Cyfoeth Naturiol Cymru
Natural Resources Wales

Ein cyf/Our ref: CAS-314525-T9Z7
Eich cyf/Your ref: P/2026/0446

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 10 August 2026

Annwyl Syr/Madam/Dear Sir/Madam,

Bwriad/Proposal: installation of circulation roadway

Lleoliad/Location: Ardagh Metal Packaging, Wrexham Industrial Estate, Bridge Road

Thank you for providing a requisite notice to us under Article 2D of the above Order. We received a copy of your proposed application on 16 June 2026.

We have **concerns** with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following **conditions** to any planning permission granted:

- Condition 1-2 Protected Species
- Condition: 3-5 Land Contamination

Please note, without the inclusion of these conditions we would object to this planning application. Further details are provided below.

Protected Species

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

- Preliminary Assessment Report: Ardagh Metal Packaging – Proposed New Building Extension and tank Construction. Cambrian Ecology. (2023)

Great Crested Newts

The information has identified that Great Crested Newts (GCN) are material to the application site.

The proposal has the potential to kill, injure, disturb Great Crested Newts (GCN), or damage or destroy their breeding sites and resting places at this 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:

- 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;
- There is no satisfactory alternative; and,
- 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 third test only.

Whilst we consider that the above report provides an adequate basis upon which to consider the potential impacts of the scheme on this species, aspects of the proposed scheme will require further development. However, this further information can be provided via a suitably worded condition, included on the decision notice.

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

Condition 1: Great Crested Newt Conservation Plan

No development including site clearance, shall commence until a Great Crested Newt (GCN) Conservation Plan has been submitted to and approved in writing by the Local Planning Authority. The Conservation Plan should build upon the principles outlined in the ecology report and include, but not necessarily be limited to:

- The submission (to include proposed timescales and reporting requirements) of further details and associated plans concerning GCN avoidance and mitigation measures including, but not limited to:
    - Fence specifications, locations, construction and maintenance (one-way amphibian fence, prior to and throughout the duration of construction operations).
    - Considerations of access issues (including prow if applicable).
    - Monitoring and maintenance requirements and supervised removal.

    - The detail of habitat retention, enhancement and creation proposals associated with terrestrial and aquatic habitats. Details to include plans and timescales.

- Submission of (further) details concerning on-site and/or off-site compensatory proposals including plans, extent, access, current and proposed tenure. Details shall identify areas of terrestrial and aquatic habitat to be retained, enhanced and created. Submission to include timescales and reporting requirements we suggest that this includes at least one new water body.
- The submission of a long-term site management plan (not less than 25 years) that includes:
    - Confirmation of each identified ecological feature.
    - For each identified ecological feature, defined aims and objectives (including defined key performance indicators for long term monitoring indicators).
    - Details of the desired condition for each habitat and criteria to determine when habitats have been achieved.
    - Details of short and long-term habitat management prescriptions to both achieve and maintain the desired condition.
    - Details of monitoring methodologies for habitat(s) and species
    - Details of scheduling and timings of activities.
    - Persons or bodies responsible for undertaking management and surveillance together with required skills and competencies.
    - Licensing requirements for management surveillance and other defined activities.
    - Biosecurity measures.
    - Details of reporting, review and update of the plan (informed by monitoring) at specific intervals as agreed.
- The submission of detailed measures including plans designed to prevent the accidental capture/killing of GCN during operational phases of the scheme (including the installation and maintenance of an amphibian-friendly surface water management system that does not include gully pots (or other similar features).
- Details of timing, phasing and duration of construction activities and conservation measures.
- Post-construction monitoring and record dissemination for a period of not less than 25 years. Methodology shall include annual GCN abundance counts and habitat suitability index (HSI) assessments. All ponds (including suds water bodies) to be added to the Wales GCN monitoring scheme, with individuals/bodies being identified as being responsible for monitoring and reporting works.
- The submission and implementation of a biosecurity risk assessment.
- The submission and implementation of an approved ecological compliance audit (ECA).

The Conservation Plan shall be carried out in accordance with the approved details.

Justification:

To ensure that GCN are protected by the development.

We also advise that the works are carried out under licence. 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 that any changes to proposals between planning consent and the licence application may affect the outcome of a licence application.

Bats

We concur with assessments and conclusions in respect of bats in respect of the proposed extension. We advise the proposal is not likely to be detrimental to the maintenance of the favourable conservation status of any local populations of bat.

We advise the imposition of an external lighting condition in respect of bats.

Condition 2: Bat Lighting Plan

Prior to installation a Lighting Plan has been submitted to and approved in writing by the Local Planning Authority. This Lighting Plan shall consider existing and proposed lighting together with any spillage originating from internal light sources including:

- Details of lighting to be used during and post construction;
- Plans illustrating the location and type of lighting;
- Plans illustrating projected or retained bat emergence points; together with retained or proposed features planned to be functionally used by bats for foraging/dispersal purposes;
- Provisions of the scheme shall accord with the provisions of the Institution of Lighting Professionals and Bat Conservation Trust: Guidance Note 08/23: Bats and Artificial Lighting at Night.

The Lighting Plan shall be carried out in accordance with the approved details.

Justification:

To ensure that bats are protected by the development.

Otter and Water Vole

We consider the submitted assessment in respect of riparian mammals to be satisfactory. Riparian mammals in this case are otter and water vole.

We advise the proposal is not likely to be detrimental to the maintenance of the favourable conservation status of any local populations of otter.

Contaminated Land

The site lies on a secondary A bedrock aquifer, is adjacent to a historic landfill, has multiple tanks (underground and above ground) and is approximately 20m from a tributary reporting directly to the surface receiving waters of the River Dee.

The previous industrial land use should be investigated due to the possibility of historic contamination, and the construction of earthworks/creation of new car parking may also create the opportunity for the mobilisation of contaminants. We note that no information

regarding contaminated land investigations has been submitted in support of this application. There are several potentially significant sources of contamination (solvents/hydrocarbons/oils/forever chemicals/volatile organics/heavy metals). The preferred foundation options and surface water treatments are not yet clear.

We recommend that developers should:

- Follow the risk management framework provided in Land contamination risk management (LCRM)
- Refer to 'Land Contamination: a guide for developers (WLGA, 2023) for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risks to other receptors, such as human health.
- Refer to the Environment Agency's (2017) 'Approach to Groundwater Protection

Based on the information submitted to us at this stage, we advise the following conditions are applied to this development. In the absence of additional information being provided with any future planning application we would recommend to the local authority that they should only grant planning permission for this scheme if the conditions listed below are attached to the planning permission.

Condition 3: Scheme to deal with Risks Associated with Contaminated Land

No development shall commence until the following components of a scheme to deal with the risks associated with contamination at the site has been submitted to and approved in writing by the Local Planning Authority.

1. A preliminary risk assessment which has identified:

- All previous uses.
- Potential contaminants associated with those uses.
- A conceptual model of the site indicating sources, pathways and receptors.
- Potentially unacceptable risks arising from contamination at the site (largely completed).

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Justification:

To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination.

Condition 4: Verification Report

Prior to the occupation of the development a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

Justification:

To ensure the methods identified in the verification plan have been implemented and completed and the risk associated with the contamination at the site has been remediated prior to occupation or operation, to prevent both future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Condition 5: Unsuspected Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Justification:

To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks. A site investigation may not uncover all instances of contamination, and this condition ensures that contamination encountered during the development phase is dealt with appropriately.

The treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an environmental permit.

Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether excavated material arising from site during remediation and/or land development works is waste.

Developers should ensure that all contaminated materials are adequately characterized both chemically and physically, and that the permitting status of any proposed on site operations is clear. If in doubt, Natural Resources Wales should be contacted for advice at an early stage to avoid any delays.

Flood Risk

The planning application proposes less vulnerable development. The Flood Map for Planning identifies the application site to be at partial risk of flooding and within Flood Zone 2 and 3 (Rivers).

Given the scale and nature of the proposed development and note the submission of a Flood Consequence Assessment by TACP Architects dated 10/06/26, we consider the proposals could be acceptable, subject to the developer being made aware of the potential flood risks and consequences. We would also expect the developer to take the opportunity to incorporate flood resilient design where feasible.

Guidance on resilient design can be found in Chapter 13 of Technical Advice Note 15: Development, flooding and coastal erosion, dated 2025, which references advice from Construction Industry Research and Information Association, including a Code of Practice and Guidance for Property Flood Resilience.

We provide advice on our website Natural Resources Wales / Preparing for a flood which may be useful for the developer or occupant of the proposal.

Flood Risk Activity Permit

The site boundary as shown on the location plan lies immediately adjacent to the Redwither Brook which is a designated main river. A bespoke Flood Risk Activity Permit would be required for any works or structures located in, under, over or within 8 metres of the bank top of a designated main river. We refer you to our website for further advice.

Protected Sites – 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 for the installation of circulation roadway, we are satisfied that there is unlikely to be a source of additional nutrients and/or a pathway for impacts. As such, in our opinion, 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.

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.

Advice for the developer

All works at the site must be carried out in accordance with Pollution Prevention Guidelines 6: Working at construction and demolition sites, which is available on the NetRegs website.

The activity of importing waste into the site for use as, for example, hardcore, must be registered with NRW as an exempt or permittable activity under the Environmental Permitting Regulations 2016. The developer should contact NRW to discuss the necessity for an exemption or permit for any material imported to and exported from the site.

If during construction or excavation works any contaminated material is revealed, then the movement of such material either on or off site should be done in consultation with NRW. Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 34 of the Environmental Protection Act 1990. Carriers transporting waste from the site must be registered waste carriers and movement of any hazardous waste from the site must be accompanied by hazardous waste consignment notes.

Ardagh metals Packaging currently hold a Dee Water Protection Zone consent (DPZ No 149). The proposed development may increase the number and type of controlled substances held on site and it may affect the current drainage plans and emergency procedures, therefore the company may require to apply for a variation of DPZ consent. For further information please visit Natural Resources Wales / Dee Water Protection Zone.

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

Yn gywir / Yours faithfully,

Sara Thomas

Uwch Gynghorydd - Cynllunio Datblygu/Senior Advisor - Development Planning

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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.