

Sarah Hill

From: North Planning <NorthPlanning@cyfoethnaturiolcymru.gov.uk>
Sent: 04 November 2022 13:20
To: Sarah Hill
Subject: RE: FAO Sion Williams FW: Planning application P/2022/0017 - Land east of Bryn Lane NRW:01114889

Good afternoon Sarah,

Thank you for your email.

The first presumption when drawing up sewerage proposals for any development, must always be to provide a system of foul drainage discharging into a public sewer ([see Planning Policy Wales](#)) and the **Welsh Government Circular 008/2018 Planning requirement in respect of the use of private sewerage in new development, incorporating septic tanks and small sewage treatment plants.**

Sealed cesspits are not a sustainable drainage solution and their use should be regulated in accordance with **Welsh Government Circular 008/2018**. Planning Authorities are advised to carry out an Appropriate Assessment for any proposals involving use of sealed cesspits as a likely significant effect from disposal and treatment of waste from these systems cannot be ruled out due to their retention of all wastewater from a development.

Owing to the above and the first presumption that the development must always provide a system of foul drainage discharging into a public sewer, our previous comments remain valid.

Kind regards,

Kind Regards
Sion Williams

Tîm Cynllunio Datblygu / Development Planning Team
Cyfoeth Naturiol Cymru / Natural Resources Wales

www.cyfoethnaturiolcymru.gov.uk / www.naturalresourceswales.gov.uk

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----- Original Message -----

From: Sarah Hill <sarah.hill@wrexham.gov.uk>;
Received: Wed Oct 19 2022 07:42:28 GMT+0100 (British Summer Time)
To: North planning <northplanning@cyfoethnaturiolcymru.gov.uk>; North Planning Mailbox Queue <northplanning@cyfoethnaturiolcymru.gov.uk>; North Planning <northplanning@cyfoethnaturiolcymru.gov.uk>;
Subject: FAO Sion Williams FW: Planning application P/2022/0017 - Land east of Bryn Lane NRW:01114889

Hi Sion,

Further to your email dated 4th October, the applicant has asked whether 'closed loop storage tanks that could be emptied by specialist contractors who could remove the Phosphate' are something that could be used in order to prevent the development resulting in harm to the SAC. Are these something that you would consider to alleviate the problem? Details have been provided by the applicant below.

Regards

Sarah.

Sarah Hill

Swyddog Cynllunio/Planning Officer
Cynllunio a Rheoleiddio/Planning and Regulatory

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From: Neil Campbell <neil@pace-architecture.co.uk>

Sent: 18 October 2022 17:30

To: Sarah Hill <Sarah.Hill@wrexham.gov.uk>

Subject: RE: Planning application P/2022/0017 - Land east of Bryn Lane

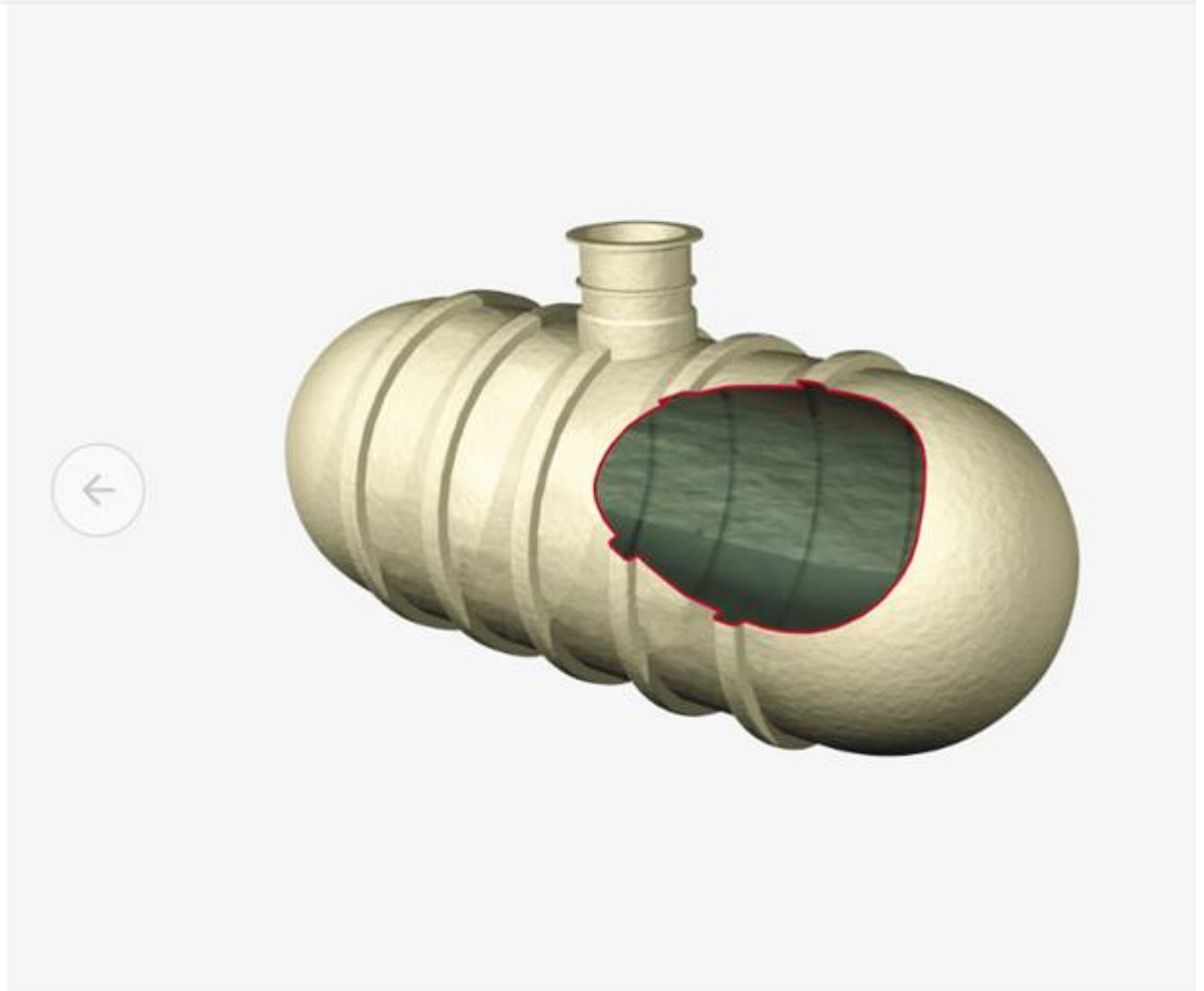
Hi Sarah,

Thanks for the opinion, I was hoping either outline or PIP could offer the Applicant some planning certainty.

One final thought was to implement closed loop storage tanks that could be emptied by specialist contractors who could remove the Phosphate. Is this something that could be considered?.

Thanks again for your help. I appreciate the difficult position Welsh Authorities are in.

Kind Regards
Neil



From: Sarah Hill <Sarah.Hill@wrexham.gov.uk>
Sent: 18 October 2022 11:24
To: Neil Campbell <neil@pace-architecture.co.uk>
Subject: RE: Planning application P/2022/0017 - Land east of Bryn Lane

Hi Neil,

The regulations only allow you to consider appearance, access, landscaping, layout and scale at reserved matters stage so unfortunately the phosphates issue would still be relevant for an outline application.

Regards

Sarah.

Sarah Hill
Swyddog Cynllunio/Planning Officer

Cynllunio a Rheoleiddio/Planning and Regulatory

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From: Neil Campbell <neil@pace-architecture.co.uk>

Sent: 18 October 2022 10:31

To: Sarah Hill <Sarah.Hill@wrexham.gov.uk>

Subject: RE: Planning application P/2022/0017 - Land east of Bryn Lane

Hi Sarah,

Thanks for your e mail. I have forwarded to the Applicants for deliberation.

Out of curiosity, would you be able to determine the application if it was submitted as an Outline Application, obviously with the drainage as a Reserved Matter?

Many thanks

Neil

From: Sarah Hill <Sarah.Hill@wrexham.gov.uk>

Sent: 14 October 2022 08:09

To: Neil Campbell <neil@pace-architecture.co.uk>

Subject: RE: Planning application P/2022/0017 - Land east of Bryn Lane

Hi Neil,

I've spoken to my manager about this application and can comment as follows:

The use of a condition to stipulate where the occupants/employees live or reference to a statement from the applicant stating that employees/occupants are only from within the SAC catchment would be unreasonable, unenforceable and would be restrictive on any future businesses that may wish to occupy the site in the future.

Neither of us is aware of the use of such a condition from experience of working in Wrexham or at other Local Authorities around the country. Should you or your colleagues be aware of any examples of the successful use of such a condition or of any relevant case law we would be happy to look into these.

Taking the above into account, once the ecology issues are resolved the proposal could still not be supported due to it resulting in an increase in phosphorus levels into the SAC and your options would be to allow the application to be refused and then to appeal, or to allow the application to be deferred until such time as the issues around phosphates are resolved.

Regards

Sarah.

Sarah Hill

Swyddog Cynllunio/Planning Officer
Cynllunio a Rheoleiddio/Planning and Regulatory

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From: Neil Campbell <neil@pace-architecture.co.uk>

Sent: 05 October 2022 09:56

To: Sarah Hill <Sarah.Hill@wrexham.gov.uk>

Subject: RE: Planning application P/2022/0017 - Land east of Bryn Lane

Hi Sarah,
Just an afterthought.

Would a statement from the Applicants stating only employees/occupants from within the catchment area would occupy the buildings assist ?

From their perspective it's difficult to demonstrate user origin when they can't secure lease/sale. Perhaps occupant details could be conditioned, perhaps as part of the travel plan?

Kind Regards

Neil

From: Sarah Hill <Sarah.Hill@wrexham.gov.uk>

Sent: 05 October 2022 09:46

To: Neil Campbell <neil@pace-architecture.co.uk>

Subject: RE: Planning application P/2022/0017 - Land east of Bryn Lane

Thanks Neil.

Sarah Hill

Swyddog Cynllunio/Planning Officer

Cynllunio a Rheoleiddio/Planning and Regulatory

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From: Neil Campbell <neil@pace-architecture.co.uk>

Sent: 05 October 2022 09:32

To: Sarah Hill <Sarah.Hill@wrexham.gov.uk>

Subject: RE: Planning application P/2022/0017 - Land east of Bryn Lane

Thanks for the update Sarah,

Our ecologist is currently pulling together statement etc and we'll forward when ready.

Kind Regards

Neil

From: Sarah Hill <Sarah.Hill@wrexham.gov.uk>

Sent: 05 October 2022 08:11

To: Neil Campbell <neil@pace-architecture.co.uk>

Subject: RE: Planning application P/2022/0017 - Land east of Bryn Lane

Hi Neil,

I have received correspondence from NRW – their response remains unchanged, therefore the view remains that the proposal has the potential to increase the amount of phosphorus being discharged from the site.

The employees at the site should be from within the local population which is served by residential foul water connections to existing public or private sewers discharging into the SAC river catchment. I do not see that we can reasonably impose such a condition. Any evidence submitted would need to prove that the employees would be from the local area that feeds into the SAC river catchment. The evidence submitted to date demonstrates the percentage of employees currently on the industrial estate that are from the local area.

Notwithstanding the above, I would be grateful for the opportunity to discuss this matter with my manager while the outstanding ecology matters are being dealt with. He is currently on leave, so I would be looking to discuss this with him towards the end of next week. I will then contact you again with the outcome of our discussions.

Regards

Sarah.

Sarah Hill

Swyddog Cynllunio/Planning Officer

Cynllunio a Rheoleiddio/Planning and Regulatory

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From: Neil Campbell <neil@pace-architecture.co.uk>

Sent: 26 September 2022 11:20

To: Sarah Hill <Sarah.Hill@wrexham.gov.uk>

Subject: Planning application P/2022/0017 - Land east of Bryn Lane

Importance: High

Hi Sarah,

Thanks for the update and I look forward to updated comments from NRW.

We appreciate the phosphate issue is placing you, and local authorities in a very difficult position, hence why we are attempting to provide as much supporting information as possible, but I suppose we're all finding our way on this issue.

That said, I am discussing options with the Applicant and should say that deferment is not an option and a refusal would likely result in an immediate appeal, so it's really in all our interests to work together towards an acceptable solution.

A few follow-up comments on your last e-mail:

The **Census data** was provided was to demonstrate that existing employees are predominantly from within the catchment area and to predict a trend which would very likely continue on this site.

Specialist occupiers – The census data includes all use classes and businesses within the industrial estate so specialist occupiers would also be included. The data shows the majority of all occupiers/employees are within the catchment area, regardless of specialty, use class, size of business etc.

As any commercial agent would testify, the size and use class of these units would lend itself to non-specialist employment and most likely general industrial or warehouse distribution, which in itself requires less employee density numbers than other use classes. Based on all available data it is highly likely employees would be from within the catchment area.

Currently interested prospective occupiers – Any interested parties have now secured alternative premises in Cheshire East/West as a direct result of delays in determination.

The applicant has not marketed the units as this is a speculative development. Any enquiries have been on an informal basis instigated by the advertisement of this application.

I should also say that in addition to the Applicants, I'm instructed by a number of other developer clients who now won't consider Wrexham as a viable area to develop. Partly because of the current delays but also the astronomical planning fee disparity. I.e. this application fee is £55,660 Wales, where in England it would be £32,657.

It would seem the Applicants are being asked to predict and prejudice where future occupier employees reside when they are in no position to market the units or have any planning certainty.

Given the difficulties presented, one solution would be to condition the development to restrict/favour employees to within the catchment area, with perhaps the support of sustainable travel & local employment policies. In this case we could reduce parking numbers which in turn would also increase GCN Mitigation area ratios favourably.

With the above in mind:

1. What evidence, that we can realistically provide, would you require to demonstrate future employees would be from within the catchment area? Or,
2. What conditions could you impose that could satisfy the need for occupier/employees to be from within the catchment area?

Ecology – Many of the points were addressed in an e mail to your predecessor some time ago, but we will endeavour to forward a comprehensive document for your consideration.

The Applicants remain willing to engage and explore options for progressing this application towards a favourable outcome for all.

Perhaps a Teams call with you and your team leader could be arranged with the Applicants to discuss options further?

Thank you for your diligence in this matter and I look forward to hearing from you re: the NRW updated comments.

Kind Regards
Neil

Neil Campbell RIBA AaPS
architect

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From: Sarah Hill <Sarah.Hill@wrexham.gov.uk>
Sent: 21 September 2022 16:56
To: Neil Campbell <neil@pace-architecture.co.uk>
Subject: RE: Planning application P/2022/0017 - Land east of Bryn Lane

Hi Neil,

I have now had the opportunity to assess the information submitted with regards to Census data and to discuss this application with both my manager and our Ecologist.

Phosphates

Whilst the data submitted does show an existing local workforce at the industrial estate, this relates to existing businesses and does not provide evidence that the workforce at the proposed buildings which are the subject of this application would be from the SAC catchment/local area.

In your previous email you states that 'currently interested occupiers are already located within Wrexham Ind Est. wishing to relocate to larger premises.' However this does not guarantee that these business will occupy the units.

The most recent advice from NRW relates more to smaller businesses where the customers and workforce are likely to be mostly from the local area. If a specialist business were to move into the proposed units this may result in workforce having to be brought in from further afield, therefore creating an additional foul water discharge from the site. It would not be reasonable to impose a condition on any permission requiring the workforce to be from within the SAC catchment.

I will send the Census data to NRW to ensure we have the most up to date response from them. However, if their current comments are reiterated I would be unable to support the application in its present form. The options to either defer the application until the phosphates issue is resolved, or progress the application to determination would still be available to you. However, any formal decision made would be unlikely to be favourable.

I will let you know once NRW have come back to me with a full response.

Ecology

NRW have stated that the issues raised with regards to ecology can be overcome with a supporting statement addressing their concerns and the imposition of the conditions suggested. The information requested would need to be submitted before any concerns over ecological matters can be overcome.

Trees

The Council's Tree Officer has confirmed that subject to the use of conditions relating to an arboricultural method statement, arboricultural supervision of tree protection measures and the submission of a post-commencement landscape scheme/maintenance plan he has no objections to the proposal.

I would be grateful if you would discuss the above matters with your client, and in the meantime I will forward the most recent supporting information from you to NRW and let you know once comments are received.

Regards

Sarah.

Sarah Hill

Swyddog Cynllunio/Planning Officer
Cynllunio a Rheoleiddio/Planning and Regulatory

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From: Neil Campbell <neil@pace-architecture.co.uk>

Sent: 15 September 2022 13:43

To: Sarah Hill <Sarah.Hill@wrexham.gov.uk>

Subject: RE: Planning application P/2022/0017 - Land east of Bryn Lane

Hi Sarah,

Thanks for the update and do please let me know if we can assist, either with phosphates or other issues e.g. ecology.

Kind Regards

Neil

From: Sarah Hill <Sarah.Hill@wrexham.gov.uk>

Sent: 15 September 2022 13:41

To: Neil Campbell <neil@pace-architecture.co.uk>

Subject: RE: Planning application P/2022/0017 - Land east of Bryn Lane

Hi Neil,

Thank you for your email.

I would like the opportunity to discuss this matter with my manager in a meeting next Wednesday, so will reply to you in full after that date.

Regards

Sarah.

Sarah Hill

Swyddog Cynllunio/Planning Officer

Cynllunio a Rheoleiddio/Planning and Regulatory

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From: Neil Campbell <neil@pace-architecture.co.uk>

Sent: 15 September 2022 12:52

To: Sarah Hill <Sarah.Hill@wrexham.gov.uk>

Subject: Planning application P/2022/0017 - Land east of Bryn Lane

Importance: High

Good morning Sarah,

Please see attached Census data showing commuter trips to the Wrexham Industrial Estate from our Transport Consultant, with his explanatory e mail at the bottom of this page.

The Excel sheet attached is the raw census data and the PDF is my mark-up indicating areas within, or partly within the SAC Catchment Area (taken from the 'NRW Dee Management Catchment Summary', also attached). This data is public information and can be independently verified.

The yellow highlighted locations are areas entirely within the catchment area and the orange highlighted locations are partially within the catchment area.

This data suggests that up to 97% of employees working within the Wrexham Industrial Estate reside within the River Dee and Bala SAC Catchment Area.

In light of this compelling empirical data, can we agree that there will be no significant increase in phosphates as a result of this development?

I look forward to your feedback.

Kind Regards

Neil

Neil Campbell RIBA AaPS
architect

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From: Mike Peet <mikepeet@amnitransportation.com>

Sent: 14 September 2022 21:08

To: Neil Campbell <neil@pace-architecture.co.uk>

Subject: Re: Quick Question - Bryn Lane

Hi Neil

I have had a look at Census 2011 data, specifically on place of work and where people are travelling from to that place of work.

The attached sheet shows the area that the development is located in and considers travel within Wrexham and from other authorities in Wales and North West England. The analysis shows 74% travel to the area from within Wrexham so this should provide some evidence that travel to the Industrial Park is fairly localised.

I have done some further analysis to show which parts of Wrexham people travel from to the site.

I hope this analysis is helpful for you.

Regards

Mike

Mike Peet

B.Eng (Hons), C.Eng, MICE, FCIHT
Director,

AMNI Transportation Ltd

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