Ein cyf/Our ref: CAS-259507-K6L7
Eich cyf/Your ref: P/2024/1049

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 17 July 2024

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: CHANGE OF USE OF AGRICULTRUAL LAND TO GYPSY/TRAVELLER SITE FOR SINGLE FAMILY PITCH INCLUDING BIO-DISC SEWAGE TREATMENT PLANT AND IMPROVED VEHICULAR ACCESS, HARD STANDING AND TURNING AREA

LLEOLIAD/LOCATION: Land at, Llyndir Lane, Rossett, Wrexham, LL12 0DH

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 03 July 2024.

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 flood risk, protected sites and protected species. If this information is not provided, we would object to this planning application. Further details are provided below.

Flood Risk

The planning application proposes highly vulnerable development (Gypsy/Traveller site). The application site is within Zone B of the Development Advice Map (DAM) contained in TAN15 (2004). However, our Flood Map for Planning (FMfP) identifies the application site to be at risk of flooding and within Flood Zone 2 (Rivers).

As confirmed in the letter from Welsh Government dated 15 December 2021, the FMfP represents better and more up-to-date information on areas at flood risk than the DAM. Therefore, we advise you seek a limited Flood Consequences Assessment (FCA) from the applicant, to demonstrate that the consequences of flooding can be acceptably managed over the lifetime of development. The criteria for the FCA, which should normally be undertaken by a suitably qualified person carrying an appropriate professional indemnity, are given in Section 7 and Appendix 1 of TAN15 (2004). The FCA should be proportionate to the development proposed. You may also refer to our website, which contains technical advice and recommendations.

Regarding flood risk from the south, the site would only likely be affected during a severe blockage scenario at Rossett Chester Road Bridge (Alyn Bridge). Even in this low probability event, the flood depth at the site would be approximately 100mm.

While we are not aware of the site historically experiencing flooding, we recommend that you consult with the Lead Local Flood Authority (LLFA) regarding any localized flooding from the Lavister Brook and associated culverts adjacent to the site. This would ensure that both northern and southern flooding scenarios are considered.

Subject to no further fluvial or operational risk being raised by the LLFA, we advise that any low probability, low risk fluvial flood risk could be managed by ensuring that all vulnerable development thresholds are set at least 200mm above adjacent ground levels, and for retrospective development elements, adopting appropriate flood proofing and resilience measures. We advise that all these measures are included in the limited FCA.

We also advise that a suitable buffer zone should be maintained alongside all open watercourses that border the site.

Please inform us, in accordance with paragraph 11.7 of TAN15, if you are minded to grant permission for the application contrary to our 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 (28 June 2024), under the Habitats Regulations, Planning Authorities must consider the impact of proposed developments on water quality within SAC river catchments. We therefore advise you to consider whether the proposals, as submitted, would increase the volume of foul discharge from the site in planning terms.

We note from the information submitted that a new sewage treatment plant is to be installed to provide foul drainage for the development. As such, we refer you to our Advice and advise you to seek further information as identified in the section "*What does this mean for development proposals involving private sewage treatment systems*?" in particular, the final bullet point of that section, which states:

- "*where discharges to ground are proposed, developers should provide the results of infiltration testing with calculations to demonstrate that the drainage field size and design is appropriate for the volume of discharge proposed and follows the relevant British Standard.*

Also, confirmation should be sought that the system will be designed according to the final bullet point in the section titled "*What development proposals are unlikely to increase nutrient levels within a river SAC*?", which states:

- *"private sewage treatment systems discharging domestic wastewater to ground, built to the relevant British Standard (BS 6297:2007+A1:2008) having a maximum daily discharge rate of less than 2 cubic metres (m3) and where the drainage field is located more than 40m from any surface water feature such as a river, stream, ditch or drain and located more than 50m from a SAC boundary and at least 50m from any other known discharge to ground"*

Ultimately, the suitability of foul drainage arrangements for the proposed development is a matter for your Authority to determine. We therefore advise you to take the above into account in your determination of whether the development is likely to have a significant effect on the SAC. Should you determine that an Appropriate Assessment is required, the Applicant will then need to submit whatever evidence they deem appropriate (seeking advice from consultants as may be necessary) to demonstrate no adverse effect on site integrity.

Protected Species

We note that the Design and Access Statement (Trevor Mennell Planning. June 2024) states that an ecological report is being written and will be submitted during the application process. However, the report does not appear to have been submitted. We recommend you seek the advice of your Authority's ecologist about the requirement for further information to be submitted in support of the application.

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

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 on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully,

Rhys Jones
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.