

Ein cyf/Our ref: CAS-250908-X3W1
Eich cyf/Your ref: P/2023/0808

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 26 March 2024

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: Maelor Abattoir, Bedwell Road, Cross Lanes, Wrexham, LL13 0TS

LLEOLIAD/LOCATION: Lleoli dros dro 3 carafanau a 3 blociau preswyl (6 pod cysgu) (ol-weithredol) / temporary siting of 3 no. Caravans and 3 no. Residential blocks (6 sleeping pods) (in retrospect)

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the additional information for the above, which we received on 07 March 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.

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). As you are aware, on the 21st January 2021, we published an evidence package outlining phosphorus levels for all river SACs across Wales. In line with our [Planning Advice](#) (August 2023), under the Habitats Regulations, Planning Authorities must consider the phosphorus 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 foul water disposal is proposed via a septic tank with discharge to ground, rather than connecting to the mains sewer. However, as you are aware, the site is within a mains sewered area.

The installation of private sewage treatment facilities within publicly sewered areas is not normally considered environmentally acceptable because of the greater risk of failures leading to pollution of the water environment compared to public sewerage systems.

Section 6.6.21 of Planning Policy Wales states 'Any development discharging domestic sewage should connect to the foul sewer where it is reasonable to do so. Development proposing the use of non-mains drainage schemes will only be considered acceptable where connection to the main sewer is not feasible...'

Government guidance on private sewerage in Welsh Government Circular 008/2018 stresses that the first presumption must be to provide a system of foul drainage discharging into a public sewer. Only where having taken into account the cost and/or practicability it can be shown to the satisfaction of the local planning authority that connection to a public sewer is not feasible, should non-mains foul sewage disposal solutions be considered.

We therefore advise the Applicant to either amend their proposals to ensure that the foul drainage is connected to the mains sewerage system or provide detailed evidence to demonstrate that it is not reasonable to connect.

The Applicant should thoroughly investigate the possibility of connecting to the foul sewer by taking the following steps:

- Approach the sewerage undertaker to reach an agreement for a connection to the foul sewer.
- If the sewerage undertaker refuses connection to the public sewer, request that they adopt the proposed treatment system.
- If the sewerage undertaker refuses both of the above, you must appeal the refusal with Ofwat.

For further details please see [Natural Resources Wales / Private sewage treatment in an area with a public sewer](#)

The Applicant should be aware that should a connection to the mains sewer not be feasible, they will also need to demonstrate that the proposal would not pose an unacceptable risk to the water environment. 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.

As stated above, we expect developers discharging domestic sewage to connect to the public foul sewer where it is reasonable to do so. We will not normally grant a discharge permit for a private sewage treatment system where it is reasonable to connect to the public foul sewer. We also expect discharges of trade effluent to connect to the public foul sewer where it is reasonable to do so and subject to the sewerage undertaker granting a trade effluent consent or entering into a trade effluent agreement.

Furthermore, we refer you to the section in our Planning Advice titled 'What does this mean for development proposals involving connection to public wastewater treatment works'.

Ultimately, the suitability of foul drainage arrangements for the proposed development is a matter for your Authority to determine.

Should your Authority conclude that the proposal is likely to have a significant effect on the River Dee and Bala Lake SAC, please consult us on your Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

If, following full consideration of the above, the use of private sewerage can be justified, then the following comments on 'Groundwater Contamination' should be addressed. If private sewerage cannot be justified, amended plans would need to be submitted which demonstrate that the proposed development will connect to the mains sewer.

Groundwater Contamination

The proposed development is located within Zone 2 and 3 of a Source Protection Zone (SPZ) and is therefore considered sensitive with respect to controlled waters. SPZs are designated by Natural Resources Wales to identify those areas close to drinking water sources where the risk associated with groundwater contamination is greatest.

The proposed development could affect potable water supplies from the SPZ, as it is proposed to use a soakaway to dispose of foul effluent to ground.

Therefore, if the Applicant is unable to amend their proposals to ensure that the foul drainage is connected to the mains sewerage system or provides detailed evidence to demonstrate that it is not reasonable to connect, we advise submission of a satisfactory risk assessment that demonstrates the risks to potable groundwater supplies posed by this development can be safely managed. The risk assessment should be completed in accordance with '*Risk Assessments for your Environmental Permit: Risk assessment for treated sewage or trade effluent discharges to surface water or groundwater*', which is available on the [gov.uk website](#).

The results of the risk assessment may affect the planning application, such as:

- The design and/or layout of the buildings may need to change to accommodate the drainage field
- The design of the foul drainage system may need to include abatement technology to reduce the impact of the development beyond normal standards.

Please note, the information required for this risk assessment would also need to be submitted in support of an Environmental Permit application. A permit issued by Natural Resources Wales is required for all sewage effluent discharges (new or existing) inside the SPZ. All permit applications will be considered on the basis of risk assessment and the appropriateness of the discharge with respect to the local environmental setting. Further information on permits and discharges is available on our [website](#).

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.