

Ein cyf/Our Ref: CAS-266497-R9D7
Eich cyf/Your Ref: P/2023/0865

Wrexham County Borough Council,
The Guildhall,
Wrexham,
LL11 1AY

Dyddiad/Date: 05 November 2024

Annwyl Syr/Madam / Dear Sir/Madam,

**BWRIAD/PROPOSAL: NEWID DEFNYDD TIR I SAFLE I DEITHWYR GYDA 4 LLAIN /
CHANGE OF USE OF LAND TO TRAVELLER SITE WITH 4 PITCHES**

**LLEOLIAD/LOCATION: LAND AT, STRYT Y BYDDEN, NEW BROUGHTON, WREXHAM,
LL11 6SN**

Thank you for consulting Cyfoeth Naturiol Cymru (CNC) / Natural Resources Wales (NRW) about the additional information for the above, which we received on 15/10/2024.

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

Condition 1: Land Contamination

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

Land Contamination

The Design and Access statement (page 5, Brownfield) states that approximately 600mm of surface material has been removed from levelling works, and “*any signs of contamination would have previously been removed*”. We advise the following condition should be attached to any planning permission granted for this proposal.

Condition

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.

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 \(28 June 2024\)](#), under the Habitats Regulations, Planning Authorities must consider the impact of proposed developments on water quality within SAC river catchments.

We note the additional information (provided via email 15/10/2024) in respect of demonstrating unfeasibility of connecting to public mains in accordance with guidance on private sewerage in Welsh Government Circular 008/2018.

Taking into account the additional information submitted and recognising the specific nature of the application submitted i.e. private sewage treatment system which meets the screening criteria set out in our [Advice](#), 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.

Applicants wishing to operate a private sewerage system will need either to apply to us for an environmental permit or register with us for an exemption from the permit requirement. Septic tanks and small sewage treatment works that meet certain criteria may be registered as exempt.

A step by step guide to registering an exemption can be found on our [website](#).

If the septic tank or private sewage treatment system is not eligible for an exemption, the Applicant will need to apply for an environmental permit, further details can be found [here](#). Should a permit be required further information may be needed as part of that application process. The Applicant is therefore advised to contact us for pre-application advice at the earliest opportunity to try to ensure that there is no conflict between any planning permission granted and the permit requirements. Further details on how to access our pre-application advice service can be found [here](#).

It is important to note that a grant of planning permission does not guarantee that a permit will be granted. A proposal may be deemed unacceptable either because of environmental risk or because upon further investigation, a connection to mains sewer was feasible. Applicants are encouraged to ensure they have all the required permissions, consents, permits and any other approvals in place prior to commencement of works on the site.

Please note, lack of capacity or plans to improve capacity in the sewer is not a valid reason for a sewerage undertaker to refuse connection under Section 106 of the Water Industry Act 1991 and we may refuse to issue an environmental permit for private treatment facilities in such circumstances.

Where private sewage treatment/disposal facilities are utilised, they must be installed and maintained in accordance with British Standard 6297 and Approved Document H of the Building Regulations. We also refer the Applicant to Guidance for Pollution Prevention 4 on the NetRegs [website](#), which provides further information.

Protected Species

We note the Initial Habitat and Species Assessment submitted with the application (Camlad Ecology, Land off Stryt y Bydden, New Broughton, Wrexham, Proposed four pitch gypsy/traveller site, Initial habitat and species assessment, November 2023) identifies that there is no evidence of bats or other protected species at the proposed site. We therefore have no comments to make on the application as submitted.

Pollution Prevention

During the construction phase 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 5: Works and maintenance in or near water, and Pollution Prevention Guidelines 6: Working at construction and demolition sites, which are available on the [NetRegs website](#).

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,

Pauline Gallagher Brown

Cynghorydd - Cynllunio Datblygu / Advisor - Development Planning

E-bost/E-mail: northplanning@cyfoethnaturiolcymru.gov.uk

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.