). We therefore advise that your Authority secures its delivery to your satisfaction either through a 'Grampian' style condition or legal agreement.

EPS Development Licence Method Statement

We note the submission of an updated EPS Development Licence Method Statement and advise that the following points, in our opinion, remain to be addressed:

- We note that section H.2.1 states "All land used for GCN mitigation will remain under the ownership and management of the developer Net World post completion. An appropriate ecological consultant with GCN licences will be employed to support the developer owner". We continue to advise that the occupancy of off-site ecology areas is transferred to a body that accords with the definition of a responsible body under part 7 of the Environment Act 2021. Furthermore, our comments only relate to the detail of this specific development as opposed to being applicable to any other land including proposed offsite compensation (receptor) areas

Habitat Management Plan

We note the submission of an updated Habitat Management Plan (HMP) and advise that the updates have addressed the points raised in our previous response dated 19/02/2026 (reference CAS-299921-J0C3).

Section 2.42 of the HMP refers to "Legal Factors", this section could benefit from being updated to include reference to relevant nature conservation legislation however we would not object to the HMP being included as an approved document at this stage.

Temporary fencing ref D9134.002 (Figure TEP.ECO.001) dated 10/09/2025

We note that the specification drawing included within Annexe K.2 of the EPS Development Licence Method Statement has been updated to show a buried depth of 300-350mm and we accept this drawing as addressing the concerns previously raised regarding the buried depth.

Table 1 of the Consultant Response Letter confirms that the separate specification drawing on the LPA portal, reference D9134.002 (Figure TEP.ECO.001) uploaded 03/10/2025 is incorrect.

Planning Obligation

We continue to advise that any subsequent consent should be subject to the provisions of a Planning Obligation Section 106 Agreement (as opposed to a Unilateral Undertaking). We advise that in respect of any such agreement, provisions relating to ecology include:

- A defined commuted sum and/or requirement for index-linked ground rent service charges to resource ecological surveillance, management and wardening (a costed management plan will be required to inform costings).
- Management Plan review, at minimum every 5 years (or timescales agreed with the LPA).
- Funding to cover the cost of input from Public Bodies if required to review monitoring results/undertake liaison and comment on proposed Environment Management Plan Reviews.
- Transfer freehold ownership of the defined Ecology Area to a body that accords with the definition of “responsible” under Part 7 of the Environment Act 2021 [e.g., an appropriate body that is approved by the Local Planning Authority] before occupation of the unit.
- Tenure and any proposed changes to tenure shall be carried out to the satisfaction of the LPA in consultation with NRW.

Advice for Developer

We continue to advise that an over-arching strategy and approach to licensing the various Net World Sports developments at Wrexham Industrial Estate is considered. We would advocate that a new licence application is submitted that includes all land in plan number G9134.42A where planning consents have been approved and any ecological reserved conditions discharged. Each new planning application will need to request the revocation (relinquishment) of any previous extant licence and all conditions and obligations required under the extant licence transferred to the new licence amendment. We acknowledge that in the Consultation Response Letter it is stated that this “may be considered after approval of the planning application”.

Section C.6.2 contains details regarding surveys carried out and references to ‘Pond ID’ which does not correlate with national databases. We advise that the pond identification codes are updated to correctly correspond with the referencing system used by Cofnod / Wales GCN monitoring scheme for accurate and consistent cross referencing.

Biosecurity

We note the submission of a Biosecurity Risk Assessment (February 2024, reference 9134.021 Version 1, The Environment Partnership) in relation to point 9 of our previous response (dated 23/11/24, reference: CAS-248678-S8X8) and are satisfied with the proposed biosecurity measures.

We advise that the Biosecurity Risk Assessment should be included in the 'approved list of plans/documents' condition within the decision notice should consent for the project be granted.

Bats

We note that the bat report submitted in support of the above application (Bat Tree Roost Survey Report, Reference 9134.04.001v2, The Environment Partnership) identified that bats were not observed during the emergence surveys.

The additional Bat Survey Technical Note (Crowder, J., July 2024, Bat Survey Technical Note, Ref 9134.024 Version 1, The Environment Partnership) states that additional surveys/assessments will be carried out prior to the demolition of buildings or removal of trees.

We concur with this approach and advise that any subsequent consent is subject to a condition for each phase of development for pre-commencement bat surveys to be carried out to the satisfaction of the LPA. If surveys indicate that bats are likely to be affected a conservation scheme should be submitted to the satisfaction of the LPA.

Contaminated Land

We have reviewed the submitted 'Ground Investigation Report for Bryn Lane – Full Planning Areas' (Tier Environmental Ltd, October 2023) and 'Ground Investigation Report for Bryn Lane – Outline Planning' (Tier Environmental Ltd, October 2023). Site investigations undertaken on the site have identified isolated concentrations of hydrocarbons and some metals on site, associated with made ground used to backfill ponds. However, investigations have confirmed the presence of at least 10m clay till deposits over the sandstone bedrock, which is considered to offer protection of the Principal bedrock aquifer underlying the site. The site comprises agricultural land and no other potential sources of significant contamination have been identified on the site. We generally agree with the conclusions.

Proposals also include a petrol station within the outline planning application area. Petrol filling stations have the potential to cause pollution of controlled waters. We have concerns with the application as submitted because inadequate information has been provided to understand the potential risk to groundwater. To assess the potential impacts, we advise that the following information is submitted by the applicant:

- Location of the storage tanks. An annotated site plan showing the location of the new and old tanks and pipelines to pumps.
- The depth to the water table. The seasonal variation of the water table should be considered, and any seasonal highs should be compared with the tank invert level. If the water table is shown to be above the invert level of the storage tanks, a risk assessment with respect to the groundwater should be submitted along with mitigation measures to reduce any risks.
- Design of the tanks and infrastructure. Details of the tanks and infrastructure design and cross sections of the geology and tanks with depths below the ground. If the tanks and infrastructure are sub-water table a risk assessment should be submitted, and mitigation measures confirmed. The design should be in accordance with the

Association for Petroleum and Explosives Administration's (APEA) 'Blue Book' – Guidance for Design, Construction, Modification, Maintenance and Decommissioning of Filling Stations.

In addition to the submission of the information detailed above regarding fuel storage, we would advise that you should only grant planning permission for this scheme if the conditions listed below are attached to the planning permission:

Condition 3: Unsuspected Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Justification: To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks

Condition 4: Surface Water Drainage

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Justification: To prevent both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution.

We note that the ground investigation report (Ground Investigation Report for Bryn Lane, Reference TE1750-TE-00-XX-RP-GE-001-V05 Dated 20 October 2023) advises that piles could be considered where loadings cannot be transferred to shallow soils. Therefore, if the proposals would include a piled foundation solution, we would also advise the following condition is applied:

Condition 5: Piling

No development shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details.

Justification: Piling or foundation details should be submitted to ensure there is no unacceptable risk to groundwater during construction and methods and design are agreed prior to the commencement of development or phase of development.

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,

Rachael Burke

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.