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

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

12/08/2021

Dear Sir/Madam,

PROPOSAL: DEVELOPMENT OF A WAREHOUSE AND ANCILLARY WORKS

LOCATION: KRONOSPAN LTD, HOLYHEAD ROAD, CHIRK, WREXHAM

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 27/07/2021.

We have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome if the document identified below is included in the approved plans and documents condition on the decision notice:

Approved document: Turner, S. (2021). Kronospan Warehouse: Preliminary Ecological Appraisal. Avian Ecology. Unpublished.

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

Protected Species

We have reviewed the following submissions:

- Turner, S. (2021). Kronospan Warehouse: Preliminary Ecological Appraisal. Avian Ecology. Unpublished.
- Ward, K. (2021). Kronospan Warehouse: Great Crested Newt Presence or Absence (eDNA) Survey Report. Avian Ecology. Unpublished.

Bats and Great Crested Newts are protected under the Conservation of Habitats and Species Regulations 2017 (as amended).

We consider that the development is not likely to be detrimental to the maintenance of any 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 any bats or Great Crested Newts, or their breeding sites and resting places at this site, provided the avoidance measures described in the Preliminary Ecological Appraisal are implemented.

The Preliminary Ecological Appraisal must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

Protected Landscape

The development site lies within 950m of the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB) where the primary objective is the conservation and enhancement of natural beauty.

We have reviewed the Landscape and Visual Assessment report dated May 2021 from Axis. There is a distant view of the application site from the Offa's Dyke footpath in the AONB that is influenced by the existing large industrial development at Kronospan. The addition of the proposed warehouse would result in very little visual change therefore we have no further comments in relation to this aspect.

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. As part of this package, we issued a [Planning Position Statement](#), in which we advised that any proposed development that might increase the amount of phosphate (or phosphorus) within a river SAC catchment could lead to damaging effects to the SAC. Therefore, such proposals should be screened through a Habitats Regulations Assessment (HRA), to determine whether they are likely to have a significant effect on the SAC.

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.

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 Environmental Permitting (England and Wales) Regulations 2016 (as amended)

The applicant should consider the requirements of The Environmental Permitting (England and Wales) Regulations 2016 (as amended) in relation to any implications this planning application may have on permit variations e.g. noise and surface water management.

Environmental Management

All works at the site must be carried out in accordance with PPG6: 'Working at construction and demolition sites' which are available on the following website:

<http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

The activity of importing waste into the site for use as, for example hardcore, must be registered with Natural Resources Wales as an exempt/permittable activity under the Environmental Permitting Regulations 2016. The developer should contact Natural Resources Wales to discuss the necessity for an exemption/permit for any material imported to and exported from the site.

If during construction/excavation works any contaminated material is revealed, then the movement of such material either on or off site should be done in consultation with Natural Resources Wales. Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 34 of the Environmental Protection Act 1990. Carriers transporting waste from the site must be registered waste carriers and movement of any Hazardous Waste from the site must be accompanied by Hazardous waste consignment notes.

Waste produced during construction

Waste produced during the construction phase of your development must be dealt with appropriately and be in line with all relevant waste legislation including Duty of Care Regulations and Hazardous Waste Regulations. As part of your waste duty of care you must classify the waste produced:

- before it is collected, disposed of or recovered
- to identify the controls that apply to the movement of the waste
- to complete waste documents and records
- to identify suitably authorised waste management options
- to prevent harm to people and the environment.

Any waste removed from site will be subject to waste management controls. The links below provide information on how to classify waste and register as a waste carrier or hazardous waste producer:

<https://naturalresources.wales/permits-and-permissions/waste/?lang=en>

<https://naturalresources.wales/permits-and-permissions/waste/waste-permits/?lang=en>

Further guidance can be found on the GOV website here:

<https://www.gov.uk/managing-your-waste-an-overview/duty-of-care>

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

Yours faithfully,

Tristan Williams

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