

FAO Philip Forster

10/04/2019

Dear Philip,

TOWN AND COUNTRY PLANNING ACT 1990
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BWRIAD / PROPOSAL: ERECTION OF TWO GENERATOR UNITS AND ANCILLARY DEVELOPMENT

LLEOLIAD / LOCATION: Land at Llay Hall Farm, West of Miners Park, Llay, Wrexham

Thank you for consulting Natural Resources Wales (NRW) about the above, which was received on 26/03/2019.

We have significant concerns with the proposed development as submitted. We recommend that you should only grant planning permission if the scheme can meet the following requirement. Otherwise, we would object to this planning application.

Summary of Requirement

Requirement 1: The applicant should confirm the aggregated rated thermal input in megawatts (MWth) of the generators to inform the relevant screening distance for a conservation impact assessment

Protected Sites and Air Quality

Llay Bog SSSI is 750m south of the site. The applicant should confirm the aggregated rated thermal input in megawatts (MWth) of the generators as this will determine the relevant screening distance for a conservation impact assessment, and will have a bearing on the level of assessment required in relation to air quality impacts..

Protected Species

We note a record of GCN approximately 60m away. We note that there is no information about protected species with the application and, therefore, are assuming that your Authority has screened the application and concluded that there is not a reasonable likelihood of protected species being present

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>

Bedrock

The proposed development is in an area of bedrock aquifer. This designation is consistent with the Water Framework Directive and reflects the importance of aquifers in terms of groundwater as a resource (drinking water supply) and also their role in supporting surface water flows and wetland ecosystems.

In the event that surface water from the development discharges to ground, we refer the developer to the Groundwater Protection: Principles and Practice (Environment Agency, 2013) Position Statements. We refer the developer to the Environment Agency 'Approach to groundwater protection' position statements which have been adopted by Natural Resources Wales. In particular the developer should be aware of the advice under Position Statements G13 (sustainable drainage systems) which applies to this development:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/658135/LIT_7660.pdf

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