Cyfoeth Naturiol Cymru
Natural Resources Wales

Our Ref: CAS-318737-H2X3

Your Ref: P/2026/0187

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 24 September 2026

Annwyl Syr/Madam/Dear Sir/Madam,

Bwriad/Proposal: Prior Notification For Demolition Of Buildings

Lleoliad/Location: Land At Dennis Ruabon Ltd, Hafod, Ruabon, Wrexham, LL14 6ET

Thank you for consulting Cyfoeth Naturiol Cymru/Natural Resources Wales (NRW) with additional information relating to the above, which we received on 10 September 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 sites and protected species**. If this information is not provided, we would object to this planning application. Further details are provided below

We note that further information on protected species has been submitted since our previous response CAS-307830-S1W1 dated 14 August 2026, namely:

- Great Crested Newt Non-Licenced Mitigation Plan, Davies, K., Arbtech, 13 May 2026
- Bat Mitigation Plan, Arbtech, survey date 28 August 2026

It is noted that Building B1 has been subject to recent demolition works. We provide your Authority with the following advice.

1 Protected Sites

1.1 Johnstown Newts Site Special Area of Conservation

The site is located adjacent to the Johnstown Newts Site Special Area of Conservation (SAC). We note that further information has been submitted regarding great crested newts (GCN). Our response should be taken as NRW's formal representation, as the appropriate nature conservation body, to your Appropriate Assessment (AA) (P/2026/0187 dated 9 September 2026) under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

We have advised amendments (in red) which can be found in the attached draft Appropriate Assessment. Subject to the incorporation of the amendments noted above, we agree with your conclusion that an adverse effect upon the integrity of the SAC can be ruled out.

1.2 Stryt Las a'r Hafod Site of Special Scientific Interest

The site also lies adjacent to the Stryt Las a'r Hafod Site of Special Scientific Interest (SSSI). We note that further information has been submitted regarding GCN and provide advice below (Section 2.1).

1.3 River Dee and Bala Lake Special Area of Conservation

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 Natural Resources Wales / 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.

Having regard to the nature of the application, which relates solely to the demolition of buildings, and does not include any foul drainage proposals, we are satisfied that there is unlikely to be a source of additional nutrients or a pathway for impacts. We therefore consider that it would be reasonable for your Authority to screen out the proposal as not likely to have a significant effect on the River Dee and Bala Lake SAC in relation to nutrient inputs.

2 Protected Species

2.1 Great crested newts

As noted above, the site lies close to several protected sites Associated with GCN (Stryt Las a'r Hafod Site of Special Scientific Interest; River Dee and Bala Lake SAC), and we are also aware of GCN records located closer to the application site. Based on this information, we would advise that any demolition works are undertaken under the provisions of an appropriate European Protected Species (EPS) derogation licence issued by NRW under Regulation 55 (2) of the Conservation of Habitats and Species Regulations 2017 (as amended).

In light of our current understanding of demolition activities at the site, we consider it appropriate to supplement our previous advice with further detail, particularly in relation to the importance of the site for GCN.

We have reviewed the following:

- Williams, A. (2026). Preliminary Ecological Appraisal & Preliminary Roost Assessment. Arbtech (Unpublished).

We concur with the report's conclusion that local records cannot be fully established without data from Cofnod.

The presence of Johnstown Newt Sites SAC, approximately 25m west of the application site is particularly significant. The report notes that this site has:

- Approximately 23 ponds within 500m.
- Suitable habitat connectivity.
- Scrub habitats capable of facilitating amphibian dispersal.
- Adjacent areas providing forage and shelter.

The report further suggests that the nearest pond has steep sides which may reduce suitability. However, GCN have previously been recorded within this pond, with counts exceeding 100 individuals. Consequently, we do not consider steep banks alone sufficient justification for discounting amphibian usage.

We do not agree with the report's conclusion that the risk to GCN is low, for the following reasons:

- The site's close proximity to Johnstown Newt Sites SAC.
- Confirmed GCN populations within nearby ponds.
- Suitable habitat connectivity.
- Availability of refuge and foraging habitat on-site.

The risk of impacts to GCN should be considered greater than currently assessed. Potential impacts from the demolition to the GCN population, include:

- Injury and mortality during construction activities.
- Disturbance of commuting individuals.
- Impacts upon terrestrial refuge habitat.
- Temporary loss of refuge and foraging opportunities.

2.1.1 Mitigation

We support the recommendation for a GCN Reasonable Avoidance Measures (RAMS) document and highlight that mitigation activities require the appropriate protected species licensing mechanism, details being agreed with NRW where necessary.

The recommendation for a Construction Ecological Management Plan (CEMP) is supported. The CEMP should include:

- Biosecurity measures.
- Pollution prevention measures.
- Site demarcation and ecological protection zones.
- Ecological toolbox talks.
- External ecological compliance auditing throughout construction.

We also note the submission of a Great Crested Newt Non-Licensed Mitigation Plan (Davies, K. 2026, Arbtech, unpublished). Section 2.2.2 – 2.2.7 below, refers to this report.

2.1.2 Assessment of Habitat Suitability

The mitigation plan states that the development will not result in the loss of breeding habitat or shelter features and that the site is largely of negligible value to GCN.

Whilst we agree that no known breeding ponds will be directly affected, we do not agree that the site is necessarily unsuitable as terrestrial habitat. GCN are known to utilise post-

industrial land, rubble piles, voids, hardstanding edges, demolition debris and other artificial refuges as resting and sheltering places.

Insufficient evidence has been provided to demonstrate the absence of suitable terrestrial habitat within the application site.

2.1.3 Licensing and Legal Considerations

Table 3.1 states that an EPS licence is not required and proposes that, should GCN be encountered during works, operations would cease and an appropriate licence would subsequently be obtained.

In our opinion, this approach is inadequate. It appears to overlook:

- The possibility of offences occurring before a GCN is detected;
- The protection afforded to resting places and places of shelter;
- The relevance of existing local records which could reasonably have been identified through a Cofnod search; and
- The incorrect reference to Natural England rather than the relevant Welsh licensing authority.

The presence of known GCN populations within very close proximity to the site should have informed the assessment from the outset.

2.1.4 Reasonable Avoidance Measures

The proposed RAMs state that works should commence during the amphibian active season to allow individuals to disperse away from disturbance.

However, this reasoning appears inconsistent with the conclusion that the site provides little or no value to GCN. If individuals require the opportunity to disperse from the site prior to works commencing, this implicitly recognises that the site may function as terrestrial habitat and potentially as a resting or sheltering place.

Further, GCN are predominantly nocturnal. Demolition and vegetation clearance activities are generally undertaken during daylight hours and therefore any assumption that animals will simply disperse from active working areas is not justified.

2.1.5 Finger-Tip Searches and Soft Strip Methodology

The proposed methodology relies upon finger-tip searches, supervised vegetation removal and soft stripping of potential refugia.

Whilst these measures may reduce risk, we do not consider them sufficient in the circumstances of this site. The methodology does not adequately address the potential for nocturnal movement of animals into working areas between inspections and construction activities.

Given the site's close proximity to known breeding ponds and documented GCN populations, we would have expected consideration of more robust measures, including:

- Temporary amphibian exclusion fencing;
- Trapping and translocation under licence where required;

- A structured clearance programme prior to demolition works; and/or
- The potential use of conservation detection dogs to help establish whether working areas are free from GCN.

2.1.6 Material Storage and Site Management

The mitigation plan proposes storing materials and debris on hardstanding or within skips to avoid creating new refugia.

Whilst this is good practice, GCN may still utilise materials stored on hardstanding as temporary resting or sheltering places. For this reason, we consider that exclusion fencing around the working area should be considered to reduce the risk of animals entering the site during construction.

2.1.7 Additional Matters Not Addressed

The submitted mitigation plan does not appear to address several important considerations, namely:

- Biosecurity: No information is provided regarding biosecurity measures, despite records of amphibian chytrid fungus within the local area.
- Compliance Monitoring: Given the sensitivity of the location, an ecological compliance audit programme should be considered to demonstrate adherence to mitigation requirements during construction.
- Long-Term Conservation Measures: The plan does not set out any long-term conservation strategy. The maintenance of favourable conservation status is central to both planning and protected species decision-making, and therefore long-term measures should be clearly identified and secured where appropriate. The rationale for our statement is that the long-term being a material attribute of conservation status.

These matters should be addressed through the EPS licence, Construction Ecological Management Plan (CEMP) and any associated Ecological Mitigation and Enhancement Management Plan (EMEMP).

2.2 Bats

We have reviewed the following:

- Williams, A. (2026). Bat Mitigation Plan: Ruabon Brickworks, Hafod Road, Ruabon, Wrexham LL14 6ET. Arbtech (unpublished).
- Williams, A. (2026). Preliminary Ecological Appraisal & Preliminary Roost Assessment. Arbtech (Unpublished).

It is noted that Building B1 has been subject to recent demolition works.

The findings of the Preliminary Ecological Appraisal (PEA) and Preliminary Roost Assessment (PRA) undertaken in 2026 are noted and summarised below:

- B1 was assessed as having low suitability for roosting bats.

- B2 was confirmed to support a bat roost, with droppings recorded within the loft space above the office block on the southern gable of the eastern elevation. The droppings were subsequently confirmed as belonging to brown long-eared bat (*Plecotus auritus*).
- B3, B4 and B5 were assessed as having negligible suitability for roosting bats.

The results of the bat surveys are noted.

We concur with the conclusions and recommendations presented in the Bat Mitigation Plan, that no further BERS are required at this time. We also agree that should development be delayed and works not commence before May 2027, an updated BERS will be required. We concur that should a licence be applied for after May 2027, that additional updated surveys will be required to inform the licence application. Please note, there is incorrect reference made to Natural England rather than the relevant Welsh licensing authority NRW.

We concur that a European Protected Species licence will be required to facilitate the proposed works affecting the confirmed bat roosts.

2.2.1 Mitigation and Compensation Requirements

2.2.1.1 Timing of Works

We agree with the timing restrictions proposed within the Bat Mitigation Plan.

2.2.1.2 Demolition and Construction Methodology

Whilst general mitigation measures are proposed, insufficient detail is currently provided regarding the demolition strategy and implementation of bat mitigation measures during demolition. The following matters require clarification:

1. Whether a phased demolition methodology will be employed.
2. A definition of what constitutes excessive noise and vibration levels in proximity to retained roost features.
3. Details of how artificial lighting will be managed during demolition and construction to avoid disturbance to bats.
4. Mechanisms for evidencing compliance with mitigation measures throughout the development process.
5. Biosecurity measures to prevent pollution, invasive species transfer and indirect impacts upon nearby designated sites.
6. Long-term management arrangements, including tenure, responsibility for replacement roost features and monitoring commitments.

These matters should be addressed through the EPS licence, Construction Ecological Management Plan (CEMP) and any associated Ecological Mitigation and Enhancement Management Plan (EMEMP).

3 Habitats Directive

We would like to take this opportunity to affirm to Wrexham County Borough Council, as the relevant local authority, that any of its decision making, including planning, accords with the requirements of Regulation 9 of the Conservation of Habitats and Species Regulations 2017 (as amended). This requires public decision makers to either have regard to or ensure compliance with the requirements of the Birds and Habitats Directives.

4 Groundwater Protection and Land Contamination

Advice on environmental considerations and the assessments needed to support your planning application can be found on our external website.

- For advice on how to deal with possible land contamination on your development visit: Natural Resources Wales / Land contamination
- For advice on how to protect groundwater at your development visit: Natural Resources Wales / Groundwater in Wales: what it is and how to protect it

5 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,

Sion M. Williams
Uwch Gynghorydd - Cynllunio Datblygu/Senior Advisor - Development Planning
Cyfoeth Naturiol Cymru/Natural Resources Wales

E-bost/E-mail: neplanning@cyfoethnaturiolcymru.gov.uk

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.