

Cassidy+
Ashton

C+A

Cassidy+
Ashton

Architecture + Building Surveying + Town Planning

**New Warehouse (Use Class B8 – Storage
& Distribution) with associated access,
parking, service yard and external works**

H-Pack, Davy Way, Llay, Wrexham

Pre-application Consultation Report

18th July 2023

CASSIDY + ASHTON

10 Hunters Walk, Canal Street, Chester,
CH1 4EB

TABLE OF CONTENTS

1.0 INTRODUCTION.....	1
2.0 COPY OF NOTICES.....	4
3.0 CONSULTATION RESPONSES	9
4.0 ACTIONS TO RESPONSES RECEIVED	22
5.0 CONCLUSIONS.....	24

1.0 INTRODUCTION

- 1.1 The proposal is for the erection of warehouse (Use Class B8 - Storage and Distribution) with associated access, parking, service yard and external works. The total footprint for the proposed building is 14,865m² and would be used in association with the successful adjacent business H-Pack Packaging UK Ltd, who are the owner and applicant.
- 1.2 As the planning application is classed as a **major development** (with a proposed floor area greater than 1,000sqm), in accordance with recognised legislation, a pre-application consultation exercise has taken place in advance of a full planning application for the scheme at Land Adjacent to H-Pack, Davy Way, Llay.
- 1.3 The pre-application consultation exercise has been conducted by Cassidy + Ashton (C+A), in our role as Planning Consultant for the submission of a planning application.
- 1.4 Consultees for the pre-application consultation exercise have included:
 - Llay Community Council
 - Llay Ward Councillor Bryan Apsley
 - Llay Ward Councillor Robert Walsh
 - Neighbouring owners / occupiers
 - Natural Resources Wales
 - Wrexham Council Highways Development Control
 - Wrexham Council Environmental Health
 - The Coal Authority
 - Welsh Water
 - Wrexham Council Flood Risk
 - Wrexham Council Drainage
- 1.5 The complete planning application documents were made available for inspection online through the Cassidy + Ashton website at <https://www.cassidyashton.co.uk/consultation/h-pack-storage-and-distribution-building-davy-way-llyay/>.
- 1.6 Additionally, the documents could be viewed at the above website address using freely accessible computers at Wrexham Library, Rhosddu Road, Wrexham, LL11 1AU. Tel: 01978 292090. The library opening times: Monday to Friday: 9am to 6pm and Saturday 9am to 4pm.

1.7 The documents were made available to view for a period of no less than 28 days (between 6th October to 4th November 2022), in accordance with the statutory consultation period.

1.8 The pre-application consultation site notice Schedule 1B was served on the following community consultees:

LLAY COMMUNITY COUNCIL

1.9 Llay Community Council were identified for consultation as the proposed development falls within the settlement of Llay.

1.10 Clerk of Llay Community Council – Mark Williams markj.williams@hotmail.co.uk

LLAY WARD COUNCILLORS

1.11 Councillors Bryan Apsley and Robert Walsh were identified as the ward Councillors for the Llay Ward which the application site is located within. – Bryan.Apsley@wrexham.gov.uk
Robert.Walsh@wrexham.gov.uk

NEIGHBOURS

1.12 The pre application consultation site notice was provided to the following owners and/or occupiers of adjoining land:

- Rackery Cottage, Rackery Lane, Llay, Wrexham, LL12 0PB
- Blue Bell Cottage, Rackery Lane, Llay, Wrexham, LL12 0PB
- Magellan Aerospace UK Ltd, Rackery Lane, Llay, Wrexham, LL12 0PB
- Array Audio Visual Ltd, Davy Way, Llay Industrial Estate, Llay, Wrexham, LL12 0PG
- Elite Group, E-Business Centre, Davy Way, Llay Industrial Estate, Llay, Wrexham, LL12 0PG
- Marlin Industries, Davy Way, Llay, Wrexham, LL12 0PG
- North Wales Police Custody Suite, Davy Way, Llay Industrial Estate, Llay, Wrexham, LL12 0PG

SPECIALIST CONSULTEES

1.13 The following consultees were sent a copy of the specialist consultee site notice:

- Natural Resources Wales
- Wrexham Council Highways Development Control
- Wrexham Council Environmental Health
- The Coal Authority
- Welsh Water
- Wrexham Council Flood Risk
- Wrexham Council Drainage

2.0 COPY OF NOTICES

- 2.1 Copy of the notice served upon adjoining landowners, Community council, ward councillors and displayed outside the site.

SCHEDULE 1

Pre-application notices

SCHEDULE 1B

PUBLICITY AND CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION

Town and Country Planning (Development Management Procedure) (Wales) Order 2012

PUBLICITY AND CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION NOTICE UNDER ARTICLES 2C AND 2D

Purpose of this notice: this notice provides the opportunity to comment directly to the developer on a proposed development prior to the submission of a planning application to the local planning authority ("LPA"). Any subsequent planning application will be publicised by the relevant LPA; any comments provided in response to this notice will not prejudice your ability to make representations to the LPA on any related planning application. You should note that any comments submitted may be placed on the public file.

Proposed development at: Land Adjacent to H-pack, Davy Way, Llay, Wrexham, LL12 0PG

I give notice that H-Pack Packaging UK Ltd are intending to apply for planning permission for:

Erection of 1no B8 Storage and Distribution building and associated access and external works at Land adjacent to H-Pack, Davy Way, Llay.

You may inspect copies of the draft planning application pack online, via the Consultation page on the Cassidy + Ashton website www.cassidyashton.co.uk (please type this link into your web browser)

(or)

You may view this information using one of the computers at: Wrexham Library, Rhosddu Road, Wrexham, LL11 1AU. Tel: 01978 292090. The library opening times are: Monday to Friday: 9am to 6pm and Saturday 9am to 4pm.

Anyone who wishes to make representations about the proposed development must submit them via the form on the online consultation pages or direct to the planning agent (contact below) by Friday the 4th of November 2022.

Signed: 

Ben Thornley BA (Hons) MCD MRTPI

Senior Planner

benthornley@cassidyashton.co.uk

Date: 06/10/22

ATLODEN 1

Pre-application notices

ATLODEN 1B

Cyhoeddusrwydd ac Ymgynghori cyn gwneud cais am ganiatâd cynllunio

Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012

Hysbysiad o dan erthyglau 2c a 2d

Diben yr hysbysiad hwn: mae'r hysbysiad hwn yn rhoi cyfle i wneud sylwadau yn uniongyrchol i'r datblygwr ynglŷn â datblygiad arfaethedig cyn cyflwyno cais am ganiatâd cynllunio i'r awdurdod cynllunio lleol ("ACLI"). Bydd unrhyw gais cynllunio dilynol yn cael ei hysbysebu gan yr ACLI perthnasol; ni fydd unrhyw sylwadau a ddarperir gennych wrth ymateb i'r hysbysiad hwn yn lleihau dim ar eich gallu i gyflwyno sylwadau i'r ACLI ar unrhyw gais cynllunio cysylltiedig. Dylech nodi y gellir gosod unrhyw sylwadau a gyflwynir gennych yn y ffeil gyhoeddus.

Datblygiad Arfaethedig yn: Land Adjacent to H-pack, Davy Way, Llay, Wrexham, LL12 0PG

Rwyf yn hysbysu bod H-Pack Packaging UK Ltd yn bwriadu gwneud cais am ganiatâd cynllunio i:

Codi 1 adeilad B8 Storio a Dosbarthu a mynediad cysylltiedig a gwaith allanol ar Dir gerllaw H-Pack, Davy Way, Llay.

Gellwch archwilio copïau o'r canlynol y pecyn cais cynllunio draft ar-lein, trwy'r dudalen Ymgynghori ar wefan Cassidy + Ashton. Dyma'r wefan i weld y dogfennau ar-lein www.cassidyashton.co.uk

(neu)

Gallwch weld y wybodaeth hon gan ddefnyddio un o'r cyfrifiaduron am ddim yn: Ffordd Rhosddu, Wrecsam, LL11 1AU. Ffôn: 01978 292090

Oriau agor y llyfrgell yw: Dydd Llun - Dydd Gwener: 9.30am i 6pm, Dydd Sadwrn: 9.30am - 4pm.

Mae rhaid i unrhyw un sy'n dymuno gwneud sylwadau ar y datblygiad arfaethedig eu cyflwyno drwy'r ffurflen ar y tudalennau ymgynghori ar-lein neu'n uniongyrchol i'r asiant cynllunio (cyswllt isod) erbyn, Dydd Gwener 4 Tachwedd 2022.

Signed:



Ben Thornley BA (Hons) MCD MRTPI

Senior Planner

benthornley@cassidyashton.co.uk

Date: 06/10/22

DECLARATION

- 2.2 We, the planning agent, confirm that the site notice was displayed in accordance with the statutory requirements on the development site for a period of not less than 28 days.
- 2.3 **Copy of the notice shared with specialist consultees.**

SCHEDULE 1C

CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION

Town and Country Planning (Development Management Procedure) (Wales) Order
2012

CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION

NOTICE UNDER ARTICLE 2D

Purpose of this notice: this notice comprises a formal request for a pre-application consultation response under article 2D of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

Proposed development at: Land Adjacent to H-pack, Davy Way, Llay, Wrexham, LL12 0PG

I give notice that H-Pack Packaging UK Ltd are intending to apply for planning permission for:

Erection of 1no B8 Storage and Distribution building and associated access and external works at Land adjacent to H-Pack, Davy Way, Llay

You may inspect copies of the draft planning application pack online, via the H-Pack Storage and Distribution Building, Davy Way, Llay Consultation page on the Cassidy + Ashton website www.cassidyashton.co.uk (please type this link into your web browser)

Please submit your representations about the proposed development via the form on the online consultation page or direct to the planning agent (contact below) by Friday the 4th of November 2022.

Signed: 

Date: 06/10/2022

Ben Thornley BA (Hons) MCD MRTPI
Senior Planner

Ben Thornley
Cassidy+Ashton
10 Hunters Walk
Chester
CH1 4EB
benthornley@cassidyashton.co.uk

ATLODEN 1C

Ymgynghori cyn gwneud cais am ganiatâd cynllunio

Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012

Hysbysiad o dan erthyglau 2d

Pwrpas yr hysbysiad hon: mae'r hysbysiad yn rhoi cyfle i wneud sylwadau yn uniongyrchol i'r ddatblygwr ynglŷn â ddatblygiad arfaethedig cyn cyflwyno cais am ganiatâd cynllunio i'r awdurdod cynllunio lleol ("ACLI"). Bydd unrhyw gais cynllunio dilynol yn cael ei hysbysebu gan yr ACLI perthnasol; ni fydd unrhyw sylwad a ddarperir gennych wrth ymateb i'r hysbysiad hwn yn amharu eich gallu i gyflwyno sylwadau i'r ACLI ar unrhyw gais cynllunio cysylltiedig. Dylwch nodi fe gellier gosod sylwadau a gyflwynir gennych yn y ffeil gyhoeddus.

Datblygiad Arfaethedig yn: Land Adjacent to H-pack, Davy Way, Llay, Wrexham, LL12 0PG

Hysbysaf bod H-Pack Packaging UK Ltd yn bwriadu gwneud cais am ganiatâd cynllunio i:

Codí 1 adeilad B8 Storio a Dosbarthu a mynediad cysylltiedig a gwaith allanol ar Dir gerllaw H-Pack, Davy Way, Llay.

Gellwch archwilio copiâu o'r pecyn cais cynllunio canlynol mewn draft ar-lein, trwy'r H-Pack Storage and Distribution Building, Davy Way, Llay Consultation ar wefan Cassidy + Ashton. Linc i'r wefan:
www.cassidyashton.co.uk

Mae rhaid i unrhyw un sy'n dymuno gwneud sylwadau ar y datblygiad angen ei gyflwyno drwy'r ffurflen ar y tudalennau ymgynghori ar-lein neu'n uniongyrchol i'r asiant cynllunio (cyswllt isod) erbyn, Dydd Gwener 4 Tachwedd 2022.

Signed:



Date: 06/10/2022

Ben Thornley BA (Hons) MCD MRTPI
Senior Planner

Ben Thornley

Cassidy+Ashton

10 Hunters Walk

Chester

CH1 4EB

benthornley@cassidyashton.co.uk

3.0 CONSULTATION RESPONSES

- 3.1 Consultation responses were received from Llay Community Council, Councillor Walsh, The Coal Authority, Natural Resources Wales, Welsh Water and Wrexham Environmental Health. A comment from a member of the public who lives near to the site was also received.

MEMBER OF THE PUBLIC

- 3.2 A comment was received from a member of the public who lives in proximity to the application site. To protect their privacy their comments have been summarised below:

- Rackery Lane Access
- Children crossing onto the western side of Rackery lane due to a lack of pavements on the eastern side.
- Relationship of new access with existing access points on the other side of the road
- Headlights into existing residential properties.
- Will existing water assets be impacted?

LLAY COMMUNITY COUNCIL

Ben

I am authorised by Llay Community Council to state they have no concerns about your plans at this stage. I understand our Chair, Cllr Bryan Apsley, has been in contact with someone connected with this matter on an informal basis.

Thank you for your email.

Regards

Mark J Williams

Clerk to Llay Community Council

COUNCILLOR ROBERT WALSH

Hi Ben,

Many thanks for sharing this with me. Am I allowed to share this more widely to ascertain views from the wider community?

Kind regards,

Rob

Councillor Robert Walsh

Cynllunio a Aelod Arweiniol ar gyfer Pobl - Gwasanaethau Plant

Lead Member for People - Children's Services

Y Cyngorydd - Llai/Local Member - Llay

THE COAL AUTHORITY



200 Lichfield Lane
Mansfield
Nottinghamshire
NG18 4RG
T: 01623 637 119
E: planningconsultation@coal.gov.uk
www.gov.uk/coalauthority

For the attention of Mr B Thornley – Senior Planner
Cassidy + Ashton

[By email: benthornley@cassidyashton.co.uk]

13 October 2022

Dear Mr Thornley

Schedule 1C Article 2D - Consultation before applying for planning permission

Town and Country Planning (Development Management Procedure) (Wales) Order 2012

Proposed development at Land Adjacent to H-pack, Davy Way, Llay, Wrexham, LL12 0PG

Thank you for your notification of 06 October 2022 seeking the pre-application views of the Coal Authority on the above.

I have checked the site location plan against our coal mining information and can confirm that, whilst the proposed development site falls within the coalfield, it is located outside the Development High Risk Area as defined by the Coal Authority. Therefore, there are no recorded coal mining legacy hazards at shallow depth that could pose a risk to land stability at this site.

Accordingly, there is no requirement for the applicant to submit a Coal Mining Risk Assessment in support of any formal planning application for the redevelopment of this site and / or for the Local Planning Authority (LPA) to consult the Coal Authority on any

planning application for this site. The LPA should add our Standing Advice on any planning permission granted.

I trust that the above is helpful, however please do not hesitate to contact me if you would like to discuss this matter further.

Yours sincerely

D Roberts

Deb Roberts *M.Sc. MRTPI*
Planning & Development Manager

Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available data on the date of the response, and electronic consultation records held by The Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to The Coal Authority by the Local Planning Authority and/or has been published on the Council's website for consultation purposes in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by The Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the Applicant for consultation purposes.

NATURAL RESOURCES WALES



Ein cyf/Our ref: CAS-200554-S7C2

Maes Y Ffynnon,
Penrhosgarnedd,
Bangor,
Gwynedd
LL572DW

09/11/2022

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk
Ffôn/Phone: 03000 65 3479

Annwyl Syr/Madam / Dear Sir/Madam,

STATUTORY PRE-APPLICATION CONSULTATION - TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (WALES) ORDER 2012 AS AMENDED.

BWRIAD / PROPOSAL: ERECTION OF 1NO B8 STORAGE AND DISTRIBUTION BUILDING AND ASSOCIATED ACCESS AND EXTERNAL WORKS

LLEOLIAD / LOCATION: H-Pack Storage and Distribution Building, Davy Way, Llay, Wrexham, LL12 0PG

Thank you for providing a requisite notice to us under Article 2D of the above Order. We received a copy of your proposed application on 06/10/2022.

We have concerns with the application as proposed because inadequate information has been provided. To overcome these concerns, you should provide further information in your planning application regarding foul drainage and protected species (Great Crested Newts). If this information is not provided, we may object to the planning application when formally consulted by the planning authority. Further details are provided below.

Protected Sites – Foul Drainage

We note the application site is within the catchment of the River Dee and Bala Lake Special Area of Conservation (SAC). 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.

The suitability of foul drainage arrangements for the proposed development is a matter for the LPA to determine. We therefore advise that as part of any future planning application submission, you provide the LPA with sufficient details to confirm whether any additional wastewater would be discharged from the site. If additional wastewater is to be discharged, it is likely the LPA will require further information from you to inform their Habitats Regulations Assessment (HRA).

Protected Species

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg
Correspondence welcomed in Welsh and English

Great Crested Newt (GCN)

The application site has been subject to assessment in respect of the great crested newt. The ecological submission (TEP, 2022. Report No. 9529.002) confirms the presence of this species within and in the environs of the application site.

We note that only eDNA surveys have been carried out. One of the ponds where a negative result was recorded has been shown to previously support GCN.

We advise that the overall proposal has the potential to cause disturbance to GCN and/or loss or damage to their resting places. GCN and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended) and classed as a material consideration for planning under the provisions of Technical Advice Note 5: Nature Conservation and Planning (TAN 5). 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 tests set out in the Regulations (please also refer to Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning). Please note, for the purposes of providing advice at the planning application stage, our comments are limited to the test relating to *"demonstration of no detriment to the maintenance of the favourable conservation status of European protected species"*.

We consider that the construction and operational phases of the proposal have the potential to adversely affect the GCN at this site. We therefore advise that further information should be submitted with any planning application for the purposes of demonstrating the proposal is not likely to be detrimental to the maintenance of the favourable conservation status of the local population of GCN, as follows:

The submission and implementation of a dedicated long-term great crested newt compensatory scheme. The scope of this compensation area should include but not be limited to:

- Size: Area of the size of the GCN compensation area to equate to the overall footprint of the development;
- Habitat retention, enhancement and creation proposals including pond creation;
- Tenure: We advise the tenure of the GCN compensation area to be an underpinning issue. We would therefore welcome long-term tenure to accord with the definition of a responsible body under the Environment Act 2021;
- Long-term financial resource provision;
- Long-term management plan (25 years plus);
- Long-term surveillance plan (25 years plus).

Secondly, we advise the submission of a long-term site management plan (for a duration of not less than 25 years) that includes defined aims and objectives; habitat management prescriptions; contingency measures if fish or invasive non-native species (INNS) are detected; proposals that are capable of being implemented in the event of failure to

undertake or to appropriately implement identified or contingency actions; site liaison and wardening; licensing requirements for undertaking habitat management and surveillance; current and any proposed changes to tenure of the compensation area; persons or bodies responsible for undertaking management and surveillance together with required skills and competencies; reporting requirements; and proposed dates for updating or revising the management plan.

We would also advise the submission of measures designed to prevent the accidental capture/killing of GCN during operational (and decommissioning) phases of the scheme (i.e. post construction). This is essentially the installation and maintenance of an amphibian-friendly surface water management system that does not include gully pots (or other similar features).

Lastly, a post construction monitoring methodology including record dissemination for a period of not less than 25 years should be submitted. All ponds to be added to the [Wales Great Crested Newt Monitoring Scheme](#), with individuals/bodies being identified as being responsible for monitoring and reporting works. The methodology shall include annual [or biennial] abundance counts and Habitat Suitability Index (HSI) assessments. Each water body shall be individually numbered on site.

We therefore consider that the proposal currently fails to satisfactorily demonstrate that it would not be detrimental to the maintenance of the favourable conservation status of the local population of GCN. We consider this resolvable issue to be material to the local planning authority's subsequent planning decision-making process.

This advice applies to the proposal in its present form. If the plans are changed in ways that may affect GCN on this site, you would need a revised ecology report that takes account of such changes. Please consult us again if any updated or revised ecology report concludes that the proposal is more likely to have an adverse impact on the GCN population and/or alters the detail or implementation of mitigation or compensation measures.

Please also note that any changes to plans between planning consent and a licence application may affect the outcome of the licence application.

Bats

We note that the ecological report submitted in support of the above application (TEP, 2022. Report No. 9529.002) has identified that bats are likely to be present at the application site (foraging and commuting). From the information submitted, we consider that the proposed development represents a lower risk for bats, as defined in our guidance document '*Natural Resources Wales Approach to Bats and Planning* (2015)'. Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended).

As this is a lower risk case for bats, we consider that the development is not likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Furthermore, we advise that the proposed development is not likely to harm or disturb the bats or their breeding sites and resting places at this site, provided the avoidance measures described in the bat report are implemented.

We would advise the LPA that the report must therefore be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted, to secure the recommendations and mitigation in respect of bats.

Ecological Compliance Audit (ECA)

We advise that any future consent includes the imposition of a condition that requires the submission and implementation of an approved ecological compliance audit (ECA) scheme to the satisfaction of the LPA.

The purpose of the Ecological Compliance Audit is to evidence compliant implementation of all ecological avoidance, mitigation and compensation works, either proposed or subject to the provisions of reserved matters conditions. The Audit shall identify Key Performance Indicators (KPI's) that are to be used for the purposes of assessing and evidence compliance.

Land Contamination

Natural Resources Wales considers that the controlled waters at this site are not of the highest environmental sensitivity, therefore we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site.

It is recommended that the requirements of Planning Policy Wales and the [Land Contamination Risk Management \(LCRM\)](#) guidance should be followed.

These comments are based on our assumption that **gross contamination** is not present at this location. If, during development, gross contamination is found to be present at the site the Local Planning Authority may wish to re-consult Natural Resources Wales.

Other Matters

Please note, if further information is prepared to support an application, it may be necessary for us to change our advice in line with the new information.

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.

In addition to planning permission, you are advised to ensure all other permits/consents/licences relevant to the development are secured. Please refer to our [website](#) for further details.

Further advice on the above matters could be provided prior to your planning application being submitted, however there would be a charge for this service. Additional details are available on our [website](#).

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

Yn gywir / Yours faithfully,

Garmon Lewis

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

WELSH WATER



Developer Services
PO Box 3146
Cardiff
CF30 0EH

Tel: +44 (0)800 917 2652
Fax: +44 (0)2920 740472
Email: developer.services@dwrcymru.com

Gwasanaethau Datblygu
Blwch Post 3146
Caerdydd
CF30 0EH

Ffôn: +44 (0)800 917 2652
Ffacs: +44 (0)2920 740472
E.bost: developer.services@dwrcymru.com

Cassidy + Ashton
10, Hunters Walk Canal Street
Chester
CH1 4EB

Date: 26/10/2022
Our Ref: PPA0007228

Dear Sir/Madam,

Site Address: Davy Way, Llay.

Development: 2D:Proposed development at: Land Adjacent to H-pack, Davy Way, Llay, Wrexham, LL12 0PG

I refer to your pre-planning enquiry received relating to the above site, seeking our views on the capacity of our network of assets and infrastructure to accommodate your proposed development. Having reviewed the details submitted I can provide the following comments which should be taken into account within any future planning application for the development.

We refer to the letter received and your formal request for a pre-application consultation response from Dwr Cymru Welsh Water, as a 'Specialist Consultee' as defined by Paragraph (y) of Schedule 4 of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016, before applying for planning permission. It is acknowledged that the consultation request relates to a major development site and thus seeks a substantive response within 28 days from the date of the notice, as per the requirements of Article 2E. This request includes our views on the capacity of our network of assets and infrastructure to accommodate your proposed development.

SEWERAGE

We have considered the impact of foul flows generated by the proposed development and concluded it is unlikely that sufficient capacity exists to accommodate your development without causing detriment to the existing services we provide to our customers, or in regard to the protection of the environment. There are no planned reinforcement works within Dwr Cymru Welsh Water's Capital Investment Programme and therefore, at this stage, we are unable to provide you with a point of adequacy on the network.



Welsh Water is owned by Glas Cymru – a 'not-for-profit' company.
Mae Dŵr Cymru yn eiddo i Glas Cymru – cwmni 'nid-ar-ela'.

We welcome correspondence in
Welsh and English

Dŵr Cymru Cyf, a limited company registered in
Wales no 2366777. Registered office: Penbryn Road,
Nelson, Treherbert, Mid Glamorgan CF46 6LY

Rydym yn croeso awgrymion yn y
Cymraeg neu yn Saesneg

Dŵr Cymru Cyf, cwmni cyfyngedig wedi'i gofrestru yng
Nghymru rhif 2366777. Swyddfa gofrestrwyd: Heol Penbryn
Nelson, Treherbert, Morgannwg Ganol CF46 6LY.

In light of the above our recommendation is that you instruct us to undertake an Sewage Pumping Station (SPS) assessment which is at the developer's expense and will examine the impact of the introduction of flows from your development upon the performance of the SPS. Where required and appropriate, the SPS assessment will then identify solutions to ensure that your site can be accommodated within the system. For the developer to obtain a quotation for the SPS assessment, we will require a fee of £250 + VAT. Please note that we will seek to control the outcomes of the SPS assessment via appropriate planning conditions. However, in the absence of known solutions to accommodate your site we will not be able to support your development through the planning process. We therefore recommend that the SPS assessment is undertaken in advance of a planning application being submitted, in order to avoid any subsequent delays. Further information on SPS assessments as well as any implications on the planning process is provided in the attached Advice & Guidance note.

You may need to apply to Dwr Cymru Welsh Water for any connection to the public sewer under Section 106 of the Water Industry Act 1991. However, if the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com.

PUBLIC SEWERAGE NETWORK

This site is crossed by public foul and surface water sewers with their approximate positions being marked on the attached Statutory Public Sewer Record. In accordance with the Water Industry Act 1991, Dwr Cymru Welsh Water requires access to its apparatus at all times in order to carry out maintenance and repairs.

No part of any building will be permitted within the protection zone of the public 150mm foul water sewer measured 3 metres either side of the centreline.

No part of any building will be permitted within the protection zone of the public 250mm surface water sewer measured 3 metres either side of the centreline.

Our strong recommendation is that your site layout takes into account the location of the assets crossing the site and should be referred to in any master-planning exercises or site layout plans submitted as part of any subsequent planning application. Further information regarding Asset Protection is provided in the attached Advice & Guidance note.



Welsh Water is owned by Glas Cymru – a 'not-for-profit' company.
Mae Dŵr Cymru yn eiddo i Glas Cymru – cwmni 'nid-er-elw'.

We welcome correspondence in
Welsh and English

Dŵr Cymru Cyf, a limited company registered in
Wales no 2366777. Registered office: Penbryn Road,
Nelson, Treherbert, Mid Glamorgan CF46 6LY

Rydym yn croesawu gofyniadau yn y
Gymraeg neu yn Saesneg

Dŵr Cymru Cyf, cwmni cyfyngedig wedi'i gofrestru yng
Nghymru rhif 2366777. Swyddfa gofrestredig: Heol Penbryn
Nelson, Treherbert, Morgannwg Saniol CF46 6LY.

You are also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist you may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus in and around your site.

SEWAGE TREATMENT

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

Please note that the Natural Resources Wales have recently released Planning Advice relating to increased phosphate levels in several river Special Areas of Conservation (SAC). Applications for new development in these areas need to consider the requirements set out in the planning advice and should form part of the local planning authority's decision making when determining planning applications.' The flows from this development would eventually drain to our Gresford Wastewater Treatment Works which has a phosphate consent.

I trust the above information is helpful and will assist you in forming water and drainage strategies that should accompany any future planning application. I also attach A copy of our extract plan for the area, which provides further information on our approach to the planning process, making connections to our systems and ensuring any existing public assets or infrastructure located within new development sites are protected.

Please note that our response is based on the information provided in your enquiry and should the information change we reserve the right to make a new representation. Should you have any queries or wish to discuss any aspect of our response please do not hesitate to contact our dedicated team of planning officers, either on 0800 917 2652 or via email at developer.services@dwrcymru.com

Please quote our reference number in all communications and correspondence.

Yours faithfully,



Owain George
Planning Liaison Manager
Developer Services



Welsh Water is owned by Glas Cymru – a 'not-for-profit' company.
Mae Dŵr Cymru yn eiddo i Glas Cymru – cwmni 'nid-en-afael'.

We welcome correspondence in
Welsh and English

Dŵr Cymru Cyf, a limited company registered in
Wales no 2366777. Registered office: Penbryn Road,
Nelson, Trehamis, Mid Glamorgan CF46 6LY

Rydym yn croeso cerbydau goheblaeth yn y
Gymraeg neu yn Saesneg

Dŵr Cymru Cyf, cwmni cyfyngedig wedi'i gofrestru yng
Nghymru rhif 2366777. Swyddfa gofrestredig: Heol Penbryn
Nelson, Trehamis, Morgannwg Ganol CF46 6LY.

WREXHAM ENVIRONMENTAL HEALTH

Hi Ben

Apologies for the delay in responding to this, I'm not sure the original email made it to me. Based on the provide pre-planning documentation I would make the following comments:

Noise report – Accepted and I will be recommending a condition that background noise not be exceeded at the nearest sensitive receptor which the modelling in the report suggests will be the case.

Air Quality – Dust management plan is accepted and I will be recommending that the mitigation methods detailed in section 6 be conditioned.

Air Quality - an initial read through suggested there are some errors in this report, for example section 5.2.2 states that the maximum mean PM10 concertation was 12.6 µg/m3, located at Receptor 19. Whereas table 5.6 suggests it is receptor 8 with a mean of 13.1 µg/m3. There is a similar conflict in section 5.2.3 on PM2.5. Further the conclusion 7.2 discusses an exceedance of the AQS objective in Newcastle City Centre's AQMA. I would advise that the report be checked for errors, with particular emphasis on the modelled results and resubmitted. Once this has been done, I will be able to provide more confident feedback.

I will also be recommending to planners that there be no fires on site and that any noisy construction works near to residential properties only be carried out between the hours of 07.30 to 18.00 Monday to Friday, 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday

Please do not hesitate to contact me should you wish to discuss the above though I will be out of the office tomorrow, returning on the 7th November.

Regards

Paul Campini

Swyddog Gorfodaeth / Enforcement Officer

Iechyd yr Amgylchedd a Safonau Tai / Environmental Health and Housing Standards

H-Pack Storage and Distribution Building | 18/07/2023

Pre-application Consultation Report

07800 688713

Cynllunioa Rheoleiddio, Guildhall, Wrexham, LL11 1AY | Planning and Regulatory, Guildhall,
Wrexham, LL11 1AY

wrecsam.gov.uk | wrexham.gov.uk

twitter.com/cbcwrecsam | twitter.com/wrexhamcbc

facebook.com/cyngorwrecsam | facebook.com/wrexhamcouncil

4.0 ACTIONS TO RESPONSES RECEIVED

- 4.1 Of the consultation responses received, no further action was required in relation to comments from Llay Community Council, Councillor Walsh and The Coal Authority.
- 4.2 In relation to the other comments identified above, from Natural Resources Wales, Welsh Water, Wrexham Environmental Health and the comment from the member of the public. the actions are set out below:

NATURAL RESOURCES WALES

- 4.3 **Foul drainage : protected sites** - in relation to the comments received the applicant has reviewed their position in regards to phosphates and are comfortable that the proposed scheme is compliant with NRW's own advice to planning authorities. The principle being that the development proposals are unlikely to increase phosphorous levels within a river SAC, on the basis that the employees of the facility will comprise a local population already served by residential connections to existing public / private sewers discharging within the SAC river catchment.
- 4.4 Notwithstanding the above, it is our understanding that infrastructure improvements are proposed for the Five Fords WWTP. Aligned with this will be additional asset capacity and a review of the phosphorous permit.
- 4.5 **Protected species** – a comprehensive ecological impact assessment has been undertaken, a key component of which addresses NRW's comments regarding Great Crested Newts (GCN). Mitigation and compensation have clearly been identified. A licence and method statement will be progressed at the appropriate stage of the development, to be satisfactorily controlled through conditions.
- 4.6 On this basis we are comfortable that the comments from NRW have been addressed in full.

WELSH WATER

- 4.7 Drainage consultants are progressing dialogue with WW, including progressing a SPS assessment. This process will progress simultaneously with the determination of the planning application.

WREXHAM ENVIRONMENTAL HEALTH

- 4.8 Further to the comments from Wrexham Environmental Health the Air Quality assessment has been updated in line with the Officers comments.
- 4.9 Other advice and proposed measures from the Officer are also accepted.
- 4.10 On this basis we are comfortable that the proposed scheme is compliant with the comments received from Environmental Health.

MEMBER OF THE PUBLIC

- 4.11 The member of the public who sent in their comments was contacted directly by the Design Team with answers to their questions and queries.
- 4.12 To protect their privacy this response has not been released in full.

5.0 CONCLUSIONS

- 5.1 In conclusion, a number of responses were received as part of the pre-application consultation exercise, with the majority not raising issues for the scheme.
- 5.2 Of the responses received, that did require further work or clarification, all of these elements have been actioned or resolved prior to the submission of the application.
- 5.3 The Applicant has taken on board comments received through this process and the supporting information surrounding the scheme has been improved because of the input from consultees.

Cassidy+Ashton

C+A

Chester Office:

10 Hunters Walk, Canal Street,
Chester, CH1 4EB

T: +44(0)1244 402 900

E: chester@cassidyashton.co.uk

Preston Office:

7 East Cliff, Preston,
Lancashire, PR1 3JE

T: +44(0)1772 258 356

E: preston@cassidyashton.co.uk

Email us:

architecture@cassidyashton.co.uk

surveying@cassidyashton.co.uk

planning@cassidyashton.co.uk

Follow us on:



www.cassidyashton.co.uk

Architecture + Building Surveying + Town Planning

Cassidy and Ashton is a trading style of Cassidy and Ashton Group Limited
Registered in England and Wales No. 2510645 – 7 East Cliff, Preston, PR1 3JE

RIBA  RICS  RTPI 

✓ QM
S.A.
ISO 9001
REGISTERED FIRM

✓ QM
S.A.
ISO 14001
REGISTERED FIRM