Ein cyf/Our ref: CAS-321557-B7S8
Eich cyf/Your ref: P/2026/0537

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 16 October 2026

Annwyl Syr/Madam/Dear Sir/Madam,

Bwriad/Proposal: Change of use of land to a 4 pitch family gypsy and traveller site

Lleoliad/Location: Land North Of Croesfoel Court, Wrexham Road, Rhostyllen, Wrexham, LL14 4DR

Thank you for consulting Cyfoeth Naturiol Cymru/Natural Resources Wales (NRW) about the above, which we received on 13 October 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**. If this information is not provided, we would object to this planning application. Further details are provided below.

We also advise that further consideration is required regarding **foul drainage**. Further details are provided below.

Protected Sites and 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 that foul water disposal is proposed via the installation of a package treatment plant with discharge to ground, rather than connecting to the mains sewer. Applicants should first explore the potential to connect to the public sewer network where this is reasonably feasible. As a general guide, connection to the mains sewer should be

considered where the development is within approximately 30 metres of the network, with this distance typically applied cumulatively where multiple dwellings are proposed. In this case, the proposal comprises four dwellings and therefore further justification should be provided to demonstrate why connection to the public sewer is not practicable and why a private treatment solution is the most appropriate means of foul drainage.

Ultimately, the suitability of foul drainage arrangements for the proposed development is a matter for your authority to determine. However, the installation of private sewage treatment facilities within publicly sewered areas is not normally considered environmentally acceptable because of the greater risk of failures leading to pollution of the water environment compared to public sewerage systems.

Section 6.6.21 of Planning Policy Wales states:

> "Any development discharging domestic sewage should connect to the foul sewer where it is reasonable to do so. Development proposing the use of non-mains drainage schemes will only be considered acceptable where connection to the main sewer is not feasible..."

Government guidance on private sewerage in Welsh Government Circular 008/2018 stresses that the first presumption must be to provide a system of foul drainage discharging into a public sewer. Only where having taken into account the cost and/or practicability it can be shown to the satisfaction of the local planning authority that connection to a public sewer is not feasible, should non-mains foul sewage disposal solutions be considered.

We therefore advise the applicant to either amend their proposals to ensure that the foul drainage is connected to the mains sewerage system or provide detailed evidence to demonstrate that it is not reasonable to connect.

The Applicant should thoroughly investigate the possibility of connecting to the foul sewer by taking the following steps:

- Approach the sewerage undertaker to reach an agreement for a connection to the foul sewer
- If the sewerage undertaker refuses connection to the public sewer, request that they adopt the proposed treatment system
- If the sewerage undertaker refuses both of the above, you must appeal the refusal with Ofwat

For further details please see Natural Resources Wales / Private sewage treatment in an area with a public sewer

The applicant should be aware that should a connection to the mains sewer not be feasible, they will also need to demonstrate that the proposal would not pose an unacceptable risk to the water environment. Welsh Government Circular 008/2018 advises that a full and detailed consideration be given to the environmental criteria listed under paragraph 2.6 of the Circular, in order to justify the use of private sewerage.

As stated above, we expect developers discharging domestic sewage to connect to the public foul sewer where it is reasonable to do so. We will not normally grant a discharge

permit for a private sewage treatment system where it is reasonable to connect to the public foul sewer. We also expect discharges of trade effluent to connect to the public foul sewer where it is reasonable to do so and subject to the sewerage undertaker granting a trade effluent consent or entering into a trade effluent agreement.

Furthermore, we refer you to the section in our Advice titled What does this mean for development proposals involving connection to public wastewater treatment works.

Protected Species

We have reviewed the Preliminary Ecological Appraisal (Land to the North of Croesfoel Court, reference PR-25-0327, dated November 2025, Tyrer Ecological Consultants Ltd) submitted in support of this application and note that section 4.6 states “During the diurnal assessment, it became apparent that the site had been cleared in its entirety, which limits the scope of the ecological assessment. As the report is intended to support a retrospective application, the works have already been completed or are in progress”.

Furthermore, a number of limitations are highlighted in section 4 relating to the survey taking place outside of the optimal time of year for preliminary ecological appraisals, UK Habitats Surveys, active bat season and outside of the bird breeding season.

Great Crested Newt (GCN)

Our records indicate that GCN are material to the application site with multiple records within 700m of the site.

The proposal has the potential to kill, injure, disturb GCN, or damage or destroy their breeding sites and resting places at this 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, 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:

- 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 in its natural range.

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. Please note, for the purposes of providing advice at the planning application stage, our comments are limited to compliance with the third test only.

We consider that the current submission is insufficient for the purposes of demonstrating that the proposal has not been detrimental to the maintenance of the favourable conservation status of GCN.

Section 7.18 of the report states “The results of the desk and field study suggest that the presence of GCN within the application, or impacts from the development, are highly unlikely due to the absence of suitable on-site habitats and lack of connectivity between the site and potential suitable habitat further afield. No further recommendations apply”. We do not agree with this assessment or conclusion of no further measures. We are aware of multiple GCN records in the vicinity of the site and following a review of aerial images of the habitat on site prior to the site clearance, we consider that potential impacts on GCN cannot be ruled out.

We therefore advise that the following points are addressed in an updated report:

- Revised conclusions to include recognition of potential impacts on GCN and;
- Details regarding precautionary conservation measures in relation to GCN

We advise that a revised report is submitted to address the above matters prior to determination, to inform the decision-making process. The submission must demonstrate that the proposed development would not be likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Bats

We have concerns about the above proposal and advise that further information is submitted in support of the application in respect of bats, as European Protected Species.

Section 4 of the Preliminary Ecological Appraisal highlights survey limitations based on the time of year it was carried out, which includes being outside of the active bat season. Whilst it is noted that no structures were removed as part of the site clearance it is acknowledged in section 6.3.3 of the report that “the site would likely hold moderate value for bats,” and includes reference to providing connectivity for commuting to nearby riparian and woodland habitats in addition to the “good foraging habitat” that appears to have been present prior to the site clearance works.

We note that section 7.10 of the Preliminary Ecological Appraisal states “to mitigate for the loss of what previously appears to have been a Moderate value foraging and commuting resource, the development scheme should consider enhancement for bats as part of its biodiversity goals, in accordance with local and national planning policy”. Section 7.11 recommends that a lighting plan is developed to avoid potential impacts on bats.

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 Natural Resources Wales, 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”.

Based on the information submitted to date, we are unable to advise your Authority that the proposal would not be likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

We therefore advise that a lighting plan is submitted prior to determination to inform the decision-making process as detailed below:

- Details of lighting to be used during and post construction;
- Plans illustrating the location and type of lighting;
- Plans illustrating projected or retained bat emergence points; together with retained or proposed features planned to be functionally used by bats for foraging/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.

Waste

Please be advised that NRW currently has an ongoing waste investigation relating to the site.

As this is the subject of an active regulatory investigation, we are unable to provide further details at this time. There may be information that cannot be disclosed, and where doing so could prejudice ongoing regulatory processes.

Should the investigation identify non-compliance with relevant waste regulatory requirements, and it is proposed that any imported material is retained on site as part of the development, we would object to the proposal.

We therefore recommend that the Local Planning Authority takes account of the ongoing investigation when determining the application.

Please contact the north-east Waste Regulations Team on wastereg.ne@cyfoethnaturiolcymru.gov.uk to discuss any waste regulation matters further.

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.