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18/01/2022

Annwyl Matthew Phillips,

**BWRIAD / PROPOSAL: DISCHARGE OF CONDITIONS 6, 7, 8, 9 10, 14 AND 15 OF
PLANNING PERMISSION P/2018/0560 AND RESERVED MATTERS APPLICATION**

**LLEOLIAD / LOCATION: NORTH AND SOUTH OF LANE FARM ROSSETT ROAD
TREVALYN**

Thank you for re-consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above with additional information, which we received on 25/10/2021.

We have concerns with the application as submitted. We do not recommend your Authority discharges condition 7 for the following reasons. We have no objection to the discharge of condition 10 and 15. We have no observation to make with regards to conditions 6, 8, 9 and 14.

Foul Drainage

- Condition 7

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 phosphate levels for all river SACs across Wales. As part of this package, we issued a [Planning Position Statement](#), in which we advised that any proposed development that might increase the amount of phosphate within a river SAC catchment could lead to damaging effects to the SAC. Therefore, such proposals should be screened through a Habitats Regulations Assessment (HRA), to determine whether they are likely to have a significant effect on the SAC. We have also issued [Planning Advice](#) (May 2021) which gives specific advice in respect of foul drainage arrangements for new developments.

We note from the information submitted that the development has the potential to increase the volume or concentration of wastewater and associated phosphate levels being discharged from the site via mains sewer connection. However, we note that a submitted letter (Betts Hydro dated 15/07/2021) that references an email from Welsh Water dated

12/07/2021 as well as further correspondence from Welsh Water with your Authority (dated 21/09/2021) which confirms the development site would drain to Lavister Wastewater Treatment Works, which has capacity to treat the additional wastewater and phosphorus from the proposed development within the existing discharge permit limits.

As per our [Planning Advice](#), development connecting to an existing public wastewater treatment works that has the capacity and associated phosphorus stripping facility to accommodate additional wastewater is unlikely to increase phosphorus inputs to a SAC beyond what has already been assessed and permitted by NRW. However, your authority, should examine the appropriate assessments carried out in respect of the extant environmental permit(s), along with any new information or changes in circumstances, to ensure that adverse effect on site integrity can be ruled out.

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).

Protected Species

Protected species and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017.

We note the ecological submissions and the comments in respect of Great crested newts (GCN). We are in agreement with recommendations regarding GCN reasonable avoidance measures and no licences are required as the proposal stands.

- Condition 7 (Drainage)

We understand that the Sustainable Drainage Systems (SuDS) Scheme includes infiltration basis, and advise that the submitted scheme include regular amphibian monitoring of SuDS ponds; and it should be noted that if GCN are recorded in SuDS ponds, maintenance and management works will need to be carried out under licence.

- Condition 10 (Construction Method Statement)

We note the submission in relation to construction method statement and are satisfied with the level of detail and have no further comments.

- Condition 15 (Lighting)

We note the submissions relating to the lighting and are satisfied with the level of detail and have no further comments.

Flood risk

The application site is located in Zone A and partially in Zone B of the Development Advice Map (DAM) contained in TAN15 and the Flood Map for Planning identifies the application site to be at partially within Flood Zone 2.

We have reviewed the letter submitted by Betts Associates dated 22nd October 2021 as well as the associated updated model outputs. This letter has been submitted to address our outstanding concern which relates to the impact of the proposal on increased fluvial flood risk elsewhere.

The letter explains that an updated hydraulic modelling exercise has been undertaken, involving a sensitivity test on the grid size of the hydraulic model. The NRW model supplied to Betts is based on a model grid size of 3 metres (m). The sensitivity test has refined the model grid and has used a 2 m grid size.

The results presented by Betts show that the change to the model grid size has a material impact on the flood risk posed to the site in the 0.1% Annual Exceedance Probability (AEP) event with a 25% blockage, which is the design event that should be considered when assessing the impacts of the proposal on flood risk elsewhere. The model run using the 3 m model grid size shows the site to be at risk of flooding in this event; however, when using a 2 m model grid size, the site is not expected to be at risk of flooding.

The letter explains that the cause of flooding at the site in the 3 m grid model is a flow route that flows eastwards from a spill point on Gun Lane. The letter goes on to state that the refined 2 m grid results in a better representation of floodplain topography and results in the removal of the spill route along Gun Lane. The flood flow route towards the site therefore no longer occurs. This is a result of a lower water level at this point in the 2 m grid model.

We have reviewed the 2 m grid model used by Betts to produce these outputs and advise that the model has been set up correctly and we are satisfied with the outputs shown on the 2 m grid runs, based on an interrogation of the results. This confirmed that the increases resolution results in less water travelling eastwards and reaching the previously identified spill point, resulting in less water flowing towards the site.

The updated modelling submitted by Betts has demonstrated that the site is expected to remain flood free in the 0.1% AEP event with a 25% blockage. The proposal is therefore not expected to result in any increased flood risk elsewhere for the River Alyn in up to the 0.1% AEP event with a 25% blockage. We are satisfied that the proposal demonstrates compliance with A1.12 of TAN15.

We are therefore satisfied that the flood risk matters have been satisfactorily addressed, subject to the measures recommended within the FCA being implemented.

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,

Siôn M. Williams

Cynghorydd - Cynllunio Datblygu / Advisor - Development Planning
Cyfoeth Naturiol Cymru / Natural Resources Wales