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17/10/2022

Annwyl Syr/Madam / Dear Sir/Madam,

**BWRIAD / PROPOSAL: ANNEDD SY'N GYSYLLTIEDIG A BUSNES GRE MARCHOGOL
/ DWELLING CONNECTED WITH EQUESTRIAN STUD BUSINESS**

**LLEOLIAD / LOCATION: RIVERSIDE STUD, RIVERSIDE LANE, NEWBRIDGE ROAD,
NEWBRIDGE**

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 30/09/2022.

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 land contamination and foul drainage. If this information is not provided, we would object to this planning application. Further details are provided below.

Land Contamination

We note that the site overlies a historic landfill site (Pen-Y-Bont), is within 74m of the Dee and Bala Lake Special Area of Conservation (SAC), and within 50m of a well. The intention is to dispose of foul drainage via a Package Treatment Plant (PTP). However, no details have been submitted about the treated discharge proposals, i.e., if it would discharge to surface water or ground. Discharging to ground could present a risk to controlled waters given the presence of an historic landfill that is not characterised. We therefore advise that further information is submitted by the applicant to demonstrate that the foul discharge would not intercept the historic landfill and present a risk to controlled waters.

No information has been submitted about surface water drainage proposals. Introducing inappropriate surface water drainage in such close proximity to a landfill could result in migration of pollutants or interfere with the integrity of landfill infrastructure. We therefore

advise that further information is submitted to demonstrate that the proposals will not present a risk to controlled waters with respect to the adjacent landfill.

The Local Authority should be consulted with regards to the risks associated with landfill gas.

Natural Resources Wales recommends that developers should:

1. Follow the risk management framework provided in [Land contamination risk management \(LCRM\)](#)
2. Refer to '[Land Contamination: a guide for developers](#)' (WLGA, 2017) for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
3. Refer to the [Environment Agency's \(2017\) 'Approach to Groundwater Protection'](#)

Protected Sites - Foul Drainage

Special Area of Conservation (SAC)

We note the application site is within the catchment of the River Dee and Bala Lake 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.

We note from the information submitted that a new PTP is to be installed to provide foul drainage for the new dwelling. As such, we refer you to our Planning Advice and advise you to seek further information from the applicant as identified in the section titled 'What does this mean for development proposals involving private sewage treatment systems' of that advice. Please also see our advice above relating to Land Contamination and potential risks to the SAC.

Provided this advice is followed and you are able to conclude that the development is not likely to have a significant effect on the SAC, we would have no objection to the proposal. However, should you conclude that the proposed development is likely to have a significant effect on the SAC, please consult us on your Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Sites of Special Scientific Interest (SSSI)

NRW consider the proposals have the potential to impact upon the River Dee SSSI and its features. Providing the impact pathways referenced above for the SAC are adequately addressed, NRW consider the features of the SSSI will also be adequately safeguarded.

Protected Species

We note that the ecological report submitted in support of the above application (Land at Riverside Stud Newbridge, Wrexham Proposed Development Initial Habitat and Species assessment. Camlad Ecology Ltd. February 2021) found that protected species were not using the site. However, the report does not relate to the exact application site, but to a nearby plot of land that was the subject of a previous planning application. We therefore advise that you liaise with your own Authority's ecologist regarding this.

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,

Rhys Jones

Cynghorydd - Cynllunio Datblygu / Advisor - Development Planning
Cyfoeth Naturiol Cymru / Natural Resources Wales