



Supporting information

Section 73 planning application for variation of condition 36 of planning permission P/2021/0560 for the '*Redevelopment of canal basin for use as boat hire business including erection of 2 buildings and storage enclosure*' at Trevor Basin, New Road, Trevor, Wrexham LL20 7TP

Planning Statement

Contents

- 1.0 Introduction
- 2.0 Site Description
- 3.0 The Proposed Variation of Condition
- 4.0 Planning Policy Context
- 5.0 Planning Analysis
- 6.0 Conclusions

Planning Statement

1.0 Introduction

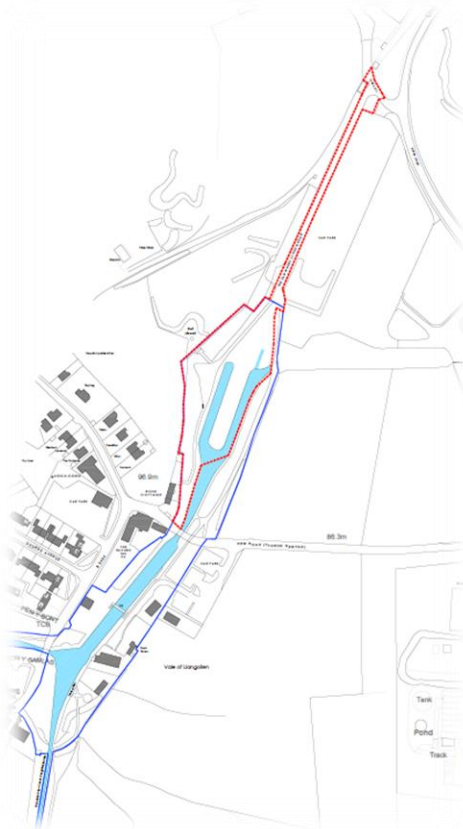
- 1.1 This supporting information has been prepared to accompany a Section 73 planning application by the Canal & River Trust ('the Trust') to seek approval for the variation of condition 36 of planning permission P/2021/0560 for the '*Redevelopment of canal basin for use as boat hire business including erection of 2 buildings and storage enclosure*' at Trevor Basin, New Road, Trevor, Wrexham LL20 7TP.
- 1.2 In condition 36 it is stated that:

'There shall be no more than a maximum of 17 no. boats operating from the boat hire business.'
- 1.3 The reason provided by Wrexham Country Borough Council (WCBC) for including condition 36 as part of the planning permission is:

'To prevent the hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.'
- 1.4 Planning permission was granted by WCBC on the 6th of July 2022. Since planning permission has been granted, it is considered that the restriction imposed by condition 36 should be varied to align with a more realistic approach of how the business is operated. It is essential for the hire base operator to provide a mixture of hire boat sizes for customers, which would broadly include small, medium, and large size boats. However, the currently approved planning permission is limited by condition 36 to a maximum of 17 boats.
- 1.5 The length of mooring space available, as approved by planning permission P/2021/0560, is 405 metres as shown on the approved plans, which allows 17 of the largest size boat available. Including smaller boat sizes would inevitably result in an increase in boat numbers from 17 due to the shorter length of mooring space taken up by the smaller vessels. However, smaller boats accommodate less people (reduced sleeping quarters) therefore the overall number of customers on site at any one time would not increase.
- 1.6 Therefore, taking into account the reason for including condition 36, this supporting information is provided to demonstrate that a variation of the condition wording will continue to limit customer activity at the site (potential impact on the public sewage system) but also provide reasonable future flexibility for the business to operate.

2.0 Site Description

- 2.1 The application site is located at Trevor Basin near Wrexham and consists of a site, which has recently been granted planning permission for its redevelopment to be used as a boat hire business. Planning permission P/2021/0560 was granted by WCBC on the 6th of July 2022.
- 2.2 The images below illustrate the extent of the site edged in red.



- 2.3 In a wider context the site is located within the Pontcysyllte Aqueduct World Heritage Site and the designated Conservation Area.
- 2.4 In 2009 the Pontcysyllte Aqueduct, Trevor Basin and eleven miles of the Llangollen Canal between Chirk and Horseshoe Falls were inscribed as a World Heritage Site (WHS). The WHS recognises the worldwide importance of the landscape character and heritage value of the canal, basin, and aqueduct.
- 2.5 Trevor Basin and the Pontcysyllte Aqueduct are a popular tourist destination. There are high visitor numbers to this location for tourism, leisure, and recreational purposes. Water based activities and use of the adjacent towpath and surrounding land are very popular.

3.0 The Proposed Variation of Condition

- 3.1 In condition 36 of planning permission P/2021/0560 it is stated that.
- 'There shall be no more than a maximum of 17 no. boats operating from the boat hire business.'*
- 3.2 It is proposed that the condition is re-worded so that it can still provide a limit on how the site is operated but that instead that the limit reflects the more realistic scope of different boat sizes that will be offered for hire by the business.
- 3.3 To achieve this, it suggested that the restriction is placed on the mooring pontoon infrastructure rather than the number of boats. Therefore, it is proposed that the condition is re-worded as follows.
- 'There shall be no more boats operating from the hire boat business than can be accommodated on the approved mooring infrastructure.'*
- 3.4 WCBC imposed this condition on planning permission P/2021/0560 for the following reason.
- 'To prevent the hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.'*
- 3.5 It is considered that the above reason can be upheld by the proposed re-wording of condition 36, which is set out in full detail in section 6 below.

4.0 Relevant Planning Policy

- 4.1 WCBC imposed condition 36 on planning permission P/2021/0560 for the following reason.

'To prevent the hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.'

- 4.2 In relation to the above reason for condition 36, the WCBC Officer Report for planning permission P/2021/0560 states the following.

'Phosphorus levels within the SAC

There is a risk of pollution to the River Dee arising from the proposed operation and so development should first be screened, to determine whether they are likely to have a significant effect. As per NRW's standing advice, any development that does not increase the volume of foul / wastewater, can be screened out from further consideration, as not likely to have a significant effect, as there is unlikely to be a source of additional phosphorus or pathway for impacts.

A drainage report has been submitted that shows that the replacements buildings, which are of similar floor area, will not increase waste water discharge rates. Further, the ability to limit the number of boats (17) to be operated from the development will ensure that there should be no increase on the previous use. NRW has also confirmed its view that there is unlikely to be an increased in wastewater discharge from the site. On this basis, the development can be screened out and requires no further HRA assessment. The Council's ecologist concurs with these conclusions.'

- 4.3 Although no specific planning policies have been referenced in the reason for including condition 36, it is considered that the following planning policies are relevant in context of the above.

- WCBC Unitary Development Plan, Policy GDP1: Development Principles.
- WCBC Unitary Development Plan, Policy EC6: Biodiversity Conservation.

5.0 Planning Analysis

5.1 Having regard to the proposal and the reason for including condition 36 with planning permission P/2021/0560, it is considered that the following key matters to address in this application are:

- No scope for greater impact on the public sewage system.
- Approved arrangements for the disposal of foul waste from boats.

No scope for greater impact on public sewage system

Approved planning permission

5.2 Planning permission P/2021/0560 was granted to include a total of 405 metres of mooring space, which is shown on the approved plans. Condition 36 restricts the number of boats being operated by the hire boat business to be no more than 17 boats at any one time.

5.3 Taking into consideration the amount of mooring space available, the business could operate 17 boats that are 21.7 metres in length, which is the largest of the boat sizes available, sleeping up to 12 people each.

5.4 However, it is not viable to operate the business with a fleet consisting of only large 12 berth boats as it does not provide any variety to attract smaller customer groups. The business currently operates a varying fleet of different boats sizes. Boats and boat sizes within the fleet change over time therefore it is unrealistic to confirm exact boat numbers and sizes across any reasonable amount of time.

5.5 An indicative range of current boat sizes is set out below for information. However, this is not an exhaustive list, which has scope for a wide range of possible variations over time.

Boat sizes	Sleeping capacity 'berths'
17 metres	2- 4 berths
18.8 metres	5 berths
20 metres	6 berths
20.3 metres	10 berths
21.7 metres	12 berths

5.6 A more realistic and viable situation is that the business would operate a slightly higher number of boats but with varied sizes, which includes boats smaller than 21.7 metres and with less sleeping capacity.

5.7 The resulting impact is such that, whilst boat numbers could increase from 17, the number of hire boat customers on site at any one time could not exceed the current maximum capacity of 17 boats that can accommodate up to 12 people each.

Planning Statement

- 5.8 The realistic situation is that the number of hire boat customers on site at any one time would reduce on the basis that the smaller boat sizes are only 0.5 – 4 metres (approx.) shorter than the largest 21.7 boats. This means that several 21.7 metre boats would have to be removed to accommodate more smaller boats, but the sleeping capacity decreases at a more rapid ratio from between 12 – 4 people per boat.
- 5.9 Therefore, whilst there would only be a marginal increase from 17 boats being operated by the business, the variety of boat types within the fleet at any one time is the primary gain.

Existing hire boat business

- 5.10 Once operational, it is proposed that the newly relocated hire boat business will operate the same boat fleet as is already offered to the market by the operator in its current location.
- 5.11 The principle of which is reflected in the text above, which explains why the precise number and sizes of the current fleet cannot not be fixed because it is changeable over time.
- 5.12 Therefore, referencing the physical mooring infrastructure space available is an effective way of limiting customer activity from the site (potential impact on the public sewage system) but also providing reasonable future flexibility for the business to operate.

Approved arrangements for the disposal of foul waste from boats

- 5.11 Planning permission P/2021/0560 was approved by WCBC with an accompanying 'Phosphate Output Assessment Report', which sets out the proposed and agreed approach to foul waste disposal in context of both foul waste from the toilets in the main building on site and the separate arrangements for the foul waste disposal from the hire boats.
- 5.12 In paragraph 1.3.12 it is stated that:
- 'Waste water from the main building will be disposed to foul sewer. All waste water from the boats, due to its chemical content, will be pumped to a septic tank and tankered off site for disposal. This is in line with correspondence from Welsh Water in August 2021 requesting that all chemical toilet waste be removed from foul sewer circulation (Appendix B). This waste will be tankered off site for specialist treatment at Davyhulme Sewage Works, Manchester which is outside the catchment of the River Dee SAC. Whilst an accurate assessment of the quantity of waste water managed in this way cannot be made at this stage it is expected that this will be a significant proportion of waste water generated from site.'*
- 5.13 On the basis of the currently approved details, foul waste water from the hire boats will initially be stored on-site in a septic tank and subsequently taken off-site for specialist treatment in Manchester. Taking into consideration the reason for including condition 36, there is no impact at all on the public sewage system as a result of the disposal of foul waste water from the hire boats at this site.

6.0 Conclusion

- 6.1 It is considered that by limiting the business operation to the amount of mooring space available, could not result in any increase in the number of hire boat customers on site at any one time. Therefore, the proposal could not have any greater resulting impact on the public sewer than the current maximum capacity of 17 boats, which would therefore not harmfully impact the hydraulic overloading of the public sewerage system and would continue to protect the health and safety of the existing residents and ensure no pollution of or detriment to the environment.
- 6.2 Existing arrangements for the disposal of foul waste water from the hire boats have been approved with planning permission P/2021/0560. Therefore, foul waste water from the hire boats will not be disposed of in the public sewer. On that basis, notwithstanding the above position in paragraph 6.1, under the currently approved arrangements there is no scope to harmfully impact upon the hydraulic overloading of the public sewerage system and the business operation will continue to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
- 6.3 It is considered that in either of above circumstances there is no scope for the proposal to have a detrimental impact in context with the reason for including condition 36. It is therefore respectfully requested that consent is granted under section 73 for the variation of condition.