



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-218116-F8L4
Eich cyf/Your ref: P/2023/0250

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06/06/2023

Dear Mr Humphreys,

PROPOSAL: P/2015/0730 - changes to leachate tank and location

LOCATION: Pen Y Bont Works Landfill Site, Pentre, Chirk, LL14 5AW

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 17th May 2023.

We have no objection to the proposed development as submitted and provide the following advice.

Protected Sites

Leachate Management

We acknowledge that one of the two existing leachate tanks onsite has deteriorated and requires replacing. The new tank will be located in the existing purpose-built compound.

From the information provided, we consider that the proposal may affect the River Dee and Bala Lake SAC and have identified pollution as a potential impact pathway to features of the site.

However, we consider the above pathway will not result in an adverse effect if the developer implements/adheres to leachate management measures within the site's current Environmental Permit.

As the competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended), it is for your Authority to carry out the test of Likely Significant Effects for the proposed development. Should you conclude that the proposal is likely to have a significant effect on a SAC/SPA/Ramsar site, either alone or in combination with other plans or projects, an appropriate assessment must be made of the implications of the project for that site in view of its conservation objectives. You must for the purposes of the assessment consult NRW and have regard to any representations we make within such reasonable time as you specify.

Providing the impact pathways referenced above for the SAC are adequately addressed, NRW consider the features of the River Dee SSSI will also be adequately safeguarded.

Phosphorus

As above, we note the application site is within the catchment of the River Dee and Bala Lake Special Area of Conservation (SAC). As you are aware, on the 21st January 2021, we published an evidence package outlining phosphorus levels for all river SACs across Wales. In line with our [Planning Advice](#) (July 2022), under the Habitats Regulations, Planning Authorities must consider the phosphorus impact of proposed developments on water quality within SAC river catchments.

However, the application as submitted is unlikely to increase the amount of phosphorus entering the catchment. Therefore, we are satisfied that the proposal is not likely to have a significant effect on the River Dee and Bala Lake SAC.

Environmental Permitting

This application falls within the permitted area of a landfill site. All works carried out should comply with the requirements of the Environmental Permit conditions of permit reference EPR/GP3830BG.

Protected Landscape

We have no concerns over the proposed development's impact on the nearby Clwydian Range and Dee Valley AONB

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

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.

Advice for the Developer

Environmental Permitting:

The proposed new leachate tank is immediately adjacent to an existing leachate tank which, is to be decommissioned. The operator should plan to decontaminate and remove the old tank.

The operator should ensure that the new leachate tank is provided with suitable secondary containment. The application states 110% capacity and double bunded but does not present bund plans, identify bund construction materials or the standards to be followed.

Leachate storage is defined as landfill infrastructure by the permit and will require the operator to submit to Natural Resources Wales, CQA construction proposals and a post-construction CQA validation report.

The leachate management plan and other procedures linked to the Environmental Permitting Regulations 2016 EPR/GP3830BG permit that reference the leachate tanks should be updated to reflect the proposed changes, once commissioned.

If you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully

Gareth Thomas

Cynghorydd - Cynllunio Datblygu / Advisor - Development Planning
Cyfoeth Naturiol Cymru / Natural Resources Wales