Cyfoeth Naturiol Cymru
Natural Resources Wales

Ein cyf/Our ref: CAS-321112-K0V3
Eich cyf/Your ref: P/2026/0466

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 29 October 2026

Annwyl Syr/Madam/Dear Sir/Madam,

Bwriad/Proposal: One Planet Wales Development comprising of the erection of a dwelling, two buildings, two polytunnels, ancillary agricultural structures and alterations to access

Lleoliad/Location: Land West of Lower Lanes Farm, Lower Wych, Malpas, Whitchurch, SY14 7JZ

Thank you for consulting Cyfoeth Naturiol Cymru/Natural Resources Wales (NRW) about the above, which we received on 08 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 **manure management**. 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, a **condition** regarding **protected species** should be attached to any planning permission granted and the **document** identified below should be included in the approved plans and documents condition on the decision notice.

- Whitfield, K, (2025). Preliminary Ecological Appraisal: land at Lower Wych, Malpas, Cheshire, SY145 7JX. Arbtech. (Unpublished)

Without the inclusion of this condition and document we would object to this planning application.

Protected Sites

River Dee and Bala Lake Special Area of Conservation

Manure Management

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 (Tyfu, Lower Wych) refers to several sources of fertilisers to be used on site including: composting, animal manure from on-site livestock and green manure.

Further information regarding nutrient (phosphorous) management should be provided to confirm whether any other sources of fertiliser will be used such as importing manure from other sites outside of the red line application boundary for this application. Confirmation of stock numbers should also be provided for the proposed poultry and goat herd operations.

Foul Drainage

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

- Greywater Treatment and Discharge Design Report, Land at Lower Wych
- Site, water receptors and landscape, Drawing reference LW-GW-01
- Treatment plan, sections and levels, Drawing reference LW-GW-02
- Drainage field and percolation tests, Drawing reference LW-GW-03
- How the system works, Drawing reference LW-GW-04

Recognising the specific nature of the application submitted, composting sewage treatment system which meets the screening criteria set out in our Natural Resources Wales / Advice to planning authorities for planning applications affecting nutrient sensitive Special Areas of Conservation, 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 the foul drainage proposals 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:

- Whitfield, K, (2025). Preliminary Ecological Appraisal: land at Lower Wych, Malpas, Cheshire, SY145 7JX. Arbtech. (Unpublished)

The information has identified that Great Crested Newts (GCN) are material to the application site.

Field survey confirmed the presence of the species by eDNA surveillance techniques and outline mitigation proposals have been submitted.

The proposal has the potential to kill, injure, disturb GCN, or damage or destroy their breeding sites and resting places or to constitute an “attempt offence”. 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 (as amended). 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:

i. 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;
ii. There is no satisfactory alternative; and,
iii. 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.

In this instance, we advise that works are carried out under an appropriate licence.

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.

We consider the submitted proposals are not likely to be detrimental to the maintenance of the favourable conservation status of the local population of great crested newts provided any subsequent consent is subject to the imposition of appropriate planning conditions.

Please note, for the purposes of providing advice at the planning application stage, our comments are limited to compliance with the 3rd test “demonstration of no detriment to the maintenance of the favourable conservation status of European protected species”. We advise that before any consent is given, as informed by the provisions of Regulation 9 of the Conservation of Habitats and Species Regulations 2017 (as amended) the LPA satisfy itself as to whether the scheme satisfies the other two tests, namely a relevant Habitats Regulations purpose and whether there is no satisfactory alternative to the proposal.

Whilst we consider that the above report provides an adequate basis upon which to consider the potential impacts of the scheme on this species, aspects of the proposed

scheme will require further development. However, this further information can be provided via a suitably worded condition, included on the decision notice.

We therefore advise the following condition in respect of GCN is included on any permission granted.

Condition: Great Crested Newts Conservation Plan: No development, including site clearance, shall commence until a Great Crested Newt 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 ecology survey and GCN mitigation plan and include, but not necessarily be limited to:

- Further details concerning great crested newt/amphibian avoidance and mitigation measures. The details to include identified Reasonable Avoidance Measures (RAMS) such as barrier fencing; and measures to be carried that ensure working areas are clear of newts prior to the commencement of and throughout construction and related works
- Further details of amphibian compensation, restoration and enhancement works including management plan for the operational phase of the proposals that considers great crested newts and European protected species licensing requirements across all proposed and retained reed-beds, wetland and water features on site
- Details of timing, phasing and duration of construction activities and conservation measures
- A timetable for implementation demonstrating that works are aligned with the proposed phasing of the development
- Persons responsible for implementing the works; and
- Post-construction monitoring and record dissemination plan for a period of no less than 10 years. Monitoring methodology shall accord with and results reported through the Wales GCN Monitoring Scheme
- Biosecurity Risk Assessment
- Mechanisms to evidence compliance (i.e. Ecological Compliance Audit (ECA) including defined Key Performance Indicators

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.

Pollution Prevention

During the construction phase you should take any precaution to prevent contamination of local watercourses. Oils and chemicals should be stored in bunded areas and spill kits should be readily available in case of accidental spillages. For further guidance please refer to the guidance documents gpp-5-works-and-maintenance-in-or-near-water.pdf and gpp6-working-on-construction-and-demolition-sites.pdf, further guidance and information on pollution prevention can be found via Guidance for Pollution Prevention (GPP) documents | NetRegs | Environmental guidance

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.