

Ein cyf/Our ref: CAS-227247-Y2G3
Eich cyf/Your ref: P/2023/0432

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 08 August 2023

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: RESERVED MATTERS PERSUANT TO OUTLINE PLANNING PERMISSION P/2018/0673, APP/H6955/A/19/3238470 (ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE) – ERECTION OF 74 DWELLINGS LAND NORTH OF HOLT ROAD WREXHAM

LLEOLIAD/LOCATION: Land North Of, Holt Road, Wrexham, LL13 9EH

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 18 July 2023.

We 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.

Foul Drainage and Protected Sites

We note the application site is within the catchment of the River Dee & 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](#) (July 2022), 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.

This application for the conversion of a former estate office into a residential dwelling proposes connection of foul water to the mains sewer. However, no information has been provided to confirm whether DCWW can accept the foul flows from the proposed development following the review of permits.

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 your 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 your Authority 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

Your 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, your Authority is 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.

Your Authority will need to take the above into account in your determination of whether the development is likely to have a significant effect on the SAC. Should you determine that an Appropriate Assessment is required, the Applicant will then need to submit whatever evidence they deem appropriate (seeking advice from consultants as may be necessary) to

demonstrate no adverse effect on site integrity. You should then consult us on your Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

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

Biosecurity

We note that Japanese Knotweed was identified in a previous Preliminary Ecological Report (RPS Planning and Development Ltd. July 2017) as confirmed in Section 4.6 of the ecology report submitted for this Reserved Matters application (Leigh. R., April 2022, Phase One Habitat Survey, Leigh Ecology). Section 4.7 of the ecology report confirms that the Japanese Knotweed has been successfully removed from the site.

European Protected Species

We note that the ecological report submitted in support of the above application (Leigh. R., April 2022, Phase One Habitat Survey, Leigh Ecology) has identified that European Protected Species were not using the application site. We therefore have no comments to make on the application as submitted in relation to European Protected Species.

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

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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.