

Ein cyf/Our Ref: CAS-235831-F1W2

Eich cyf/Your Ref:

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 13 September 2023

Annwyl Syr/Madam / Dear Sir/Madam,

BWRIAD/PROPOSAL: DWELLING CONNECTED WITH EQUESTRIAN STUD BUSINESS

LLEOLIAD/LOCATION: RIVERSIDE STUD, RIVERSIDE LANE, NEWBRIDGE ROAD, NEWBRIDGE

Thank you for consulting Cyfoeth Naturiol Cymru (CNC) / Natural Resources Wales (NRW) about the additional information regarding the above, which we received on 24/08/2023.

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

We also advise that based on the information submitted to date, a condition regarding land contamination should be attached to any planning permission granted. Without the inclusion of this condition we would object to this planning application.

Land Contamination

Foul Drainage

The additional information (Riverside Stud & Tip site, OS 1to10,560 map, 1963 - 23/08/2023) confirms that the planning application boundary does not overlie the historic landfill site but adjoins it.

We note the intention is to dispose of foul drainage via a Package Treatment Plant (PTP). However, no details have been submitted about the treated discharge proposals, i.e., if it would discharge to surface water or ground. Discharging to ground could present a risk to controlled waters given the proximity of an historic landfill.

We therefore advise that further information is submitted to demonstrate that the foul discharge would not intercept the historic landfill and present a risk to controlled waters.

Due to the proximity of the landfill site, we also advise that the following condition is attached to any planning permission granted for this proposal:

Condition (Unsuspected contamination): 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.

Borehole

We note that the email by Trevor Mennell dated 31 May 2023 recommends “*infilling with compacted clayey material, then creating a dish above it, just below surrounding ground, with a marginal trench, and then concreting over the dish and trench with some steel reinforcement of the concrete*”. However, we are unable to advise you on whether these proposals are satisfactory as no details of the existing borehole have been submitted. If not sealed or decommissioned correctly, the borehole could provide access for contaminants from foul drainage and/or unsuspected contamination to groundwater and nearby protected sites. Generally, a borehole would be backfilled and sealed to mimic the geological conditions local to it. This information is normally provided with the original borehole log. We therefore advise that you seek further details about how the borehole is to be decommissioned, and whether this would be in line with good practice guidance such as [Good practice for decommissioning \(EA\)](#).

Protected Sites

Special Area of Conservation (SAC)

We note the application site is within the catchment of the River Dee and Bala Lake 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 from the information submitted that a new PTP is to be installed to provide foul drainage for the new dwelling (please see our advice on land contamination above). As such, we refer you to our Planning Advice and advise you to seek further information from the applicant as identified in the section titled 'What does this mean for development proposals involving private sewage treatment systems' of that advice.

Provided this advice is followed and you are able to conclude that the development is not likely to have a significant effect on the SAC, we would have no objection to the proposal. However, 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).

Sites of Special Scientific Interest (SSSI)

NRW consider the proposals have the potential to impact upon the River Dee SSSI and its features. 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 application (Land at Riverside Stud Newbridge, Wrexham Proposed Development Initial Habitat and Species assessment. Camlad Ecology Ltd. February 2021) found that protected species are not using the site. However, the report does not relate to the exact application site, but to a nearby plot of land that was the subject of a previous planning application. We therefore advise that you liaise with your own Authority's ecologist regarding this.

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,

Rhys Jones

Cynghorydd - Cynllunio Datblygu / Advisor - Development Planning

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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.