



FAO Mared Rees-Jones

12/08/2019

Dear Mared,

**BWRIAD / PROPOSAL: EXTENSION TO POWER PLANT AND ASSOCIATED
INFRASTRUCTURE**

LLEOLIAD / LOCATION: P R Pugh, Miners Road, Llay

Thank you for consulting Natural Resources Wales (NRW) about the above, which was received on 16/07/2019.

We recommend that you should only grant planning permission if you attach the following conditions. These conditions would address significant concerns that we have identified and we would not object provided you attach them to the planning permission.

Summary of Conditions

Condition 1: Protected Species: Planning permission should include conditions necessary to secure all avoidance and mitigation measures described in the GCN Mitigation Strategy.

Condition 2: Submission and implementation of an approved ecological compliance audit (ECA) scheme to the satisfaction of the LPA.

Condition 3: Any consent includes the imposition of a condition requiring the submission and implementation of a Biosecurity Risk Assessment to the satisfaction of the LPA.

Protected Species

We note the Miners Road RPP Facility – GCN Mitigation Strategy, submitted in support of this application. The survey and assessment are satisfactory for the purposes of informing the planning decision making process. It can be demonstrated that the proposal is not likely to be detrimental to the maintenance of the favourable conservation status of the impacted population or colony of European protected species subject to the imposition of a condition requiring the implementation of mitigation/compensation measures outlined in the GCN Mitigation Strategy.

Condition 1: Protected Species: Planning permission should include conditions necessary to secure all avoidance and mitigation measures described in the GCN Mitigation Strategy.

Ecological Compliance Audit

We advise that any future subsequent consent includes the imposition of a condition that requires the submission and implementation of an approved ecological compliance audit (ECA) scheme to the satisfaction of the LPA. In this case, ECA will need to consider assessment of all identified ecological features. Guidance on ecological compliance audit can be obtained from NRW's website.

Condition 2: Submission and implementation of an approved ecological compliance audit (ECA) scheme to the satisfaction of the LPA.

The purpose of the Ecological Compliance Audit is to evidence compliant implementation of all ecological avoidance, mitigation and compensation works, either proposed or subject to the provisions of reserved matters conditions. The Audit shall identify Key Performance Indicators (KPI's) that are to be used for the purposes of assessing and evidence compliance.

Biosecurity

We consider biosecurity to be a material consideration owing to the nature and location of the proposal. In this case, biosecurity issues concern invasive non-native species (INNS) and diseases.

Condition 3: Any consent includes the imposition of a condition requiring the submission and implementation of a Biosecurity Risk Assessment to the satisfaction of the LPA.

We consider that this assessment must include

- (i) appropriate measures to control any INNS on site; and
- (ii) measures or actions that aim to prevent INNS being introduced to the site for the duration of construction and operational phases of the scheme.

Protected Sites and Air Quality

We note the Air Quality Assessment, Miners Road RPP Extension, Wrexham (15 April 2019). In terms of AQ issues for planning the emissions and deposition from this development appear to be below 1% of the relevant critical levels and critical loads and appear to be not significant. For the purposes of granting planning permission, NRW consider this assessment to be satisfactory while noting that this development will require an environmental permit from NRW to operate, and further detail may be required as part of the permitting process. Granting of planning permission does not guarantee a permit will be granted for the proposals.

Please do not hesitate to contact us if you require further information or clarification on any of the above.

Our comments above only relate specifically to matters that are listed in our 'Consultation Topics' document (September 2018) which is published on our website:

(<https://cdn.naturalresources.wales/media/686847/dpas-consultation-topics-august-2018-eng.pdf?mode=pad&rnd=131819256840000000>). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance

Advice to Applicant

Environmental Permitting

The operator needs to satisfy (based on aggregated net rated thermal input) the requirements of The Environmental Permitting (England and Wales) Regulations 2016, as amended including SI 2018 No. 110 The Environmental Permitting (England and Wales) (Amendment) Regulations 2018 on implementing the requirements of the Medium Combustion Plant Directive and new controls on Specified Generators effective from 20 December 2018.

Further information can be found on our website here: <https://naturalresources.wales/permits-and-permissions/medium-combustion-plant-and-specified-generator-activities/?lang=en>

Pollution Prevention

During the construction and operational phase you should take any precaution to prevent contamination of surface water drains and local watercourses. Oils and chemicals should be stored in bunded areas and spill kits should be readily available in case of accidental spillages.

For further guidance please refer to GPP 5 and PPG 6 at the following link:

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

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>

The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

Yn gywir / Yours sincerely,

Daniel Davies

Daniel Davies

Cynghorydd Cynllunio Datblygu / Development Planning Advisor

Cyfoeth Naturiol Cymru / Natural Resources Wales