Ein cyf/Our ref: CAS-321227-M5Z5
Eich cyf/Your ref: P/2026/0511

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 19 October 2026

Annwyl Syr/Madam/Dear Sir/Madam,

Bwriad/Proposal: cais cynllunio amlinellol (pob mater wedi'i gadw yn ôl ac eithrio mynediad) ar gyfer codi arwynebedd llawr ychwanegol o fewn dosbarth defnydd B2 a/neu ddosbarth defnydd B8 a swyddfeydd ategol, ynghyd â mynediad, mannau parcio ceir, iard wasanaeth, tirlunio, ardaloedd cyfoethogi ecolegol a gwaith cysylltiedig / outline planning application (all matters reserved excluding access) for the erection of additional floorspace within use class B2 and/or use class B8 and ancillary offices, along with access, car parking, service yard, landscaping, ecological enhancement areas and associated works.

Lleoliad/Location: Land East of Bryn Lane, Wrexham Industrial Estate, Wrexham, LL13 9UT

Thank you for consulting Cyfoeth Naturiol Cymru/Natural Resources Wales (NRW) about the additional information for the above, which we received on 09 October 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 **conditions** to any planning permission granted:

- Condition 1: Protected species
- Conditions 2 - 4: Contaminated land

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

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.

This application for the erection of additional office and warehousing floorspace proposes connection of foul water to the mains sewer. The proposed development could potentially 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 and Bala Lake 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 note that information a Nutrient Neutrality Appropriate Assessment Note (reference 089023-CUR-XX-XX-T-C-92001, revision P02 dated 16/07/2026, Curtins) has been submitted in support of the application.

Ultimately, the suitability of foul drainage arrangements for the proposed development is a matter for your authority to determine. We advise your authority that further consideration is required and to follow our Advice specifically the section titled 'What does this mean for development proposals involving connection to public wastewater treatment works?'.

We therefore advise you to take the above into account in your determination of whether the development is likely to have a significant effect on the SAC. Should you conclude that an Appropriate Assessment is required, the applicant will need to provide whatever evidence they consider appropriate, seeking advice from consultants as necessary, to demonstrate no adverse effect on site integrity.

Please consult us on any Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended). However, until the development can demonstrate it will not lead to an increase of phosphorus load from the receiving wastewater treatment works into the river, we would be unable to advise you that the proposed development would not result in an adverse effect on the integrity of the site.

Protected Species

We have reviewed the following additional information submitted in support of this consultation:

- Land at Bryn Lane, Wrexham, Great Crested Newt Survey Report and Outline Mitigation Strategy, references: P_EOP_01_R002_GCN_Rev03, version 03 dated 06/10/2026, Ecology Consulting Ltd

Great Crested Newts

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 advise that the updates to the Ecological Impact Assessment Report and Great Crested Newt Survey Report and Outline Mitigation Strategy have addressed a large proportion of the issues we highlighted in our Statutory Pre-Application response dated 03/07/2026 (our reference CAS-310128-R9W7). However, we consider that there are some remaining issues that require additional information prior to determination for the purposes of demonstrating that the proposal is not likely to be detrimental to the maintenance of the favourable conservation status of GCN.

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

We note that section 4.2.3 confirms the creation of a permanent pond in addition to the ephemeral scrapes and are satisfied that this has been included. We advise that management prescriptions are included within the submission for the advised GCN Conservation Plan condition below.

We previously noted that the GCN mitigation area has been calculated on the basis of excluding existing hardstanding areas and advised that should GCN be found to utilise the hardstanding area either on the surface or subterranean then the proposed GCN mitigation area would need to be increased.

Section 4.2 has been updated to state:

> "However, if GCNs are later confirmed to use areas of habitat within the site which are currently deemed unsuitable, such as areas of hardstanding, the size of the area would need to increase to compensate for this".

We accept this approach and advise that the details are included within the submission for the advised CGN Conservation Plan condition below.

We consider the submitted proposals demonstrate that they are not likely to be detrimental to the maintenance of the favourable conservation status of GCN, provided any

subsequent consent is subject to the provisions of a planning condition and planning obligation as noted below.

Condition 1: Great crested newt Conservation Plan

No development or phase of development, including site clearance, shall commence until a Great Crested Newt (GCN) Conservation Plan has been submitted to and approved in writing by the Local Planning Authority. The Conservation Plan should build upon the principles outlined in the updated ecology reports and include, but not necessarily be limited to

- The submission (to include proposed timescales and reporting requirements) of further details and associated plans concerning GCN avoidance and mitigation measures including, but not limited to:
    - fence specifications, locations, construction and maintenance (one-way amphibian fence, prior to and throughout the duration of construction operations)
    - considerations of access issues (including Public Rights of Way – Isycoed Public Footpath 18)
    - monitoring and maintenance requirements and supervised removal.
- The detail of habitat retention, enhancement and creation proposals associated with terrestrial and aquatic habitats. Details to include plans and timescales.
- Submission of (further) details concerning on and off-site compensatory proposals including plans, extent, access, current and proposed tenure. Details shall identify areas of terrestrial and aquatic habitat to be retained, enhanced and created. Submission to include timescales and reporting requirements.
- The submission of a long-term site management plan (not less than 25 years) that includes:
    - Details of habitats and ecological features present or to be created, both in written form and shown on appropriate drawings, including planting plans.
    - Defined aims and objectives (including defined key performance indicators for long term monitoring indicators).
    - Details of the desired condition for each habitat and criteria to determine when habitats have achieved this.
    - Details of short and long-term habitat management prescriptions to both achieve and maintain the desired condition.
    - Details of monitoring methodologies for habitat(s) and species.
    - Details of scheduling and timings of activities.
    - Contingency measures if fish or invasive non-native species (inns) are detected.
    - Current and any proposed changes to the freehold tenure of the compensation area (tenure of the ecology and heritage area to be approved by the local planning authority).
    - Persons or bodies responsible for undertaking management and surveillance together with required skills and competencies.
    - Site liaison and wardening.
    - Licensing requirements.
    - Biosecurity measures which consider invasive non-native species and specific diseases (e.g., chytrid) to prevent the introduction of and where present control, removal or for the long-term management of invasive species both during construction and operation.

    - Details of reporting, review and update of the plan (informed by monitoring) at specific intervals as agreed.
- The submission of detailed measures including plans designed to prevent the accidental capture/killing of GCN during operational phases of the scheme, including the installation and maintenance of an amphibian-friendly surface water management system that does not include gully pots (or other similar features).
- Details of timing, phasing and duration of construction activities and conservation measures.
- Post-construction monitoring and record dissemination for a period of not less than 25 years. Methodology shall include annual GCN abundance counts and Habitat Suitability Index (HSI) assessments. All ponds (including sustainable drainage (SuDS) water bodies) to be added to the Wales GCN Monitoring Scheme, with individuals/bodies being identified as being responsible for monitoring and reporting works.

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

Justification: To ensure that GCN are protected by the development.

We also advise that the works are carried out under licence. We refer you to the Chief Planning Officer's letter dated 1 March 2018 which advises Local 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 that any changes to proposals between planning consent and the licence application may affect the outcome of a licence application.

Planning Obligation: A Planning Obligation Section 106 Agreement (as opposed to a Unilateral Undertaking) will be required. We advise that in respect of any such agreement, provisions relating to ecology should include:

- Defined commuted sum and/or requirement for index linked ground rent service charges to include ecological management, surveillance and wardening in perpetuity (a costed management plan will be required to inform costings).
- Identification of relevant land to be subject to the planning obligation and be managed for biodiversity.
- Delivery of management.
- Frequency of liaison meetings.
- Management plan review, at minimum 5 years is advised.
- 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 site.
- Tenure and any proposed changes to tenure shall be carried out to the satisfaction of the LPA in consultation with NRW.

Bats

We note that Table 6 of the Ecological Impact Assessment scopes out bats because "No suitable roosting habitats will be removed and the majority of habitat which will be removed

is hardstanding" and that bats are unlikely to be using the application site. We therefore have no comments to make on the application as submitted in respect of bats.

We recommend that you discuss the need to secure any further or avoidance measures with the Local planning Authority's ecological advisor prior to submitting an application.

Contaminated Land

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

- Wrexham Industrial Estate, Phase 1 Preliminary Risk Assessment, reference 089023-CUR-XX-XX-T-GE-00001, revision P01 dated 16/03/2026, Curtins.

We note that the submitted Preliminary Risk Assessment (PRA) report is the same report that was submitted during the Statutory Pre-Application Consultation. The report has identified potential contaminative historical land use on site and section 7 of the report recommends further investigation. As stated in our response to the Statutory Pre-Application Consultation (dated 03/07/2026, reference CAS-310128-R9W7), we concur with this approach.

We note that at this stage, there is no additional information regarding the site investigation, therefore, in line with our Statutory Pre-Application Consultation we advise that the following conditions should be attached to the decision notice should permission be granted.

We advise that the submitted Phase 1 Preliminary Risk Assessment addresses part 1 of the 'Land Affected by Contamination' condition.

Condition 2: Land Affected by Contamination

No development, shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, have been submitted to and approved in writing by the Local Planning Authority.

1. A preliminary risk assessment which has identified:
    a. all previous uses
    b. potential contaminants associated with those uses
    c. a conceptual model of the site indicating sources, pathways, and receptors
    d. potentially unacceptable risks arising from contamination at the site (largely completed)
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site (largely completed).
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action.

5. The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Justification: To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination.

Condition 3: Long-Term Monitoring Plan

Prior to the occupation or operation of the development, a long-term monitoring plan for land contamination shall be submitted and approved in writing by the Local Planning Authority. The long-term monitoring plan should include:

- Details of the methods and triggers for action to be undertaken
- Timescales for the long-term monitoring and curtailment mechanisms e.g. a scheme of monitoring for 3 years unless the monitoring reports indicate that subsequent monitoring is or is not required
- Timescales for submission of monitoring reports to the LPA e.g. annually
- Details of any necessary contingency and remedial actions and timescales for actions
- Details confirming that the contingency and remedial actions have been carried out

The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

Justification: A land contamination long term monitoring plan should be submitted prior to occupation or operation, to ensure necessary monitoring measures are approved to manage any potential adverse impacts as a result of development on water quality.

Condition 4: 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.

Advice to Developer

Natural Resources Wales recommends that developers should:

- Follow the risk management framework provided in Land contamination risk management (LCRM)

- Refer to 'Development of land affected by contamination: A guide for developers' (WLGA, 2023) for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
- Refer to our groundwater protection advice on www.gov.uk

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.