Cyfoeth Naturiol Cymru
Natural Resources Wales

Ein cyf/Our ref: CAS-300945-T6C9
Eich cyf/Your ref: P/2026/0074

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 12 March 2026

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: REPLACEMENT OF UNDERGROUND TANK WITH 2 NO ABOVE GROUND STORAGE TANKS

LLEOLIAD/LOCATION: ARDAGH METAL BEVERAGE, BRIDGE ROAD NORTH, WREXHAM INDUSTRIAL ESTATE, WREXHAM, LL13 9PS

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 02 March 2026.

We have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should seek further information from the applicant regarding land contamination and protected species. If this information is not provided, we would object to this planning application. Further details are provided below.

We also advise that based on the information submitted to date, a condition regarding protected species should be attached to any planning permission granted. Without the inclusion of this condition and document we would object to this planning application.

Land Contamination

Removal of underground storage tank

We note the existing underground storage tank is to be removed. We advise further information detailing the decommissioning of the existing tanks should be provided. This should include decommissioning and remediation methods and validation sampling of the tank void.

Installation of above ground tanks

We have no objection to the installation of the proposed above ground storage tanks. The ground works for the tanks plinths or bases appears to be minimal and provided pollution prevention measures are employed during construction we raise no concerns.

Advice to Applicant
Regarding the removal of the existing tank, we recommend following good practice similar to the APEA Blue Book (Guidance for Design, Construction, Modification, Maintenance and Decommissioning of Filling Stations (Blue Book 5th Edition)) if the contents of the underground storage tank is a hazardous substance or non-hazardous pollutant (as defined by JAGDAG | wfd uktag).

When undertaking validation sampling, we recommend following the Land Contamination Risk Management principles – detailed via this webpage Land contamination risk management (LCRM) - GOV.UK and these webpage Natural Resources Wales / Land contamination and Land Contamination: a guide for developers, Welsh Local Government Association.

Protected Species

We have reviewed the following information which has been submitted in support of the application:

> Cambrian Ecology Ltd., 18 November 2026, Preliminary Ecological Assessment Report, Ardagh Metal Packaging, Proposed New Building Extension and Tank Construction

Bats

We advise that further information is submitted in support of the application to assess the impacts of the proposal on bats, as European Protected Species. Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended).

We note the Aboricultural Report (Clarke, A. 13/11/2025) advises the removal of tree T1282 which is in the vicinity of the proposed development. We concur with the recommendation within the Preliminary Ecological Appraisal Report (section 9.2.1, Cambrian Ecology, 18th November 2025) which advises further survey work to ascertain Potential Roost Features on any trees to be lost.

We advise that the additional survey work recommended in the report is undertaken and results submitted prior to determination of the application. Surveys should be undertaken in accordance with published best practice. If evidence of bat use is found, suitable avoidance, mitigation or compensation measures should also be provided as appropriate to the species and their use of the site.

Based on the application, as submitted, we are unable to provide your Authority with any assurance that the proposal would not be likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Great Crested Newt (GCN)

The information has identified that great crested newts (GCN) are material to the application site.

GCN and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended) and Schedule 5 of the Wildlife and Countryside Act 1981. Where GCN are present and a development proposal is likely to contravene the legal protection, they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three requirements set out in the legislation. A licence may only be authorised if:

i. The development works to be authorised are for the purpose of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.
ii. There is no satisfactory alternative; and,
iii. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

To avoid developments with planning permission subsequently not being granted a licence, the Local Planning Authority should take Planning Policy Wales and Technical Advice Note 5 into account when considering development proposals where a European Protected Species is present.

Please note, for the purposes of providing advice at the planning application stage, our comments are limited to compliance with the 3rd test "demonstration of no detriment to the maintenance of the favourable conservation status of European protected species". We advise that before any consent is given, as informed by the provisions of Regulation 9 of the Conservation of Habitats and Species Regulations 2017 (as amended) the LPA satisfy itself as to whether the scheme satisfies the other two tests, namely a relevant Habitats Regulations purpose and whether there is no satisfactory alternative to the proposal.

We consider that the above report provides an adequate basis upon which to consider the potential impacts of the scheme on this species and inform the decision-making process.

The information submitted (section 9.2.3 of the Preliminary Ecological Appraisal) has concluded that there is a likelihood of GCN presence onsite.

We advise that further information is required to manage the potential impacts of the scheme. However, we would be content for this further information to be provided via a suitably worded condition.

We therefore advise the following condition in respect of GCN is included on any permission granted.

Condition: No development or phase of development, including site clearance, shall commence until a Great Crested Newt (GCN) plan of reasonable avoidance measures has been submitted to and approved in writing by the Local Planning Authority. The plan of reasonable avoidance measures should include, but not necessarily be limited to:

the submission of details and plans concerning GCN reasonable avoidance and mitigation measures including:

- fence design, construction, and maintenance (the erection of a one-way amphibian fence, prior to and throughout the duration of construction operations)
- proposals for the clearance of individuals from working areas,
- details of timing, phasing, and delivery of reasonable avoidance measures

The plan of reasonable avoidance measures shall be carried out in accordance with the approved details.

Justification: To ensure that GCN are protected by the development.

We refer you to the Chief Planning Officer's letter dated 1 March 2018 which advises Local Planning Authorities to attach an informative regarding licence requirements to all consents and notices where European Protected Species are likely to be present on site.

Please note, any changes to plans between planning consent and the licence application may affect the outcome of a licence application.

Flood Risk

The planning application proposes less vulnerable development (industrial storage tanks). The Flood Map for Planning identifies the application site to be partially at risk of flooding and within Flood Zone 2 Rivers.

Given the location of flood risk shown to be affecting the application site i.e. the entrance road but not in the location of the storage tanks (and in the absence of a flood consequences assessment) we consider the proposals could be acceptable, subject to the developer being made aware of the potential flood risks to these areas.

Protected Sites and Foul Drainage

We note the application site is within the catchment of the River Dee and Bala Lake Special Area of Conservation (SAC). In line with our Advice to Planning Authorities for Planning Applications Affecting Nutrient Sensitive River Special Areas of Conservation, under the Habitats Regulations, Planning Authorities must consider the impact of proposed developments on water quality within SAC river catchments.

However, recognising the specific nature of the application submitted i.e. no foul drainage requirements, we are satisfied that there is unlikely to be a source of additional nutrients and/or a pathway for impacts. As such it would be reasonable for your Authority to screen out this proposal as not likely to have a significant effect on the River Dee and Bala Lake SAC in relation to nutrient inputs.

Pollution Prevention

Precaution should be taken 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 Guidance for Pollution Prevention (GPP) 5: Works and maintenance in or near water, and GPP 6: Working on construction and demolition sites, which are available on the NetRegs website.

Other Matters

The advice in this letter relates to matters which are included on our consultation topics list. We do not rule out the potential for the proposed development to affect other environmental interests that are not included on this list.

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.

If you have any queries about the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully,

Pauline Gallagher Brown
Cynghorydd - Cynllunio Datblygu/Advisor - Development Planning
Cyfoeth Naturiol Cymru/Natural Resources Wales

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Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi./Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.