



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-201946-P6J4
Eich cyf/Your ref: P/2022/0891

Maes Y Ffynnon,
Penrhosgarnedd,
Bangor,
Gwynedd
LL572DW

Wrexham County Borough Council,
The Guildhall,
Wrexham,
LL11 1AY

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

11/11/2022

Annwyl Syr/Madam / Dear Sir/Madam,

**BWRIAD / PROPOSAL: GOSOD SYSTEM ATAL TAN YN CYNNWYS 2 DANC
CHWISTRELLU DWR AC 1 TY PWMPIO / INSTALLATION OF FIRE SUPPRESSION
SYSTEM INCLUDING 2 SPRINKLER TANKS AND 1 PUMP HOUSE**

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

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 24/10/2022.

We 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 groundwater protection and land contamination. 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, conditions regarding land contamination should be attached to any planning permission granted. Without the inclusion of these conditions we would object to this planning application.

Groundwater protection and land contamination

Limited information has been submitted with regards to the fire suppression system and associated drainage. It is unclear how much fuel (associated with pump house) is to be stored on site and what the contents of the fire suppression system will be. The planning application details that surface water is to be discharged via soakaway. This site is within an environmentally sensitive area, overlying a principal aquifer and Source Protection Zone.

Based on the above we have concerns that the proposals could present an unacceptable risk to controlled waters and require the following information.

We advise that further information should be sought from the applicant as follows:

- Confirmation that drainage won't present a risk to controlled waters and confirmation that infrastructure is sealed, has impermeable bases, sides and impermeable surrounding area.
- Confirmation that there is sufficient containment, leak detection and emergency spill procedures where required.
- It is also noted that foul sewage is discharged via a package treatment plant (PTP). It should be confirmed whether any foul water is associated with the fire suppression system and whether the current PTP is sufficient to deal with any increase in flows.

We also 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)

From the information provided, NRW consider that the proposals may affect the River Dee and Bala Lake SAC. The application is located within 250m of the SAC.

NRW have identified potential impact pathways to features of this site:

- pollution

The above pathways may not result in an adverse effect if the following measures are adhered to/ implemented:

- Developer adheres to pollution prevention guidelines

No assessment of likely significant effect under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 has been undertaken by your authority or it has not been forwarded to NRW for consideration. Should you conclude that the proposed development is likely to have a significant effect on the European site, we look forward to being re-consulted. In the absence of this assessment, NRW cannot offer assurances that the proposals would not result in an adverse effect upon the SAC.

- Foul Drainage

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. 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 applications (P/2022/0820, P/2022/0821 and P/2022/0822) to vary condition 7 from their respective planning permissions and application reference P/2022/0840. We advise that you will need to consider the implications of the above-mentioned applications as part of your determination of this application. For further information, please refer to our Planning Advice. Ultimately, it is for your Authority to consider to what extent you treat this advice as a material consideration in the context of the current application. If you determine that NRW's Planning Advice is a material consideration to this 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.

Protected Species

We note that there is no information about protected species with the application and, therefore, are assuming that your Authority has screened the application and concluded that there is not a reasonable likelihood of protected species being present.

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

It is important to note that a grant of planning permission does not guarantee that a permit will be granted. The Applicant should ensure that they have all the required permissions, consents, permits and any other approvals in place prior to commencement of works on the site.

If additional water is required for the fire suppression system, the current abstraction license may need to be varied. We would recommend that the applicant seeks pre application advice

for this matter. See [Natural Resources Wales / Pre-application advice service for water abstraction and impoundment licences](#).

A permit variation may be required if the current PTP and discharge requirements are altered by proposals. Again, we advise the applicant seeks pre -application advice for this matter. See [Natural Resources Wales / Pre application advice for environmental permits](#).

Have regard to [The Environment Agency's approach to groundwater protection \(publishing.service.gov.uk\)](#)

Follow general pollution prevention guidelines throughout the development [Guidance for Pollution Prevention \(GPP\) documents | NetRegs | Environmental guidance for your business in Northern Ireland & Scotland](#)

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