

Ein cyf/Our ref: CAS-262434-R7Q4
Eich cyf/Your ref: P/2024/0293

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 03 September 2024

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: NEWID DEFNYDD ADEILAD AMAETHYDDOL I DDEFNYDD CYMYSG MASNACHOL DOSBARTH B1 / B8 A GWAITH CYSYLLTIEDIG / CHANGE OF USE OF AGRICULTURAL BUILDING TO COMMERCIAL MIXED-USE CLASS B1 / B8 AND ASSOCIATED WORKS

LLEOLIAD/LOCATION: STRYT YR HWCH FARM, SONTLEY, WREXHAM

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 12 August 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 and protected sites. If this information is not provided, we would object to this planning application. Further details are provided below.

Protected Sites

Special Area of Conservation (SAC)

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 that the shadow Habitats Regulation Assessment (HRA) (Roger Parry & Partners (July 2024) Habitat Regulation Assessment) states that there is a “reduction in wastewater due to dairy farming stopping in the sheds that are proposed for change of use” and that the development “provides a commercial site for the local population”.

The shadow HRA also states the following information in relation to screening out in regards to the foul drainage arrangements for the proposed commercial units:

- *The proposed biodisc treatment plant will be built to the relevant British Standard (BS 6297:2007+A1:2008),*
- *The maximum daily discharge is under 2 cubic meters (m³)*
- *we confirm the drainage field is location more that 40m from any surface water*
- *We confirm the drainage field is location more than 50m from the SAC boundary*
- *We confirm the drainage field is 200m from any discharge to ground (please note the updated Advice mentioned above refers to a distance of 50m not 200m)*

However, the capacity, porosity/percolation testing results and the drainage field location have not been submitted. Furthermore, no information has been provided in relation to the proposed drainage field and proximity to other discharges in the area, for example the existing Stryt Yr Hwch farmhouse discharge.

Therefore, based on the information submitted in the shadow HRA screening report, it is not clear how it has been concluded that the proposal meets the criterion set out in our [advice to planning](#). We advise that further information should be submitted to include porosity/percolation results, calculations to demonstrate the discharge is under 2 cubic meters, proposed layout plan showing location of the proposed drainage field in relation to watercourses (including ditches) within 40m and existing foul drainage discharges within 50m of the proposed drainage field.

We advise your authority to review the HRA Screening Report, in light of the above information and make any amendments deemed necessary. 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.

We advise the Applicant make use of our [pre-application advice service prior to applying for an Environmental Permit](#), 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. We also refer the Applicant to Guidance for Pollution Prevention 4 on the [NetRegs website](#), which provides further information.

Should you conclude that the proposed development is likely to have a significant effect on the SAC, please consult us on your Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Site of Special Scientific interest (SSSI)

The development site is located approximately 330m from a watercourse, which is hydrologically connected to the Sontley Marsh Site of Special Scientific Interest (SSSI),

NRW consider the proposals have the potential to impact upon the Sontley Marsh SSSI. Providing the impact pathways referenced above for the SAC are adequately addressed, NRW consider the features of the SSSI will also be adequately safeguarded.

Protected Species

We note that the ecological report submitted in support of the above application (Preliminary Ecological Appraisal, Stryt Yr Hwch, April 2024, Arbor Vitae) has identified that no evidence of protected species was found on site. We therefore have no comments to make in relation to protected species.

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.