

Ein cyf/Our ref: CAS-266423-R6L2
Eich cyf/Your ref: P/2024/0240

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 15 November 2024

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: Newid defnydd adeilad amaethyddol i ddefnydd cymysg dosbarthiadau b1/b8 (microfragdy) a holl waith cysylltiol (ôl-weithredol) / change of use of building from agriculture to mixed use classes b1/b8 (micro-brewery) and all associated works

LLEOLIAD/LOCATION: Old Farm, Bowling Bank, Wrexham, LL13 9RT

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

We continue to 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 foul drainage. If this information is not provided, we would object to this planning application. Further details are provided below.

Foul Drainage

We understand that the development is not served by the public foul sewer and that the application form indicates that foul drainage is to be discharged to portalos for staff welfare facilities, but no information has been given for any private sewerage system concerning the process wastewater, or any washdown water.

In these circumstances Welsh Government Circular 008/2018 advises that a full and detailed consideration be given to the environmental criteria listed under paragraph 2.6 of the Circular, in order to justify the use of private sewerage. In this instance, insufficient information has been submitted.

The application does not, therefore, provide a sufficient basis for an assessment to be made of the risks of pollution to the water environment arising from the proposed development.

In particular, the submitted application fails to show that the hierarchy of foul drainage, as specified within Guidance for Pollution Prevention 4 (GPP4) has been followed: [guidance-for-pollution-prevention-4-2022-update.pdf \(netregs.org.uk\)](https://netregs.org.uk/guidance-for-pollution-prevention-4-2022-update.pdf).

The developer has not submitted any porosity/percolation testing results to demonstrate whether any discharge to ground would be suitable. Nor are there calculations for the specific size of any proposed soakaway(s) or the location of the discharge of foul effluent. We advise that further information is provided by the applicant that show that the hierarchy of private foul drainage has been followed, for the process wastewater, any washdown water, and for the staff welfare facilities.

The staff welfare facilities shall be served by portaloos, effectively sealed tanks. Within the "Approach to Groundwater Protection" guidance (issued by the Environment Agency in 2018 and adopted by Natural Resources Wales), Position Statement G6 states that "Natural Resources Wales does not encourage the use of cesspools or cesspits, other than in exceptional circumstances. A cesspool or cesspit is a sealed unit that is used for the storage of untreated sewage. There must be no discharge to the environment. Poorly managed cesspools and cesspits present a considerable risk of causing pollution, which can be difficult to monitor and correct." Given the highly sensitive nature of the site we have concerns regarding the use of a cesspool/cesspit.

As the area already has a large number of private sewage treatment systems, we are concerned about the cumulative impact of the additional discharges on the water environment.

On receipt of the above information, we will review our position and advise your Authority accordingly.

The Applicant should be aware that to operate a private sewerage system, they will need to apply for an environmental permit or register an exemption with us. Septic tanks and small sewage treatment works may be registered as exempt from the requirement to obtain an environmental permit if certain criteria are met. Please note, should a permit be required, further information may be required as part of that application and the Applicant is therefore advised to hold pre-application discussions with our Permitting Team on 0300 065 3000, at the earliest opportunity, to try to ensure that there is no conflict between any planning permission granted and the permit requirements. It is important to note that a grant of planning permission does not guarantee that a permit will be granted, should a proposal be deemed to be unacceptable (either because of environmental risk or because upon further investigation, a connection to mains sewer was feasible). The Applicant should ensure that they have all the required permissions, consents, permits and any other approvals in place prior to commencement of works on the site.

More information, including a step by step guide to registering and the relevant application forms are available on our website. 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.

Protected Sites

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 the development has the potential to increase the amount of nutrients being discharged from the site. As such, we refer you to our [Advice](#) and advise you to seek further information from the applicant. We note that information has already been submitted in the form of a 'Habitat Regulation Assessment Justification (Roger Parry & Partners LLP, dated July 2024)'. However, we advise you to seek further information as identified in the section titled '*What does this mean for development proposals involving private sewage treatment systems*' of that Advice.

Whilst the submitted report states that the proposal would screen out, there is insufficient evidence presented in the report to support the conclusions. We therefore advise that the following information should be provided:

- Calculations to show the difference between nutrient outputs of the micro-brewery compared to when the site operated for cattle rearing.
- Confirmation of where any washdown associated with the micro-brewery will be directed and how this will be treated.
- Information regarding the location and construction of the drainage field to demonstrate the whole system will be built to the relevant British Standard (BS 6297:2007+A1:2008)
- Calculations to confirm what the maximum daily discharge rate will be, including washdown from the micro-brewery operations
- A location plan to confirm where the drainage field will be sited in relation to any watercourses (a minimum of 40m distance to the nearest watercourse)
- Information regarding the location of any existing foul drainage discharges including Old Farm to demonstrate there is a minimum of 50m between discharges

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 there is no information about protected species with the application, and therefore are assuming that your Authority has screened the application and concluded that there is not a reasonable likelihood of protected species being present.

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,

Rachael Burke

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.