



**Cyfoeth
Naturiol
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Natural
Resources
Wales**

Ein cyf/Our ref: CAS-12349-H2V1
Eich cyf/Your ref: P/2015/0814

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Kevin Hughes
Planning Control Department
Wrexham County Borough Council
16 Lord Street
Wrexham
LL11 1LG

Date: 4th November 2015

Dear Mr Hughes,

**Erection of Ancillary Building for Treatment Silos
ROIL FOODS LTD. UNIT 51 CLYWEDOG ROAD, NORTH WREXHAM INDUSTRIAL ESTATE,
LL13 9XN**

Thank you for consulting us on the above application, which we received on the 30th October 2015.

The application is as a result of an amendment to a similar application last year, reference P/2014/0638, and therefore our previous comments apply, as follows:

We have no objection to the proposed development but wish to make the following comments:-

Pollution Control

We would advise the company to ensure all surface water drains in close proximity to the new silo's are protected to prevent any spillages entering the surface water drains.

The Silo's should be suitably bunded to ensure any spills are contained. 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.

The site holds a Dee Protection Zone Consent - we would advise the site to contact the Emma Pierce, Environment Officer on 0300 065 3831 to discuss any variations required as a result of this new development. A new drainage plan may also be required to include the new infrastructure.

Great Crested Newt

We can confirm that ponds within and in the environs of Wrexham Industrial Estate support populations of the great crested newt (*Triturus cristatus*).

This species is protected under the provisions of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended).

The presence of a protected species is listed as a material planning consideration under the provisions of Planning Guidance Wales and Technical Advice Note (TAN) Number No. 5.

We consider the proposal will not be detrimental to the maintenance of the favourable conservation status of any of the great crested newt populations present within and in the environs of the industrial estate.

However, if the great crested newt is subsequently recorded within the boundary of the application site, operations may only proceed, under a derogation licence issued by Natural Resources Wales who are the appropriate authority responsible for issuing licences under Section 53 (2) (e) of the above Regulations.

This licence can only be issued for the purposes of: "preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature, and beneficial consequences of primary importance for the environment." Furthermore, the licence can only be issued by NRW on condition that there is: "no satisfactory alternative", and that "the development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range."

Please note that we have not considered possible effects on all local or regional interests. Therefore, you should not rule out the possibility of adverse effects on such interests, which would be relevant to your Authority's general duty to have regard to conserving biodiversity, as set out in section 40 of the Natural Environment and Rural Communities (NERC) Act (2006).

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 third sector nature conservation organisations such as the local wildlife trust, RSPB, etc. The Wales Biodiversity Partnership's website has guidance for assessing proposals.

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: Gary Chesters Chartered Bldg Surveyor