Ein cyf/Our ref: CAS-282041-D0H4
Eich cyf/Your ref: P/2024/1340

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 19 June 2025

Dear Jenni Perkins,

BWRIAD/PROPOSAL: NEWID DEFNYDD ADEILADAU FFERM YN SWYDDFEYDD / CHANGE OF USE OF FARM BUILDINGS TO OFFICES

LLEOLIAD/LOCATION: CHETWYND GROVE, BANGOR ROAD, CROSS LANES, WREXHAM, LL13 0TF

We refer to a revised foul drainage proposal received about the above, which we received on 03 June 2025.

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.

Protected Sites and Foul Drainage

Revised Proposal - Cesspool

We note that the revised proposed method of foul drainage within the email by the applicant dated 3rd June 2025 as a new cesspit/cesspool.

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, you 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.

Within the "Approach to Groundwater Protection" guidance (issued by the Environment Agency in 2018 and adopted by Natural Resources Wales), Position Statement G6 states "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.

In addition, new developments proposing to use private drainage should follow the hierarchy within the Welsh Government Circular 008/2018 (July 2018). The use of cesspools/cesspits is discouraged. We refer you to paragraphs 2.3-2.8 in the Circular, which set out the approach to be followed.

We note that the email from the applicant states "*we assume the soils on site are impermeable (or otherwise that we cannot drain into the ground due to protected groundwater etc)".* No percolation test appears to have been carried out on the surrounding land to ascertain as to whether the land is suitable for accepting a soakaway discharge.

The applicant should therefore demonstrate how they have followed the hierarchy within the Welsh Government Circular 008/2018 (July 2018). Otherwise, we would object to the application.

In exceptional circumstances, where a cesspool/cesspit can be justified, the Circular advises that a full and detailed consideration be given the to the environmental criteria listed under paragraph 2.6.

It is essential that any cesspit is installed correctly. Incorrectly maintained cesspools can cause pollution by contamination of the ground, groundwater and, sometimes surface water. Any damage to the fabric of the cesspool, such as cracks or holes, is difficult to detect but needs to be rectified immediately in order to prevent pollution. The cesspit should meet the requirement of British Standard BS 6297. It should be fitted with a level warning device to indicate when the tank needs emptying.

Guidance: We recommend the applicant reviews the following guidance in relation to the proposed development:

- Guidance for Pollution Prevention 4 (NetRegs website): Sewage treatment and disposal where there is no foul sewer (GPP4)
- EPR (Environmental Permitting Regulations) Guidance
- NRW guidance (May 2019): How to run your household sewage treatment system well (this document contains some really useful explanatory text regarding different treatment options and EPR)

You can refer to our Advice for further information on Habitats Regulations Assessment. The Advice also gives specific advice in respect of foul drainage arrangements for new developments. We have specific guidance on use of cesspools in the section titled '*How should the disposal of sludge from private wastewater treatment systems be considered in a Habitats Regulations Assessment?'*

An Appropriate Assessment should be carried out by the Competent Authority under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) as a likely significant effect from cannot be ruled out.

Previous Proposal – Existing Septic Tank

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 respect of confirming an increase of 6 staff and that the foul drainage will be via existing provisions on site discharging to a private foul drainage system. However, we advise you to seek further information as identified in the section titled *'Can additional wastewater be discharged to existing private sewage treatment systems?'* of that Advice.

The further information should include:

- Clarification on whether the existing system discharges to ground or watercourse
- If the system discharges to ground, the location of the drainage field should be confirmed on plans and show a minimum distance of 40m to any watercourses
- Confirmation that the existing system has capacity to accept the additional wastewater
- Details regarding the resultant volume of discharge from the existing foul drainage system

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 the bat report submitted in support of the above application (Arbor Vitae, June 2024. Preliminary Ecological Appraisal) has identified that bats or Great Crested Newts (GCN) were not using the application site. We therefore have no adverse comments to make on the application as submitted.

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,

Gareth Thomas
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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.