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15/10/2020

Annwyl Sharon Holman,

BWRIAD / PROPOSAL: CODI 2 UNED DDIWYDIANNOL NEWYDD AR DIR I'R GOGLEDD O UNED 6 PARC PACIFIC / ERECTION OF 2 NEW INDUSTRIAL UNITS ON LAND TO THE NORTH OF UNIT 6 PACIFIC PARK

LLEOLIAD / LOCATION: UNIT 6, PACIFIC PARK, BRIDGE ROAD, NORTH WREXHAM IND ESTATE, WREXHAM (MAJOR)

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 09/10/2020.

We have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if you include the following documents within the condition identifying approved plans and documents on the decision notice:

- Sansun, L and Paton, D (2020) Preliminary Ecological Appraisal Unit 6 Pacific Park, Wrexham. Tyler Grange report ref: 13257_R01)

Protected Species

European Protected Species and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended).

- Bats

We note that the Preliminary Ecological Appraisal (Sansun, L and Paton, D (2020) Preliminary Ecological Appraisal Unit 6 Pacific Park, Wrexham. Tyler Grange report ref: 13257_R01) states there is *"negligible potential for roosting bats in the buildings and trees on site and the site is deemed to be of negligible importance as a habitat resource for bats"*. We agree with the conclusion and advise that the development is not likely to be detrimental to the maintenance of the population of bats at a favourable conservation status in its natural range.

- Great Crested Newts

We note that the Preliminary Ecological Appraisal states there is “*negligible potential for amphibians (including Great Crested Newt – GCN) aquatically or terrestrially – precautionary methods of working have been recommended to manage any risks during construction*”.

We advise the implementation of recommendations listed in the ecological report. The report must be included in the ‘approved list of plans / documents’ condition within the decision notice should consent for the project be granted.

Provided these avoidance measures are implemented, we consider that the proposed development is not likely to be detrimental to the maintenance of the population of great crested newts at a favourable conservation status in its natural range.

Foul Drainage

We note the proposal is to connect the foul drainage to the existing package treatment plant.

Government guidance on private drainage in Welsh Government Circular 008/2018 stresses that the first presumption must be to provide a system of foul drainage discharging into a public sewer. We advise the Applicant should thoroughly investigate the possibility of connecting to the foul sewer by taking the following steps:

- Formally approach the sewerage undertaker regarding a connection under Section 106 or a requisition under Section 98 of the Water Industry Act (WIA) 1991.
- Serve notice for connection under Section 106 of the WIA 1991 if the sewerage undertaker has refused connection.
- Provide details of the reasons given by the sewerage undertaker if it has refused connection under section 98 or section 106 of the WIA 1991 and confirmation that they have appealed against this decision.
- Demonstrate that it is not reasonable to connect to the public foul sewer.
- Where it is not reasonable to connect to the public foul sewer, demonstrate that they have considered requesting that the sewerage undertaker adopt their proposed system.

Continuation of discharge of effluent to ground or surface water will require an environmental permit or registration of an exemption with NRW. Septic tanks and small sewage treatment works may be registered as exempt from the requirement to obtain an environmental permit if certain criteria are met.

As part of the application, we will assess if the existing system is still fit for purpose. Please note, that if a new system is deemed to be required, it is unlikely NRW would issue a permit / exemption due to the close proximity of the public sewer. In this situation, to continue the application with NRW, the applicant will have to demonstrate that it is not reasonable to connect to the public foul sewer and demonstrate that they have considered requesting that the sewerage undertaker adopt their proposed system. It is important to note that a grant of planning permission does not guarantee that a permit will be granted, should a proposal be

deemed to be unacceptable (either because of environmental risk or because upon further investigation, a connection to mains sewer was feasible). 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.

The applicant is therefore advised to hold pre-application discussions with our Permitting Team on 0300 065 3000, at the earliest opportunity, to try to ensure that there is no conflict between any planning permission granted and the permit requirements. More information, including a step by step guide to registering and the relevant application forms are available on our [website](#). Where private sewage treatment/disposal facilities are utilised, they must be installed and maintained in accordance with British Standard 6297 and Approved Document H of the Building Regulations. We also refer the Applicant to Guidance for Pollution Prevention 4 on the [NetRegs website](#), which provides further information.

Land contamination

We note the submission of the Phase 1 Geoenvironmental Site Assessment (Ref: 14-255-R1-1). We consider that the controlled waters at this site are not of the highest environmental sensitivity, therefore we recommend that the requirements of Planning Policy Wales and the [Guiding Principles for Land Contamination \(GPLC\)](#) should be followed. We do not intend to provide any further advice relating to contaminated land for this planning application.

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.

This consultation response was prepared based on the submitted reports and our records which show that the historic landfill does not fall within the redline boundary for this planning application. If it becomes apparent that the landfill is on the development site we would wish to be reconsulted.

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

- Car Park

If a car park is for more than 50 vehicles, then a fuel interceptor must be installed on the drainage from the car park – unless a Sustainable Urban Drainage System (SUDS) is implemented. PPG3 provides further guidance and is 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/>

Where SUDS is proposed for surface run-off from e.g. car parking, the applicant should be advised to refer to the Environment Agency's Position Statement G13 on groundwater protection available on the following link:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/692989/Environment-Agency-approach-to-groundwater-protection.pdf

- Waste produced during the 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.

Yn gywir,

Siôn M. Williams

Cynghorydd - Cynllunio Datblygu / Advisor - Development Planning

Cyfoeth Naturiol Cymru / Natural Resources Wales