

Planning, Design and Access Statement

Installation of an Air bust Kiosk at Sesswick Intake

Prepared by Fisher German LLP on behalf of Severn Trent Water Ltd

Project Title

Sesswick Eel Screen AMP7

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1. Introduction

- 1.1 This Planning, Design and Access Statement has been prepared by Fisher German LLP on behalf of Hafren Dyfrdwy Water Limited (HD) in relation to a proposed development at Sesswick Water Treatment Works ("WTW") Bangor Road (near), Sesswick, Cross Lanes, Wrexham, Wales, LL13 0TW.
- 1.2 HD is a regulated business with statutory responsibilities for the provision of water and sewerage services to customers in Wales. Hafren Dyfrdwy means Severn Dee and is the coming together of Dee Valley Water and Severn Trent. HD is currently implementing its Asset Management Plan for AMP7 (April 2020 to March 2025), which is the mechanism by which the regulator OFWAT defines a five-year capital expenditure programme for all water companies. Investment during the AMP7 period is in response to a number of key challenges including population growth and the importance of protecting the environment. Investment during this period seeks to build the resilience of water supply, upgrade treatment works, reduce leakage and pollution incidents, and protect the environment.
- 1.3 This application seeks planning permission for the installation of a new Air Burst Kiosk which is required as part of a wider scheme of works being undertaken at the site to upgrade the existing eel screens on the raw water intake structure on the banks of the River Dee.
- 1.4 The new eel screens and associated works are required in response to the implementation of the Eels Screens Regulation 2009 which came into force on the 15th of January 2010. This regulation requires that eels are protected at all intake sites which have an abstraction capacity of at least 20 cubic metres of water through any one point in any 24-hour period. The European eel is currently on the endangered list, to protect eel, European Legislation has introduced the Council Regulation EC (1100/2007). The Environment Agency has the overall responsibility for the management of eels.
- 1.5 It is the duty of HD to protect eels at all intake sites where the abstraction capacity exceeds the threshold. In the context of Sesswick RWI, the intake capacity exceeds this capacity. Therefore, it is proposed to install front river screens to protect Elver, Yellow, and Silver eels. HD is required to ensure that its assets comply with the regulations by the 31st of December 2025. The regulations state that all surface water abstractions of more than 0.02 MLD must be fitted with suitable eel screens.
- 1.6 The majority of the works proposed at Sesswick RWI comprise permitted development under Schedule 2, Part 17, Class E of the Town and Country Planning (General Permitted Development) Order 1995. However, the new Air Burst Kiosk required to support the upgrading works will have an internal capacity of more than 29m³, which exceeds the threshold set out in Class E.1(b) and therefore requires planning permission.
- 1.7 This application should be read alongside the following plans and documents:

• H7W00611-CST-XX-ZZ-DR-C-0001	Site Location Plan
• H7W00611-CST-XX-ZZ-DR-C-0003	Existing Site Layout
• H7W00611-CST-XX-ZZ-DR-C-0003	Existing Site Layout

• H7W00611-CST-XX-ZZ-DR-C-0004	Proposed Site Layout Plan
• H7W00611-CST-XX-ZZ-DR-C-0005	Existing Plan and Elevations
• H7W00611-CST-XX-ZZ-DR-C-0006	Existing Elevations
• H7W00611-CST-XX-ZZ-DR-C-0007	Proposed Plan and Elevation
• H7W00611-CST-XX-ZZ-DR-C-0008	Proposed Elevations
• Preliminary Ecological Assessment	H7W_00611 Sesswick Eels
• Geo-Environmental Desk Study	H7W_00611 Sesswick Eels
• Flood Risk Assessment	H7W00611-CST-XX-ZZ-RP-EN-0002
• Biodiversity Enhancement Plan	H7W_00611 Sesswick Eels
• RSE_5278_R4_V2_Shr_Stage 2	Habitat Regulations Assessment

2. Site and Surrounding Area

- 2.1 The application site is located at the Sesswick Raw Water Intake (RWI) Works which is owned and operated by HD. The proposed site is located at Grid Reference SJ38638 46359 and is located within the jurisdiction of Wrexham County Borough Council. The location of the site can be seen on the Site Location Plan (H7W00611-CST-XX-ZZ-DR-C-0001) as seen in Figure 1 below.
- 2.2 The application site comprises a building and areas of hardstanding, with poor-semi-improved grassland surrounding the building, an area of broadleaved woodland within the east of the site and flowing ditches surrounding it.
- 2.3 The immediate surrounding area predominantly comprises farmland (understood to be used for grazing), scattered farmsteads and small clusters of trees. There is a large industrial site approximately 190m north of Sesswick RWI, at which Maelor Foods is located off Pickhill Lane. The small villages of Porthwgan, Cross Lanes and Bangor-on-Dee are in the surrounding area. The River Dee runs roughly north-east/ south-west and crosses the southern boundary of the site.
- 2.4 The site adjoins the Afron Dyfrdwy (River Dee) Site of Special Scientific Interest (SSSI) and Afon Dyfrdwy a Llyn Tegid (River Dee and Bala Lake) Special Area of Conservation (SAC).
- 2.5 The nearest known statutorily designated built heritage asset to the site is a Listed Building, Dovecote at Pickhill Old Hall (Grade II), approximately 630m north-east of the proposed site. Other assets in the surrounding area include; The Stableyard (Grade II), which is approximately 905m south-east of the site; the Old Bridge House (Grade II) which is approximately 910m south of the site; Bangor Bridge (Grade 1) Listed and Scheduled Monument is approximately 920m south of the site; a War Memorial (Grade II) approximately 930m to the south of the site; The Church of St Dunawad (Grade II*) approximately 960m south-east and Graig Cottage (Grade II) approximately 1.3km south-east of the site. The site also adjoins a Registered Historic Landscape – Maelor.
- 2.6 Sesswick RWI is in an area which has a medium-high risk of flooding from Rivers. However, the site includes an existing perimeter flood defence wall which protects internal assets from flooding from the River Dee. Due to the presence of the flood wall, the site is considered to be within Flood Zone C1 - *Areas of the floodplain which are developed and are served by significant infrastructure, including flood defences.*
- 2.7 There is a Public Rights of Way (PROW) leading from Pickhill Lane, down the western side of the Maelor Site south-east to the Sesswick RWI site. Additionally, there is a footpath leading along the riverbank to the south of the Sesswick RWI site.
- 2.8 The site is not located within a Conservation Area and there are no known Tree Preservation Orders on site or within the surrounding area.
- 2.9 The site borders a Sand and Gravel Mineral Safeguarding Area.
- 2.10 Figure 1 illustrates the location of the proposed works.

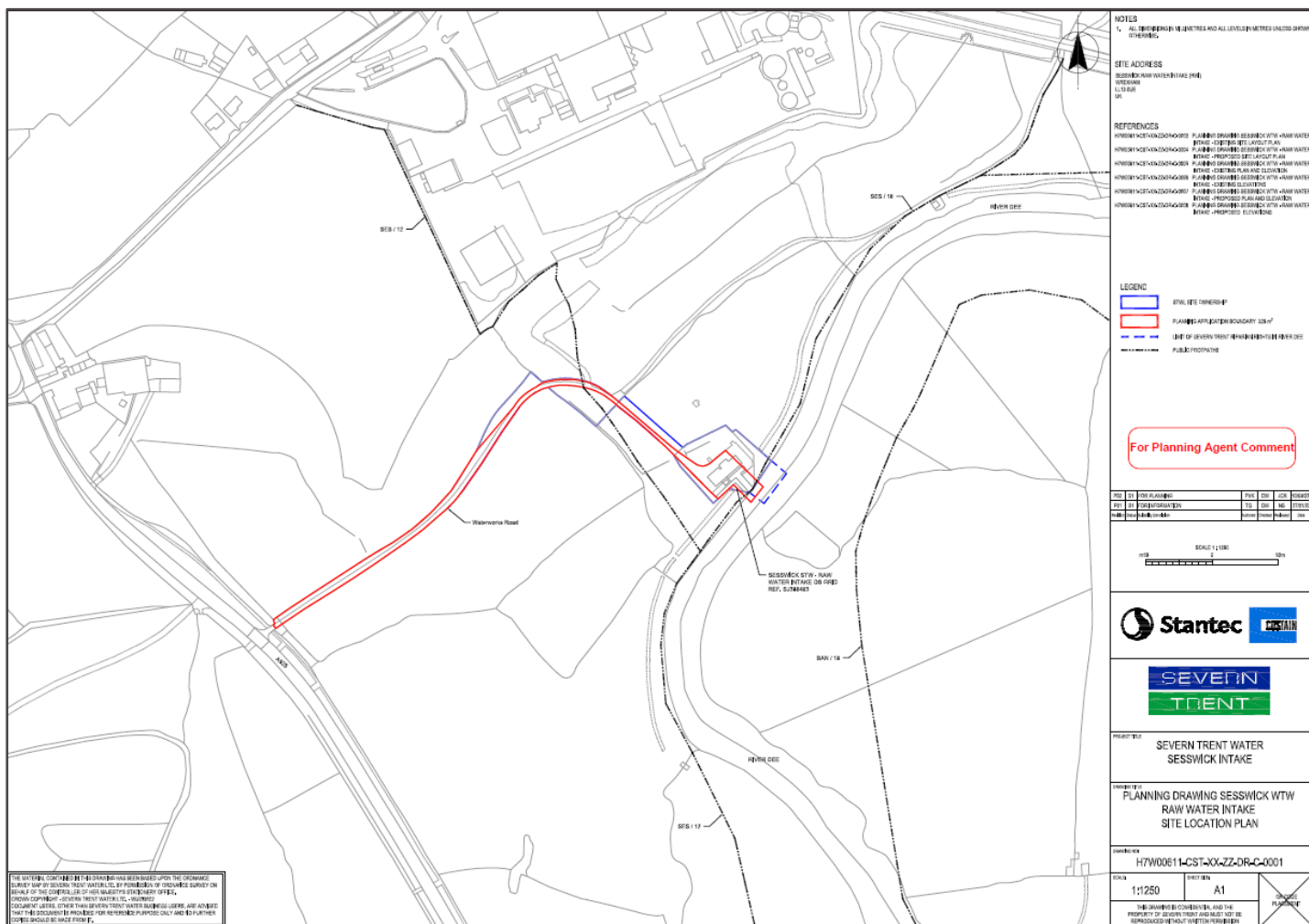


Figure 1: Site Location Plan

Planning History

2.11 There is no known relevant planning history on site or within the surrounding area that is considered likely to impact the proposed works.

3. The Development Proposal

- 3.1 This application seeks full planning permission from Wrexham County Council for the installation of a new Air Burst Kiosk within the existing operational boundaries of the Sesswick RWI.
- 3.2 The kiosk is required as part of a wider scheme of works being undertaken at Sesswick RWI to upgrade the site to meet the requirements of the Eel Screen Regulations 2009.
- 3.3 The majority of the works proposed at Sesswick RWI comprise permitted development under Schedule 2, Part 17, Class E of the Town and Country Planning (General Permitted Development) Order 1995. However, the new Air Burst Kiosk required to support the upgrading works will have an internal capacity of more than 29m³ which exceeds the relevant threshold set out within Class E.1(b) and therefore requires planning permission.

Amount, Scale, Appearance and Layout

- 3.4 The new Air Burst Kiosk will be installed in the south-western corner of the Sesswick RWI site.
- 3.5 The kiosk will measure approximately 4.50m in length by 3.50m in width by 2.80m in height. It will have a footprint of approximately 15.75m² and an internal capacity of approximately 44.10m³.
- 3.6 The kiosk will be constructed from Glass Reinforced Plastic (GRP) and the external coating will be coloured dark Holly Green (BS 4800 14-C-39) to help it assimilate with the surrounding landscape. The kiosk will be constructed on an area of existing hardstanding, adjoining an area of poor semi-improved grassland within the existing perimeter flood defence wall of the site.
- 3.7 The position and appearance of the proposed kiosk is illustrated on Drawing No. H7W00611-CST-XX-ZZ-DR-C-0004 (Proposed Site Layout Plan) and H7W00611-CST-XX-ZZ-DR-C-0007 (Proposed Plan and Elevations).
- 3.8 The wider works to be undertaken at Sesswick RWI to upgrade the existing eel screens are also illustrated on these plans to provide context. However, as discussed in Section 1, these works comprise permitted development under Schedule 2, Part 17, Class E of the Town and Country Planning (General Permitted Development) Order 1995, specifically Class E(g) *"any other development in, on, over or under operational land other than the provision of a building but including the extension or alteration of a building"*.

Access

- 3.9 The RWI is accessed via Waterworks Road, a private vehicular access track which leads east off the A525 (Bangor Road) towards the site. This access point is considered suitable to facilitate the proposed works and ongoing operation of the site and no amendments are proposed to this access point.

4. Planning Policy

- 4.1 Planning policy relating to the application site is formed through:
- Local Planning Policy
 - National Planning Policy
- 4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The development Plan material to the proposal consists of:
- Wrexham County Borough Council Unitary Development Plan (UDP) (Adopted February 2005)
 - Wrexham County Borough Council Emerging Local Development Plan 2 (LDP) (2013 – 2028)
- 4.3 In addition to the Development Plan, applications should also have regard to the National Planning Policy Framework (NPPF), National Planning Practice Guidance, which are material considerations in any determination.

Wrexham County Borough Council Unitary Development Plan (UDP) (Adopted February 2005)

- 4.4 This is the current Development Plan for Wrexham County Borough Council. It was adopted in February 2005 and in future will be replaced by the Wrexham Local Development Plan. This document sets out the strategic planning policies for future development within the County. It is primarily concerned with a vision of how the area should develop for the benefit of local people, developers and visitors alike.

Policy GDP1

- 4.5 As part of Wrexham County Borough Council's General Development Principles, all new development should ensure that the scale, design, and layout as well as its use of materials accords with the character of the site. The proposal should make best use of design techniques to conserve energy and water resources. Developments should also look to ensure that there is safe vehicular access to and from development sites, both on site and in the locality. The safety and amenity of the public should be a primary consideration, as well as safeguarding the environment from the adverse impacts of pollution from water, noise, odour, and vibration should be considered. Proposals should ensure development does not result in flooding, or contamination on or off site.

Policy EC4 – Hedgerow, Trees, and Woodland

- 4.6 This policy states that development proposals should provide conservation for the conservation of hedgerow, trees, woodland, wildlife, and water features, and include new planting in order to enhance the character of the landscape and townscape. Development which results in the loss or significant damage to valuable trees, important hedgerows or ancient woodland sites will not be permitted.

Policy EC6 – Biodiversity Conservation

- 4.7 This policy states that development within or in proximity to sites of biodiversity interest will only be permitted where it can be clearly demonstrated that the need for the development outweighs the need to safeguard the intrinsic nature conservation value of the site. Where such development

is permitted, damage should be kept to a minimum, and compensatory measures should be provided. Measures to improve the biodiversity value of sites and enhance their natural conservation interest and landscape quality including the establishment of local nature reserves, will be supported.

Policy EC9 – Listed Buildings of Special Architectural or Historical Interest

- 4.8 This policy states that alterations or additions to, and development or redevelopment within the curtilage of, buildings or of structures listed as special architectural or historic interest must respect the setting and character of the listed buildings or structures.

Policy E12 – Development and Flood Risk

- 4.9 This policy states that Development (including the raising of land) within defined flood plains will only be permitted if it: -
- a. would not be subject to an unacceptable risk of flooding on-site; and/or
 - b. does not result in an unacceptable risk of flooding on or off-site; and/or
 - c. does not adversely affect flood management or maintenance schemes

Policy E13 – Surface Water Run-off

- 4.10 This policy states that development which would result in an unacceptable adverse impact on the water environment due to additional surface water run-off will not be permitted.

Policy E14 – Protection of Controlled Waters

- 4.11 This policy states that development which would have an unacceptable adverse impact upon the capacity, flow, quality or availability of controlled waters and associated land will not be permitted.

Policy MW9 – Protection of Mineral Resources

- 4.12 This policy states that resources of sand and gravel and clay will be safeguarded from non-mineral development in order to prevent the sterilisation of unworked mineral resources. However, it notes that the identification of mineral resource areas gives no presumption in favour of the working of any deposits.

Wrexham County Borough Council Emerging Local Development Plan 2 (2013 – 2028)

- 4.13 Wrexham County Borough Council are currently preparing the Local Development Plan 2 (LDP) which will replace the current Unitary Development Plan. The LDP will be used to guide development for housing, employment, retail, and other uses, it will set out policies that will be used to decide planning applications and will safeguard areas of land requiring protection and enhancement.

Policy SP12 – Transport and Accessibility

- 4.14 The policy sets out a range of measures by which the Council will seek to ensure that Wrexham's transport network will be developed in a safe, efficient, and sustainable manner. The Council will restrict development which would have an unacceptable impact on the safe and efficient operation of the transport network.

Policy SP13 – Design Principles and Master Planning Framework

- 4.15 This policy states that all development will be required to be of a high quality, sustainable design which makes a positive contribution to the creation of locally distinctive places by ensuring compliance with the masterplanning framework SPG and KSS schematics. Proposals must demonstrate how they have taken account of the local characteristics of surrounding areas and how innovative design solutions will enhance the quality of the built and natural environment.

Policy SP15 – Natural Environment

- 4.16 This policy states that developments will be supported where they protect, conserve, and enhance the natural environment, including:
- Internationally protected Special Areas of Conservation, Special Protection Areas, and Ramsar Sites;
 - Nationally protected Sites of Special Scientific Interest and National Nature Reserves;
 - Protected Species and their habitat;
 - The Clwydian Range and Dee Valley Area of Outstanding Natural Beauty including recognising the importance it has in contributing to the Outstanding Universal Value and setting of the Pontcysyllte Aqueduct and Canal World Heritage Site;
 - Local Wildlife Sites including the strategic ecological network on Wrexham Industrial Estate and Regionally Important Geological Sites;
 - Local Nature Reserves;
 - Special Landscape Areas recognised for their outstanding local landscape character; natural landscape features such as trees, hedges and woodland and the green networks between them which contribute to the quality and diversity of the natural environment and play an important role in mitigating the impact of climate change;
 - The quality of natural services including water, air and soils
 - Developing and maintaining Green Infrastructure links; and
 - Habitats and species of principal importance to Wales.

Policy SP16 – Historic and Cultural Environment

- 4.17 This policy states that development will only be supported where it conserves, protects, and enhances the cultural and heritage assets of the County Borough, and where appropriate, their settings.

Policy SP17 – Minerals Supply and Safeguarding

- 4.18 This policy states that minerals will be sustainably managed through:
- a) The protection of minerals from unnecessary sterilisation by directing new development away from areas underlain by mineral of importance or where this is not possible, through the requirement to extract mineral prior to the non-mineral development; and
 - b) Avoiding conflict between mineral working and sensitive development through the use of buffer zones; and
 - c) Contributing towards meeting the regional need for aggregate minerals collaboration with Flintshire County Council; and
 - d) Supporting proposals for mineral extraction within the County Borough which contribute towards maintaining an adequate supply of minerals in sustainable locations including the delivery of high-quality restoration and aftercare programmes which enhance and provide linkages with the natural environment.

Policy SP19 – Climate Change

- 4.19 This policy states that to mitigate against the effects of climate change and adapt to its impacts, development proposals will need to demonstrate that they have taken into account the following:
- i. Reducing carbon emissions;
 - ii. Protecting and increasing carbon sinks
 - iii. Adapting to the implications of climate change at both a strategic and detailed design level;
 - iv. Promoting energy efficiency and increasing the supply of renewable energy; and
 - v. Maintaining ecological resilience
 - vi. Avoiding areas susceptible to flood risk in the first instance in accordance with the sequential approach set out in national guidance; and
 - vii. Preventing development that increases flood risk and

- viii. Assesses the potential effects of climate change when preparing a Flood Consequence Assessment for the site.

Policy DM1 - Development Management Considerations

4.20 Policy DM1 states all development proposals, where relevant, must:

- a) Accord with or enhance the character, local distinctiveness and appearance of the site, existing building(s) and surrounding landscape/ townscape in terms of its siting, layout, scale, height, design, density, use of materials and landscaping;
- b) Not have an unacceptable effect on the amenity of the occupiers of nearby properties/land by virtue of noise, disturbance and overlooking; and provides a satisfactory standard of amenity for the occupiers/users of the development itself;
- c) Safeguard the environment from the adverse effects of pollution of water, land, light or air, or land instability, arising from development;
- d) Take account of personal and community safety and security in its design and layout
- e) Be safely and conveniently accessible for all potential users/occupiers of the development on foot, bicycle, by public transport and by car;
- f) Not give rise to parking or highway safety problems on site or in the locality;
- g) Maximise sustainable travel choices first and then provides for car related needs;
- h) Contribute to low carbon communities through energy efficiency, be designed to minimise the use of non-renewable energy, water and the production of waste both during construction and when in use;
- i) Not increase the risk of flooding but makes adequate provision for sustainably dealing with foul and surface water drainage and not result in an unacceptable impact upon the water environment;
- j) Consider the needs of a diverse population including those with protected characteristics such as age or disability;
- k) On sites which have previously been developed, new development proposals should make use of existing suitable building materials wherever possible for appropriate uses in order to re-use recyclable materials and reduce the amount of imported materials; and
- l) Ensure that any risks arising from past coal mining, as indicated on the proposals map, can be adequately managed.

Policy NE1 – International and Nationally Designated Nature Conservation Sites

4.21 This policy states that development likely to significantly affect any protected habitat, species or site of international importance, either alone or in combination with other plans or projects, will be subject to a Habitat Regulations Assessment (HRA). Development will only be permitted where it is possible to ascertain no adverse effect on the species or integrity of the habitat or site or where there are Imperative Reasons of Overriding Public Interest and compensatory measures are secured.

4.22 Permission for development likely to impact the special features of a Nationally Designated Site or protected species or habitat advice will only be granted in exceptional circumstances where appropriate compensation can be provided.

Policy NE6 – Waste Water Treatment and River Water Quality

4.23 This policy states that all new development will only be supported where there is no adverse impact on the integrity of River Dee and Bala Lake SAC and its conservation objectives.

Policy MW1 – Minerals Safeguarding

- 4.24 This policy states that non-mineral development within Mineral Safeguarding Areas will only be permitted where certain criteria are met, including:
- i. The mineral underlying the site does not merit extraction, or
 - ii. The need for the non-mineral development outweighs the need to protect the resource.

Planning Policy Wales Edition 11 (February 2021)

- 4.25 Planning Policy Wales (PPW) (Edition 11, published in February 2021) sets out the land use planning policies of the Welsh Government. It is supplemented by a series of Technical Advice Notes (TANs), Welsh Government Circulars, and policy clarification letters, which together with PPW provide the national planning policy framework for Wales.
- 4.26 [Paragraph 1.2](#) states that the primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places.
- 4.27 [Paragraph 3.3](#) states that good design is fundamental to creating sustainable places where people want to live, work and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surrounding area.
- 4.28 [Paragraph 3.14](#) advises that site and context analysis should be used to determine the appropriateness of a development proposal in responding to its surroundings. This process will ensure that a development is well integrated into the fabric of the existing built environment.
- 4.29 [Paragraph 3.60](#) states that development in the countryside should be located within and adjoining to settlements where it can best be accommodated in terms of infrastructure, access, habitat and landscape conservation. New buildings in the open countryside away from existing settlements or areas allocated for development in development plans should be strictly controlled. All new development should be of a scale and design that respects the character of the surrounding area.
- 4.30 [Paragraph 3.61](#) states adequate and efficient infrastructure, (including services such as education and health facilities along with transport, water supply, sewers, sustainable waste management, electricity, and gas (the utilities) and telecommunications) is crucial for economic, social and environmental sustainability. It underpins economic competitiveness and opportunities for households and businesses to achieve socially and environmentally desirable ways of living and working. Infrastructure which is poorly designed or badly located can exacerbate problems rather than solving them.
- 4.31 [Paragraph 3.62](#) states that planning authorities should, in conjunction with key providers, take a strategic and long-term approach towards the provision of infrastructure as part of plan making.

This may involve collaboration between planning authorities and key infrastructure providers to ensure infrastructure provision is sustainable, fit for purpose and can be co-ordinated and timed to support placemaking aspirations.

- 4.32 [Paragraph 6.1.5](#) states the planning system must take into account the Welsh Government's objectives to protect, conserve, promote and enhance the historic environment as a resource for the general well-being of present and future generations.
- 4.33 [Paragraph 6.3.3](#) states that all the landscapes of Wales are valued for their intrinsic contribution to a sense of place, and local authorities should protect and enhance their special characteristics, whilst paying due regard to the social, economic, environmental, and cultural benefits they provide, and to their role in creating valued places. Considering landscape at the outset of formulating strategies and policies in development plans and when proposing development is key to sustaining and enhancing their special qualities and delivering the maximum well-being benefits for present and future generations as well as helping to deliver an effective and integrated approach to natural resource management over the long term.
- 4.34 [Paragraph 6.4.3](#) states the planning system has a key role to play in helping to reverse the decline in biodiversity and increasing the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement. Addressing the consequences of climate change should be a central part of any measures to conserve biodiversity and the resilience of ecosystems.

5. Planning Policy Assessment

- 5.1 This application seeks full planning permission to install an Air Burst Kiosk at the Sesswick RWI.
- 5.2 An assessment of the proposed development has been made against the relevant planning policy framework for the area, and other material considerations in accordance with Section 38 (6) of the 2004 Planning and Compulsory Purchase Act. This application is also supported by a comprehensive set of technical reports and surveys which have considered the potential impact of the proposed development upon the site and the surrounding area.
- 5.3 The assessment considers the following matters:
- Need for Development
 - Principle of Development
- 5.4 Technical Assessment:
- Design
 - Heritage
 - Access
 - Ecology and Biodiversity Net Gain
 - Flood Risk and Drainage
 - Amenity

Need for Development

- 5.5 This application seeks consent for the installation of a new Air Burst Kiosk which is required as part of a wider scheme of works being undertaken at Sesswick RWI to upgrade the existing eel screening system to enable HD to meet the requirements of the Eel Screens Regulations 2009.
- 5.6 This Regulation requires that eels are protected at all intake sites which have an abstraction capacity of at least 20 cubic metres of water through any one point in any 24-hour period, and HD have an obligation to ensure that its assets comply with the Regulations by 31st December 2025.
- 5.7 The majority of the works proposed at Sesswick RWI are considered to comprise permitted development under Schedule 2, Part 17, Class E of the Town and Country Planning (General Permitted Development) Order 1995. However, the new Air Burst Kiosk required to support the upgrading works will have an internal capacity of more than 29m³ and therefore requires planning permission. As the proposed development is a specific requirement to be installed at the existing intake works at Sesswick, there are no alternative locations in which these works could be installed.
- 5.8 The main purpose of installing the screens is an ecological driver to protect endangered eel species from becoming trapped in the intakes and being killed. The provision of infrastructure is supported in both local and national planning policy. National Planning Policy highlights that local authorities should work with infrastructure providers to take a strategic and long-term approach towards the provision of infrastructure and notes that adequate and efficient infrastructure (including water supply) is crucial to economic, social, and environmental sustainability (Planning

Policy Wales Paragraphs 3.61 and 3.62). The principle of conserving and enhancing biodiversity, in this case eel populations, also complies with Policy EC6 of the UDP.

Principle of Development

- 5.9 Section 38 of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. For the purposes of this Act, the Development Plan relevant to this proposal comprises the Wrexham County Borough Council Unitary Development Plan (UDP) (Adopted February 2005) and the emerging Wrexham County Borough Council Local Development Plan 2 (LDP) (2013 – 2028).
- 5.10 The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental, and cultural well-being of Wales. These objectives are interdependent and need to be pursued in mutually supportive ways. On reflection, it is considered that this development can constitute sustainable development because:
- a) From a social perspective the development provides opportunities for job creation (construction and on-going operation and maintenance of the site);
 - b) From an economic perspective it will ensure that the required infrastructure and network capacity is in place to support existing and future development in the catchment; and
 - c) From an environmental perspective, the main driver behind this scheme of works is to upgrade the water intake infrastructure at the site, to protect endangered eel species from becoming trapped and killed in the intake system to comply with the Eel Screen Regulations 2009.
- 5.11 It is therefore considered that the proposal will contribute to the objective of sustainable development and in particular aims to deliver environmental improvements.
- 5.12 As discussed, the provision of infrastructure is supported in both local and national planning policy. National Planning Policy highlights that local authorities should work with infrastructure providers to take a strategic and long-term approach towards the provision of infrastructure (Planning Policy Wales paras 3.61 and 6.62), and the upgrading of the site will help to ensure that both the current and future water infrastructure needs of the district can be met.
- 5.13 The proposed development has been carefully positioned and designed to minimise impacts on the surrounding environment, landscape, heritage and amenity as far as practicable, whilst ensuring the required infrastructure needs are met on the site. The development is therefore considered to be compliant with the local and national planning policies set out above and acceptable in principle.

Technical Assessment

Design

- 5.14 The proposed kiosk will be positioned in the southern corner of the operational site, adjacent to other existing infrastructure. It will be viewed within context of the other existing assets on the site, thereby limiting the impact of the works on the surrounding area.
- 5.15 The proposed kiosk in this application will be relatively small in size with a footprint of approximately 15.75m and an internal capacity of approximately 44.10m³. The proposed kiosk has been designed to be of the minimal scale required to fulfil its operational requirements and will be coloured dark Holly Green to help assimilate it with the surrounding area. It will be screened from the surrounding landscape by other existing infrastructure within the RWI works and by vegetation within and adjoining the site boundaries.
- 5.16 The scale, design, layout, and use of materials will be appropriate and will accord with the character of the site in accordance with Policy GDP1 of the UDP.

Heritage

- 5.17 The nearest known statutorily designated built heritage asset to the site is a Listed Building, Dovecote at Pickhill Old Hall (Grade II), approximately 630m north-east of the proposed site. Other assets in the surrounding area include; The Stableyard (Grade II), which is approximately 905m south-east of the site; the Old Bridge House (Grade II) which is approximately 910m south of the site; Bangor Bridge (Grade 1) Listed and Scheduled Monument is approximately 920m south of the site; a War Memorial (Grade II) approximately 930m to the south of the site; The Church of St Dunawad (Grade II*) approximately 960m south-east and Graig Cottage (Grade II) approximately 1.3km south-east of the site. The site also adjoins a Registered Historic Landscape – Maelor.
- 5.18 Given the location of these heritage assets, the intervening distance between them and the site, the topography of the area and other existing infrastructure assets, as well as the relatively small scale of the proposed development, it is not anticipated that the proposed works will give rise to any significant or adverse impacts on these identified heritage assets or the cultural well-being of Wales.
- 5.19 The works are therefore considered to accord with Policy EC9 of the UDP.

Access

- 5.20 The RWI is accessed via The RWI is accessed via a private vehicular access track which leads off the A525 (Bangor Road). This access point is considered suitable to facilitate the proposed works and ongoing operation of the site and no amendments are proposed to this access.
- 5.21 The construction phase of the proposed development may result in a temporary increase in vehicular movement to and from the site. However, the existing road network and access track from the highway are considered suitable to accommodate such vehicles for the temporary construction period. The applicant will also follow their usual standards when carrying out the

construction works to avoid any adverse impact on the safety of the local highway network and amenity of the local area. Once operational, it is not anticipated that the proposed works will result in an increase in traffic to and from the site, and maintenance requirements are anticipated to be minimal.

- 5.22 The access arrangements serving the proposed development are deemed suitable for the construction and operational of the site, and no adverse impacts on highway safety are considered likely to arise from the development. The proposed development is therefore not considered to conflict with Policies GDP1 and SP12.

Amenity

- 5.23 Sesswick Raw Water Intake site is positioned in a rural location along the River Dee. The surrounding landscape is predominantly agricultural in nature, although there is a large industrial site approximately 190m to the north of the site (Maelor Foods). The kiosk will be relatively small in scale and located within the existing operational boundaries of the Sesswick RWI. The kiosk will be well screened by existing infrastructure and vegetation and there are no residential properties or PROWs in proximity to the site which are considered likely to be impacted by the proposed works. Given the relatively small-scale nature of the works which would be experienced within the context of the existing RWI it is anticipated that there will be a negligible effect on the wider landscape and visual amenity of the surrounding area.
- 5.24 It is not anticipated that the proposed kiosk will emit any odour or significant noise which would exceed the current baseline at the site. It will also be coloured Holly Green (BS4800 14-C-39) to help minimise its visual impact on the surrounding landscape.
- 5.25 The proposed kiosk is therefore not considered likely to result in any adverse impacts on the amenity of relevant receptors, and it is considered that the development accords with policies Policy GDP1 and EC4 of the UDP.

Ecology and Biodiversity Net Gain

- 5.26 To inform the proposed works and highlight any potential mitigation measures which may be necessary, a Preliminary Ecological Appraisal ("PEA") was carried out by RammSanderson in August 2021.
- 5.27 The report was produced to cover the whole scheme of works being undertaken at Sesswick RWI and is submitted in support this application. The PEA reviews the ecological constraints affecting the proposed works. It identifies potential impacts to protected species and habitats which could foreseeably arise as a result of the works and sets out recommendations to ensure that as far as possible impacts are avoided and mitigated.
- 5.28 The report sets out a number of mitigation measures and recommendations to ensure the proposed works do not result in adverse impacts on the Afron Dyfrdwy (River Dee) Site of Special Scientific Interest (SSSI) and Afon Dyfrdwy a Llyn Tegid (River Dee and Bala Lake) Special Area of Conservation (SAC) as well as other protected species and habitats in proximity to the site.
- 5.29 The proposed site is adjacent to Afron Dyfrdwy (River Dee) SSSI and Afon Dyfrdwy a Llyn Tegid (River Dee and Bala Lake) SAC. The site itself is not listed within the Impact Risk Zone ("IRZ") categories for river, as this refers to aviation proposals, air pollution and combustion processes.

However, the IRZ categories concern the section of the river located in England, therefore, to inform the proposed works and highlight any potential mitigation measures to prevent adverse impacts to the SSSI and SAC, a Shadow Habitat Regulations Assessment (“HRA”) was carried out by RammSanderson on behalf of HD in August 2023 and is submitted in support of this application.

- 5.30 RammSanderson have also prepared a Biodiversity Enhancement Plan (“BEP”) which identifies areas where biodiversity could be increased within the RWI, it states that the woodland can be enhanced through native planting using a ground flora seed mix such as the N10 Value Woodland Meadow Mixture, which includes heavy shade tolerant species such as garlic mustard, hedged straw and English bluebell. Further guidance can be found within BEP.
- 5.31 The overall purpose of the scheme is to protect eel species within the River Dee for the benefit of nature conservation. Where appropriate the recommendations set out within these reports will be followed to ensure the proposed works do not result in adverse impacts on local ecology and it is therefore considered that the proposed works will accord with Policies GDP1, EC6, EC7 and EC14 of the UDP and SP15 of the LDP.

Flood Risk and Drainage

- 5.32 Sesswick RWI is located along the banks of the River Dee and falls partly within an area with a medium to high risk of flooding.
- 5.33 Stantec were commissioned by Severn Trent Water Ltd to undertake a Flood Consequence Assessment of the Sesswick RWI in December 2022, and this is provided with the application.
- 5.34 This report identifies that the site includes an existing perimeter flood defence wall which protects internal assets from flooding from the River Dee. Due to the presence of the flood wall, the site is considered to be within Flood Zone C1 - *Areas of the floodplain which are developed and are served by significant infrastructure, including flood defences.*
- 5.35 The kiosk will be installed on undeveloped land and will have a relatively small footprint of 15.75m. As such, it is anticipated to result in a negligible increase in surface water runoff, that will be accommodated by existing site surface water drainage.
- 5.36 As the wider works to upgrade the eel screens by their very nature have to be located adjacent to the watercourse, part of the site falls within medium and high risk areas of flooding (Zone C). The eel screens and associated infrastructure are required to be positioned in this location on the banks of the river to filter water entering the intake and are, by their nature, water compatible. They will be constructed to a suitable design that will ensure that they can withstand the hydraulic loading and remain operational when the water level in the river rises.
- 5.37 The proposed kiosk is located within the boundary of the flood defence wall, which has a defence level of 16.83mAOD. This is above the 1 in 1000 year flood level provided by NRW, although it is not shown on NRW mapping as a defence, given its private ownership. As the proposed development is located within the boundary of the flood wall, it will remain safe and operational for its design lifetime. It will not result in any net loss of existing floodplain storage or be an impediment to flood water flows.

- 5.38 The FCA concluded that the proposed development will meet the requirements of TAN15 as it demonstrates that the land use is appropriate for a location within an area of medium and high risk of flooding from rivers and will remain operational in times of flooding. As such, the proposed development accords with Policies E12, E13, and E14 of the UDP.

6. Conclusion

- 5.39 This application seeks consent for the installation of a new Air Burst Kiosk which is required as part of a wider scheme of works being undertaken at Shelton RWI to upgrade the existing eel screening system to enable STWL to meet the requirements of the Eel Screens Regulations 2009.
- 5.40 The proposed kiosk has been carefully designed to be the minimum scale necessary to fulfil operational purposes and will be coloured in a visually recessive shade of dark green to help it assimilate with the surrounding landscape and minimise its visual impact.
- 5.41 It is not anticipated the proposed development will have any adverse affects on local ecology, heritage, amenity, access, flood risk and drainage and that any visual impacts arising from the works will be negligible and localised.
- 5.42 The proposal has been demonstrated to accord with the aims and objectives of both local and national planning policy and it is therefore respectfully requested that planning permission be approved.