

Matthew Phillips
Planning Control Department
Wrexham County Borough Council
16 Lord Street
Wrexham
LL11 1LG

Date: 10th December 2015

Dear Mr Phillips,

**EXTENSION, ALTERATION AND UPGRADING OF EXISTING FACILITIES AND BUILDINGS INCLUDING EXTENSION FOR COVERED DELIVERY / LAIRAGE - EXTENSION FOR COVERED WASTE REMOVAL AREA - FIRST FLOOR OFFICE EXTENSION - RECLADDING OF KEY BUILDING EXTERIOR (INCLUDING MAIN BUILDING, OFFICE BLOCK AND TRAINING BLOCK) - PLANT AREA SCREEN - EXHAUST AIR SCRUBBER (EMMI) - INSTALLATION OF SEPTIC TANK FOR DOMESTIC FOUL SEWAGE - ALTERATIONS TO ENTRANCE
MAELOR CREAMERY, PICKHILL LANE, CROSS LANES, WREXHAM, LL13 0UE**

Thank you for consulting us on the above application, which we received on the 9th November 2015.

We have no objection to the application, but have the following comments:

Environmental Permitting

The site may require an installation permit for the operation of an abattoir (depending carcass production capacity) that may also include an authorisation (as part of the same permit) to discharge treated process effluent to the river Dee. Natural Resources Wales has not yet received an application but have held pre-application permit discussions with the operator. The applicants should contact Stuart Ross, PPC Regulatory Officer on 0300 065 3915 in this regard.

As it stands, we are aware that Maelor Poultry have submitted an application to NRW for a permit to discharge treated domestic sewage effluent from a package treatment plant to a local tributary of the river Dee (note this will not authorise the discharge of process effluent) and is subject to ongoing determination. We note that the planning application makes reference to a 'septic tank' and we believe this is likely to be an error and it is in fact reference to a package treatment plant.

Based on the limited information provided there are a number of points that we consider appropriate to raise at this stage;

- The proposed septic tank (package treatment plant?) is approximately 100m away from the nearest residential property. Package plants may give rise to odour and to a lesser extent noise

which may have the potential to cause annoyance. It would be prudent to move the package plant away from sensitive receptors (e.g. to the other side of the site / main buildings).

- We have no detail on the air abatement system, its specification, performance, applicability to the odour sources to be treated or dispersion of treated air to atmosphere. If the site is subject to an application under the Environmental Permitting Regulations for an installation permit, Natural Resources Wales will assess (amongst other matters) whether the control measures for the prevention and minimisation of odour emissions constitute Best Available Technique (BAT).
- As per above, the proposed location of the air abatement system is very close to a residential property and may give rise to annoyance via residual odour and noise emissions (e.g. blowers, stack noise etc.). It would be better placed at a suitable distance away from these properties. Residual odour from air abatement systems may require appropriate dispersion (e.g. via a stack) to minimise the local impact.
- BAT for the storage of Animal By-products (feathers, eviscerate etc.) is likely to constitute the full enclosure of trailers and associated plant and equipment with fast acting doors to allow rapid access and egress. Buildings where odorous operations are carried out may require odour abatement e.g. application of negative pressure within the building with appropriate odour scrubbing.
- The lairage shall be treated similarly to Animal By-Product areas allowing for animal welfare requirements.
- Where buildings are extended over existing yard areas, foul and surface water drainage arrangements must be carefully considered. Drainage within 'dirty' process areas such as the lairage and animal by-products handling areas must not discharge to surface water and should be treated as process effluent. Where possible, clean uncontaminated roof water may be re-used to reduce raw water consumption.

Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily in accordance with duty of care requirements under section 34 of the Environmental Protection Act 1990. The waste shall be transported using registered waste carriers to suitably permitted or exempt sites. Transfer notes shall be kept for each load for a minimum of 2 years.

Only surface water from roofs and paved areas not accessible to vehicles, should be discharged to any soakaway, watercourse or surface water sewer.

Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund.

Foul and surface water manhole covers should be marked to enable easy recognition, convention is red for foul and blue for surface water. This is to enable water pollution incidents to be more readily traced.

This development lies within the River Dee Water Protection Zone. A Dee Protection Zone Consent will be required from Natural Resources Wales in order to store or use certain controlled substances. The applicants are advised to contact Emma Pierce, Environment Officer on 0300 065 3831 to discuss such matters.

Protected Sites

The proposed development is to take place approximately 130 metres away from the following protected sites;

River Dee Special Area of Conservation (SAC)

River Dee Site of Special Scientific Interest (SSSI)

Regulation 9 (3) of the Conservation of Habitats and Species Regulations 2010 (as substituted) requires public bodies in exercising any of their functions, to have regard to the requirements of the 1992 'Habitats' Directive (92/43/EEC) and the 2009 'Birds' Directive (2009/147/EC) so far as they may be affected by the exercise of those functions. Our advice is given in accordance with Regulation 9(1) of these regulations under which we are required to exercise our functions so as to secure compliance with the Habitats and Birds Directives.

We advise that a test of likely significant effects under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) is carried out by the competent authority. We can help you reach a conclusion on likely significant effects. If that assessment concludes there is likely to be a significant effect, we can also advise on the further, appropriate assessment that would be required under the Regulations.

We remind you that, as a Competent Authority for the purposes of the 2010 Regulations (as amended), your Authority must not normally agree to any plan or project unless you are sure beyond reasonable scientific doubt that it will not adversely affect the integrity of a SAC, SPA or Ramsar Site.

We advise that the test of likely significant effects should consider both potential cumulative and in-combination effects and consider existing developments, consented development and those currently in the planning system. In addition to this NRW would recommend that the competent authority request information on the type, rate and timings of any discharge to help inform your assessment.

Please note that we have not considered possible effects on all species and habitats listed in section 42 of the Natural Environment and Rural Communities (NERC) Act 2006, or on the Local Biodiversity Action Plan or other local natural heritage interests. To comply with your authority's duty under section 40 of the NERC Act, to have regard to conserving biodiversity, your decision should take account of possible adverse effects on such interests.

We recommend that you seek further advice from your Authority's internal ecological adviser and/or nature conservation organisations such as the local Wildlife Trust, RSPB, etc. The Wales Biodiversity Partnership's web site has guidance for assessing proposals that have implications for section 42 habitats and species (www.biodiversitywales.org.uk).

Flood Risk

The site lies in Zone A as defined in TAN 15 Development & Flood Risk (2004) and shown on Welsh Government's Development Advice Map. However, parts of the site are at risk of surface

water flooding, as shown by Natural Resources Wales' Flood Map for Surface Water. The proposed development has potential to increase flood risk to developments offsite, because it will increase the surface area of impermeable ground, thus reducing percolation and increasing rapid surface water runoff. In accordance with Section 8 of TAN 15, in all zones, development should not increase flood risk elsewhere.

The application form indicates that surface water will be disposed of by means of soakaway, however, while we welcome this method of dealing with surface water, we are not aware that the applicant has provided any evidence to confirm that ground conditions are suitable.

We recommend that a condition is imposed to ensure that a scheme to dispose of surface water is submitted to and approved in writing by your Authority, to ensure effective management of surface water run-off resulting from the proposed development (although such a condition, condition 7 has been included within the previous permission, P/2014/0781).

As they fulfil the role of Lead Local Flood Authority, we recommend that you contact your Drainage Department for further advice in relation to this. We advise that any proposed scheme should ensure that run-off from the proposed development is reduced or will not exceed existing runoff rates. Details of adoption and management should also be submitted to ensure that the scheme/systems remain effective for the lifetime of the development.

We request that we are consulted on any details submitted for approval to your Authority to discharge these conditions and on any subsequent amendments/alterations (including any condition related to a surface water management scheme). We will usually limit our comments to reviewing the acceptability of the proposed discharge rate as well as the suitability of the discharge point / receiving watercourse.

Yn gywir / Yours' faithfully,



Mr. GARETH THOMAS

Swyddog Cyswllt Cynllunio / Planning Liaison Officer

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Deialu uniongyrchol/Direct dial: (0300) 065 3786 **Siaradwr Cymraeg / Welsh Speaker**



cc: Guy Evans, Cassidy & Ashton Group Ltd.
Emma Broad, WCBC Ecologist
Stuart Ross, NRW Regulatory Officer
Richard May, NRW Conservation Officer