

Ein cyf/Our ref: CAS-213582-W5J2
Eich cyf/Your ref: P/2022/0840

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 23 August 2024

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: PROPOSED EXPANSION TO EXISTING WASTEWATER TREATMENT PLANT AND OTHER ASSOCIATED WORKS/EQUIPMENT

LLEOLIAD/LOCATION: MAELOR FOODS, PICKHILL LANE, CROSS LANES, WREXHAM

Thank you for re-consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above.

We have/continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following condition(s) to any planning permission granted:

Condition 1: Groundwater protection and land contamination

Condition 2: Protected sites

Please note, without the inclusion of these conditions we would object to this planning application. Further details are provided below.

Groundwater protection and land contamination

We note the information submitted with regards to the expansion and design of the wastewater treatment plant. This site is within an environmentally sensitive area, overlying a principal aquifer and Source Protection Zone 3.

Based on the above we have concerns that the proposals could present an unacceptable risk to controlled waters and advise the following condition is attached to any subsequent consent:

Condition 1: 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.

Protected Sites

- Special Area of Conservation (SAC)

We have concerns that an adverse effect from the proposed development on the integrity of the River Dee Special Area of Conservation cannot be ruled out. The application is located within 100m of the SAC.

The following condition must be secured in the planning consent to be certain that there will be no adverse effects on the site's integrity. We would object to the planning application if this condition is not secured.

Condition 2: No development or phase of development, including site clearance, shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- Construction methods: details of materials, how waste generated will be managed;
- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures.
- Soil Management: details of topsoil strip, storage and amelioration for re-use.
- CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.
- Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works; details of measures to minimise noise and vibration from piling activities, for example acoustic barriers; details of dust control measures; measures to control light spill.
- Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details
- Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Justification: A CEMP should be submitted to ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction.

Please notify us if you are minded to grant permission for this planning application, and if you intend to proceed under the provisions

- Foul Drainage

We note 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 River Special Areas of Conservation \(28 June 2024\)](#), 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 this application is in connection to the section 73 application (P/2022/0820) to vary condition 7 from the respective planning permission. We advise that you will need to consider the implications of the above mentioned section 73 application as part of your determination of this application. For further information, please refer to our [Advice](#). Ultimately, it is for your Authority to consider to what extent the above is a material consideration in the context of the current application. If you determine that NRW's [Advice](#) is a material consideration to this s73 application, then you will need to consider the Habitats Regulations and screen the proposal accordingly.

- Site of Special Scientific Interest (SSSI)

We consider the proposals have the potential to impact upon the River Dee SSSI. Providing the impact pathways referenced above for the SAC are adequately addressed, we consider the features of the SSSI will also be adequately safeguarded.

European Protected Species

We note the ecological report submitted in support of the above application (Sambrook Associates Ltd May 2023) has identified European protected species were not using the application site. We therefore have no adverse comments to make on the application as submitted.

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.

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

Yn gywir / Yours faithfully

Siôn M. Williams

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.