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LL572DW

Wrexham County Borough Council,
The Guildhall,
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LL11 1AY

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

28/10/2022

Annwyl Syr/Madam / Dear Sir/Madam,

BWRIAD / PROPOSAL: AMRYWIO AMOD 07 O CANIATAD CYNLLUNIO APP/H6955/A/18/3216187 (P/2017/1032) I CANIATAU PROSESU 2,000,000 O ADAR YR WYTHNOS / VARIATION OF CONDITION 07 OF PLANNING PERMISSION APP/H6955/A/18/3216187 (P/2017/1032) TO PERMIT THE PROCESSING OF 2,000,000 BIRDS A WEEK

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 28/09/2022.

We advise that further consideration is required regarding protected sites. Further details are provided below.

Protected Sites

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 is a section 73 application to vary condition 7 from planning permission APP/H6955/A/18/3216187 (P/2017/1032). As such, even though the development proposed was judged to be acceptable in principle when the original permission was granted, that decision predates the publication of our evidence package. We therefore advise that you will need to consider the implications of this as part of your determination of this application. It is noted from the Planning Statement (Cassidy and Ashton 08/09/2022) section 1.6 there is the “prospect of 125 additional jobs on site” and also with regards to sections 11.44 – 11.48 there will be an increase in discharge from the site. 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 s73 application, then you will need to consider the Habitats Regulations and screen the proposal accordingly.

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

The increase in birds is likely to require a significant permit variation from NRW. To date no application to vary the permit appears to have been received by NRW.

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