

**APPROPRIATE ASSESSMENT OF A PROPOSAL LIKELY TO HAVE A SIGNIFICANT EFFECT
ON A EUROPEAN SITE**

CONSERVATION (NATURAL HABITATS & C.) REGULATIONS, 2010



PART A: The Proposal

1. Type of permission: Outline	2. Consents and ROMP references: Case No: P/2023/0280	3. National Grid reference: SJ 392 503
Map of Application site with Permission reference(s) Map Attached Yes/ <u>No</u>	4. Brief description of consents and options Land east of Bryn Lane, Wrexham Industrial Estate, Wrexham LL13 9UT Hybrid planning application for (a) outline permission (all matters reserved except for means of access) for erection of up to 3 warehouse & distribution units (Use Class B8), including ancillary office accommodation, comprising up to 93,019sqm net floor space, service yards, car parking, HGV parking, internal circulation, landscaping and ancillary works; and (b) detailed permission for demolition, means of access, earthworks, drainage, landscaping, ecology zone and relative ecological mitigation measures, and ancillary works.	
6. European site name(s):	RIVER DEE AND BALA LAKE	

7. List of interest features:

H3260. Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitricho-Batrachion* vegetation; Rivers with floating vegetation often dominated by water-crowfoot

S1095. *Petromyzon marinus*; Sea lamprey

S1096. *Lampetra planeri*; Brook lamprey

S1099. *Lampetra fluviatilis*; River lamprey

S1106. *Salmo salar*; Atlantic salmon

S1163. *Cottus gobio*; Bullhead

S1355. *Lutra lutra*; Otter

S1831. *Luronium natans*; Floating water-plantain

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CONSERVATION (NATURAL HABITATS & C.) (Continued)

PART B: Identification of effects being considered and relevant features affected																																																																							
Significant effect being considered (attribute affected)	Affected qualifying feature(s)	Favourable condition target(s) for relevant feature(s) based on conservation objectives set for SPA/ Ramsar					Contribution of attribute(s) to site integrity (ecological structure and functioning of site)																																																																
1. Water quality, increase in Phosphates.	Water courses of plain to montane levels with the <i>Ranunculus fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation Sea lamprey Brook lamprey River lamprey Atlantic salmon Bullhead Otter	<i>Taken from Core Management Plan Including conservation objectives for River Dee and Bala Lake version 3 September 2022</i> Water quality Lower limit – Chemical GQA class: A Biological GQA class: A <table border="1"> <thead> <tr> <th>Water Body ID</th><th>Water Body Name</th><th>SAC Management Unit</th><th>Phosphorus standard* (µg l⁻¹)</th><th>Reason for phosphorus standard**</th><th>CSM_Alt type</th><th>CSM_Alt type</th><th>River size</th></tr> </thead> <tbody> <tr> <td>GB11106 7052240</td><td>Dee - Alwen to Llyn Tegid/ Bala Lake</td><td>7850</td><td>10</td><td>CSM (near natural)</td><td>high Alt >80m</td><td>low Alk <50mg/l</td><td>river</td></tr> <tr> <td>GB11106 7052060</td><td>Dee - Ceiriog to Alwen</td><td>7851</td><td>10</td><td>CSM (near natural)</td><td>high Alt >80m</td><td>low Alk <50mg/l</td><td>river</td></tr> <tr> <td>GB11106 7057080</td><td>Dee - Chester Weir to Ceiriog</td><td>7852</td><td>50</td><td>CSM (max allowable)</td><td>low Alt <80m</td><td>high Alk >50mg/l</td><td>river</td></tr> <tr> <td>GB11106 7051960</td><td>Meloch</td><td>1784</td><td>10</td><td>CSM (max allowable)</td><td>high Alt >80m</td><td>low Alk <50mg/l</td><td>headwater</td></tr> <tr> <td>GB11106 7051990</td><td>Mynach</td><td>1783</td><td>10</td><td>CSM (max allowable)</td><td>high Alt >80m</td><td>low Alk <50mg/l</td><td>headwater</td></tr> <tr> <td>GB11106 7051900</td><td>Tryweryn - Dee to Mynach</td><td>7849</td><td>10</td><td>CSM (near natural)</td><td>high Alt >80m</td><td>low Alk <50mg/l</td><td>river</td></tr> <tr> <td>GB11106 7051980</td><td>Tryweryn - Mynach to Llyn Celyn</td><td>7848</td><td>10</td><td>CSM (near natural)</td><td>high Alt >80m</td><td>low Alk <50mg/l</td><td>river</td></tr> </tbody> </table>					Water Body ID	Water Body Name	SAC Management Unit	Phosphorus standard* (µg l ⁻¹)	Reason for phosphorus standard**	CSM_Alt type	CSM_Alt type	River size	GB11106 7052240	Dee - Alwen to Llyn Tegid/ Bala Lake	7850	10	CSM (near natural)	high Alt >80m	low Alk <50mg/l	river	GB11106 7052060	Dee - Ceiriog to Alwen	7851	10	CSM (near natural)	high Alt >80m	low Alk <50mg/l	river	GB11106 7057080	Dee - Chester Weir to Ceiriog	7852	50	CSM (max allowable)	low Alt <80m	high Alk >50mg/l	river	GB11106 7051960	Meloch	1784	10	CSM (max allowable)	high Alt >80m	low Alk <50mg/l	headwater	GB11106 7051990	Mynach	1783	10	CSM (max allowable)	high Alt >80m	low Alk <50mg/l	headwater	GB11106 7051900	Tryweryn - Dee to Mynach	7849	10	CSM (near natural)	high Alt >80m	low Alk <50mg/l	river	GB11106 7051980	Tryweryn - Mynach to Llyn Celyn	7848	10	CSM (near natural)	high Alt >80m	low Alk <50mg/l	river	Water quality is essential to maintain populations of all the SAC features of interest.
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PART C: Assessment				
Significant effect being considered (attribute affected)	Adverse Effect of proposal alone on attribute and/or feature and in relation to conservation objective for the feature.	Adverse Effect of proposal in combination with other plans or projects, on attribute and /or feature	Adverse effect on the integrity of the site? : Long term/ short term Yes/ Uncertain No	What mitigation could prevent an adverse effect on the integrity of the site?

1.	Increase in phosphate levels in the River Dee SAC due to uncertainties in hydrological capacity and any mitigation required.	Elevated nutrient concentrations increase the risk of adverse ecological impacts such as algal blooms, loss of nutrient-sensitive species and deoxygenation of river substrates. Impacts all areas of riverine ecology and features of interest over the long-term.	As the concerns relate to network capacity rather than the treatment of foul sewage and the output from Five Fords STW, other projects which must be considered in combination include significant proposals elsewhere on WIE. These include; P/2023/0497 – land at KSS3, redevelopment of the Bridgeway Site (no application number), further extension to Net World Sport (no application number).	Long term	The following conditions are proposed by the LPA as additional mitigation measures, over and above the incorporated mitigation. 1. No building within any phase shall be first occupied or brought into beneficial use until a point of connection on the public sewerage system has been made in accordance with recommendation(s) from a Hydraulic Modelling Assessment, including any necessary reinforcement measures to the sewerage system identified, that has first been submitted to and approved in writing by the Local Planning Authority. 2. No building within any phase shall be first occupied or brought into beneficial use until a comprehensive drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul and surface water. The scheme shall be implemented in accordance with the approved details prior to the first use of any building approved and shall be retained thereafter, and no further foul water shall be allowed to connect directly or indirectly with the public sewerage system.
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PART D: Wrexham County Borough Council's Conclusion

CAN IT BE ASCERTAINED THAT THE PLAN OR PROJECT WILL NOT ADVERSELY AFFECT THE INTEGRITY OF THE EUROPEAN SITE(S)?

Direct Effect

The proposal will not have a direct impact on the SAC. All foul water will be treated at Five Fords STW. The discharge permit for Five Fords was updated with a new P limit of 1mg/l on 28/07/23. This limit will drop to 0.7mg/l by 31/03/2030.

Indirect Effect

There is potential for the development to indirectly impact the SAC due to insufficient capacity in the sewage network leading to increased untreated sewerage entering the river network via storm overflows. However, the proposed 'additional mitigation' in the form of these 2 conditions will prevent this detrimental effect and ensure the capacity of the sewer network is assessed and mitigation implemented prior to the development being occupied;

1. No building within any phase shall be first occupied or brought into beneficial use until a point of connection on the public sewerage system has been made in accordance with recommendation(s) from a Hydraulic Modelling Assessment, including any necessary reinforcement measures to the sewerage system identified, that has first been submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and to ensure no pollution of or detriment to the environment.

2. No building within any phase shall be first occupied or brought into beneficial use until a comprehensive drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul and surface water. The scheme shall be implemented in accordance with the approved details prior to the first use of any building approved and shall be retained thereafter, and no further foul water shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

In Combination Effects

All developments which are being considered in combination are not approved. If approval follows any approval will be subject to similar 'additional mitigation measures' in the form of conditions which prevent occupation until the hydrological modelling is complete and measures agreed by DC/WW have been implemented and this will ensure that there is no capacity overload.

Conclusion

Due to the presence of a P limit of 1mg per L at Five Fords STW and the proposed 'additional mitigation' in the form of conditions which will ensure that the wider network capacity is not overloaded and there will be no direct or indirect impact on the River Dee SAC.

Name of Assessing Officer:
Emma Broad

2. **Name of Supervising Officer:**

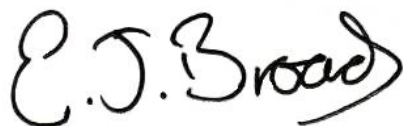
Job Title:
Ecology and Biodiversity Officer

Job Title: Head of Service Development Management

Signed:

Date:

18/06/2024



Signed:

Date:

25/06/2024



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CONSERVATION (NATURAL HABITATS & C.) (Continued)

PART E: Consultation with NRW on Part D

3. Natural Resource Wales comment on conclusion:

Name of NRW Officer:

4. Job Title: Regional Species & Biodiversity Officer

Signed:

5. Date: