Ein cyf/Our ref: CAS-318992-T0M7
Eich cyf/Your ref: P/2026/0454

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 14 October 2026

Annwyl Syr/Madam/Dear Sir/Madam,

Bwriad/Proposal: Erection of dwelling and erection of 4 no agricultural buildings

Lleoliad/Location: Land West Of, Halghton Lane, Penley, Wrexham

Thank you for consulting Cyfoeth Naturiol Cymru/Natural Resources Wales (NRW) about the above, which we received on 14 September 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 **protected sites**. 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** should be attached to any planning permission granted:

- Condition 1: Ecological Management Plan
- Condition 2: Lighting Condition

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

Protected Sites

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.

Manure Management Plan

Agricultural developments have the potential to impact protected sites through nutrient discharges. New developments involving the storage, management and spreading of organic material within the catchment of a river Special Area of Conservation (SAC) have the potential to contribute towards the amount of nutrients entering the designated site and should be screened to determine if they are likely to have a significant effect.

We note that the One Planet Development Management Plan (July 2026) refers to several sources of fertilisers to be used on site including: manure from a neighbouring dairy, composting, animal manure from on site livestock, green manure and wood chip and ash. However, we advise that the information provided within the Management Plan is limited and not sufficient to adequately assess any potential impacts on protected sites.

We advise that a site specific Nutrient Management Plan (NMP) should be provided. This should cover the land area on which the manures, slurries, digestate or plant material will be spread, demonstrating that the holding has the capacity to receive the material and comply with regulations for spreading. This should also include any materials imported for the purposes of spreading to land from other holdings or farms.

The plan should include details of volumes of organic manures and slurries produced, and how it will be transferred, stored and used.

Further information can be found on our website via Natural Resources Wales / How to manage livestock manure and slurry appropriately and also Read advice on manure and nutrient management plans.

Foul Drainage

Recognising the specific nature of the application submitted, composting sewage treatment system which meets the screening criteria set out in our Advice, we are satisfied that there is unlikely to be a source of additional nutrients and a pathway for impacts resulting from the foul drainage proposals. 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.

Should you conclude that the proposed development is likely to have a significant effect on the SAC, please consult us on your Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Protected Species

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

- Land Adjacent to Bryn Lane, Penley, Extended Phase 1 Habitat Survey, reference C513/1.0 dated 02/11/2023, Marches Ecology
- Email from applicant to Local Planning Authority dated 14/09/2026

We note that the report has identified that the application site has the potential to support bats, hazel dormice and great crested newt.

While the submitted report and associated survey are dated 2023, which typically exceeds standard timeframes for informing planning decisions, it is for the Local Planning Authority (LPA) to determine if this data remains acceptable, however, we have based our response on the findings presented in the report alongside our existing knowledge of the area.

Bats, hazel dormice and GCN and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). Where these species 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."

We consider that the above report provides an adequate basis upon which to consider the potential impacts of the scheme on this species and inform the decision-making process.

Notwithstanding this, we also advise that further information is required to manage the potential impacts of the scheme in respect of lighting and also impacts through the site maintenance and management. However, we would be content for this further information to be secured via suitably worded conditions.

Bats

Section 4.2.17 confirms that there are several trees within the site that offer low, moderate and potentially high bat roost potential. Section 4.2.18 states that "the range and composition of the habitats that characterise the survey site provide potential high quality foraging/ communing resources". We therefore advise that management of coppice area, woodland and hedging will need to consider impacts on bats and include precautionary working methods to avoid negative impacts on bats.

Hazel Dormice

Section 4.2.16 states "The woodland, dense scrub and hedgerows resources within the survey site are of moderate-high potential quality". We therefore advise that management of the coppice area, woodland and hedging will need to consider impacts on hazel dormice and include precautionary working methods to avoid negative impacts on hazel dormice.

Great Crested Newt

Our records indicate that GCN have been recorded in the past in two of the three ponds on site and in ponds within approximately 350m of the application site. Section 4.2.22 of the report also confirms an assumption that one or more ponds on site have "past" GCN records. It also states "there are multiple Great Crested Newt records for the 1 km grid square in which the survey site is located and it is deemed that it can be assumed that animals could be present throughout (especially in terrestrial habitats of high potential value)".

The North East Wales Pondscape[1] is considered to be of European importance and we concur with an assumed presence.

Both chickens and ducks are opportunistic predators that will readily hunt and consume GCN. Therefore, we advise that an area of both terrestrial and aquatic habitat is set aside and maintained specifically as an ecology area for GCN where ducks, chickens and other livestock are excluded from accessing.

We refer you to the Chief Planning Officer's letter, dated 1 March 2018, which advises 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, any changes to plans between planning consent and the licence application may affect the outcome of a licence application.

Bats, hazel dormice and GCN are all sensitive to disturbance and habitat fragmentation through inappropriate lighting, a lighting plan should be secured via condition to prevent negative impacts.

We therefore advise the following conditions are attached to any planning permission granted:

Condition 1: Ecological Management Plan

No development or phase of development shall commence until an Ecological Management Plan (EMP) for the provision, management and maintenance of the landscape and ecological features at the site has been submitted to and approved by the Local Planning Authority. The EMP should include the following details:

- habitats, landscape, environmental and ecological features present or to be created at the site.
- provision of an ecology area including aquatic and terrestrial habitat and offsite connectivity suitable for GCN
- measures to be implemented to ensure no poultry or livestock can access designated ecology areas including aquatic habitat
- the desired conditions of features present and to be created at the site.
- scheduling and timings of maintenance and harvesting activities
- short and long-term management, monitoring and maintenance of new and existing landscape and ecological features at the site to deliver and maintain the desired condition
- management prescriptions tailored to the requirements of the highlighted species, i.e. bats, hazel dormice and GCN, to include precautionary working methods
- monitoring of ecological features
- management and maintenance responsibilities

[1] Nicolet, P., Weatherby, A., Biggs, J., Williams, P. and Hatton-Ellis. T. (2007), A preliminary assessment of Important Areas for Ponds (IAPs) in Wales, Ponds Conservation Trust Report to Countryside Council for Wales) IAP report structure.

- timescales, length of plan, the method to review and update plans (informed by monitoring) at specific intervals as agreed

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

Justification: A LEMP should be submitted to ensure necessary landscape and environmental management measures are agreed prior to commencement and implemented to ensure the site's landscape and environmental features are adequately managed long term.

Condition 2: Lighting Plan

Prior to installation full details of lighting shall be submitted to and agreed in writing by the Local Planning Authority. The Lighting Plan shall consider existing and proposed lighting together with any spillage originating from internal light sources including:

- Details of lighting to be used during and post construction
- Plans illustrating the location and type of lighting including in relation to woodland, hedgerow and ecology area
- Plans illustrating retained or proposed features planned to be functionally used by bats for foraging and dispersal purposes
- Provisions of the scheme shall accord with the provisions of the Institution of Lighting Professionals and Bat Conservation Trust: Guidance Note 08/23: Bats and Artificial Lighting at Night

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

Justification: To ensure that bats are protected by the 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

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.