

Ein cyf/Our ref: CAS-234796-R1P3
Eich cyf/Your ref: P/2022/0066

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 14 August 2023

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: ESTYNIAD I SAFLE CARAFANAU PRESENNOL YN CYNNWYS LLEINIAU CARAFAN A Ffordd Darmac, Unedau Glampio, Pebyll Saffari, Maes Parcio, Sied Storïo Dillad a Llwybrau'n Cysylltu a'r Unedau / EXTENSION OF EXISTING CARAVAN SITE CONSISTING OF CARAVAN PITCHES WITH TARMAC ROAD, GLAMPING UNITS, SAFARI TENTS, CAR PARK, LINEN STORAGE SHED AND PATHS LINKING TO UNITS

LLEOLIAD/LOCATION: Caravan Site, Lady Margaret's Park, Chirk, Wrexham, LL14 5AA

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 09 August 2023.

We have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, further consideration is required regarding foul drainage. Further details are provided below.

We also advise that based on the information submitted to date, a condition regarding biosecurity should be attached to any planning permission granted and the document identified below should be included in the approved plans and documents condition on the decision notice. Without the inclusion of this condition and document we would object to this planning application.

Approved document: Thomas, C. and Kibble, K. (2021). Lady Margaret's Park Extension, Chirk, Wrexham Preliminary Ecological Appraisal, CSA Environmental. Unpublished Report No CSA/1992/04b)

Protected Sites

On 20th July 2023, we provided advice to your Authority and the updated [Planning Advice](#) is also available on our website. Below is an extract from that advice which is of relevance to this planning application:

Where a wastewater treatment works permit has been reviewed against revised phosphorus targets and, in some cases, varied accordingly, new developments connecting to the associated public sewer should still be subject to a Habitats Regulations Assessment (HRA) by the Planning Authority. While the phosphorus impacts of new connections should be considered on a case-by-case basis, it is likely that a conclusion of no likely significant effect could be drawn in some cases in the context of water quality impacts where the following apply:

- the environmental permit for the associated wastewater treatment works has been reviewed against revised conservation objectives for water quality.
- there is capacity in place to accommodate the additional wastewater in compliance with revised permit limits.
- the sewer network and associated WwTW has the hydraulic capacity for new connections without leading to an increase in the environmental impact of storm overflows.

For such development proposals, we advise the Planning Authority to seek the following information in support of a planning application:

- confirmation of how foul drainage will be managed
- scale plans showing the location of the nearest public sewer and proposed connection point

The Planning Authority should consult with the sewerage undertaker, as statutory consultee, on the potential for a development to connect to a public sewer, and receive a copy of their formal response confirming:

- there is capacity to treat additional wastewater from the proposed development within revised environmental permit limits, or
- the necessary treatment capacity to remain within revised environmental permit limits will be delivered within the agreed Asset Management Plan (AMP) and that when implemented the treatment capacity will ensure that additional wastewater generated in consequence of the proposed development will remain within the revised permit limits and
- that the sewer network and associated WwTW has the hydraulic capacity to accommodate additional wastewater without contributing to an increase in frequency or duration of storm overflows.

The scope of a HRA may need to be wider than the scope of the permit review and consider other site characteristics, new information or changes in circumstances

Where appropriate, Planning Authorities are advised to condition timing of development to correspond with delivery of future improvements at wastewater treatment works scheduled under AMP. Grampian conditions may be used but, as development specific mitigation, should be considered on a case-by-case basis at Appropriate Assessment. Where future improvements or enhancements are required to enable a treatment works to meet reviewed permit limits, conclusions of no likely significant effect or no adverse effect on site integrity can only be made if those improvements within the AMP are certain at the time of the HRA.

We can confirm that a revised environmental permit for Five Fords Wastewater Treatment Works was issued by NRW on 28/07/2023.

It is now a matter for your Authority, as Competent Authority under The Conservation of Habitats and Species Regulations 2017, to take the above advice into account in their

assessment of whether the development is likely to have an adverse effect on a Special Area of Conservation (SAC).

Site of Special Scientific Interest

The application site is within 240m of Chirk Castle and Parkland Site of Special Scientific Interest (SSSI). We have considered the information submitted in support of the above application. Based on the information submitted, we consider that the proposed development is not likely to damage the features for which Chirk Castle and Parkland SSSI is of special interest.

Modifications to the scheme as currently proposed may affect our view and may merit a further consultation with us.

The application site is surrounded by restored Ancient Woodland and Plantation on Ancient Woodland Sites.

Please refer to our [Advice to planning authorities considering proposals affecting ancient woodland](#) (published 26 Nov 2021) for further information.

Biosecurity

We note that the Preliminary Ecological Appraisal Addendum (PEA Addendum Revision A, Reference 1992/04, August 2023, CAS Environmental) has confirmed the presence of Himalayan Balsam within the application site. We consider biosecurity to be a material consideration owing to the nature and location of the proposal. We therefore advise that the following condition is attached to any planning permission granted for this proposal:

Condition: No development with the potential to impact on invasive species, shall commence until a Biosecurity Risk Assessment has been submitted to and approved in writing by the Local Planning Authority. The risk assessment shall include measures to control, remove or for the long-term management of invasive species both during construction and operation. The Biosecurity Risk Assessment shall be carried out in accordance with the approved details.

Justification: To ensure that an approved Biosecurity Risk Assessment is implemented to secure measures to control the spread and effective management of any invasive non-native species at the site.

Protected Species

We have reviewed the following submission:

- Thomas, C. and Kibble, K. (2021). Lady Margaret's Park Extension, Chirk, Wrexham Preliminary Ecological Appraisal, CSA Environmental. Unpublished Report No CSA/1992/04b)
- Preliminary Ecological Appraisal Addendum (Revision A), August 2023, Reference 1992/04, CAS Environmental

We consider the survey and assessment to be satisfactory and concur with the conclusions (although there appears to be no consideration of biosecurity).

Bats and Great Crested Newts are protected under the Conservation of Habitats and Species Regulations 2017 (as amended).

We consider that the development is not likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. Furthermore, we advise that the proposed development is not likely to harm or disturb bats or Great Crested Newts, or their breeding sites and resting places at this site, provided the avoidance measures described in the Preliminary Ecological Appraisal (sections 5.11 - 5.12 for Great Crested Newt and Appendix E Bat Survey Report) are implemented.

The Preliminary Ecological Appraisal must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

Please consult us again if the plans are changed in ways that may harm or disturb bats and Great Crested Newts or their breeding sites and resting places at this site.

NRW would refer the Local Authority to the Chief Planning Officer's letter dated 1 March 2018 which advises Local Planning Authorities to attach an informative regarding licence requirements to all consents and notices where European Protected Species are likely to be present on site.

Designated Landscape

The development site lies within 240m of the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB). We note that there is no information regarding landscape assessments with the application and therefore, we are assuming that your Authority has screened the application and concluded that any impacts on landscape are unlikely and the proposal is in line with Planning Policy Wales (PPW 11) [Planning policy Wales GOV.WALES](#). If you require further advice, then please reconsult us.

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.