

P/2021/0279

Simon Greenland

CONSULTATION RESPONSES	Details acceptable	Details not acceptable	Comments
NRW			✓4
Welsh water	✓4		
Contaminated land	✓5		
Ecology Officer		✓4	✓4
Tree officer	✓7		

KEY ISSUES	Acceptable	Not Acceptable	Observations below
Details submitted in respect of condition 4 Drainage 5972/11C SABS layout 5972-01D Foul drainage layout 5972 SK07F Engineering layout DCWW Type 3 pump station		✓	✓
Details submitted in respect of condition 5 Contamination Ground Assessments at 'Lagoon Site', Parc Brymbo, Wrexham" prepared by Coopers dated 21 January 2021 for Taylor Wimpey North West Build Phase Remediation and Validation Strategy for 'Lagoon Site', Parc Brymbo, prepared by Coopers dated 21 January 2021 (ref:7565bprs)	✓		✓
Details submitted in respect of condition 7 trees 8576.001 AMS submitted by TEP	✓		✓

OBSERVATIONS:

Drainage

There are no objections to the drainage scheme itself. However NRW provide the following advice:

We note the application site is within the catchment of the River Dee and Bala Lake Special Area of Conservation (SAC). As you are aware, on the 21st January 2021, we published an evidence package outlining phosphate levels for all river SACs across Wales. As part of this package, we issued a Planning Position Statement, in which we

advised that any proposed development that might increase the amount of phosphate within a river SAC catchment could lead to damaging effects to the SAC. Therefore, such proposals should be screened through a Habitats Regulations Assessment (HRA), to determine whether they are likely to have a significant effect on the SAC. We also issued Interim Planning Advice, which gives specific advice in respect of foul drainage arrangements for new developments.

As such, we refer you to our Interim Planning Advice and confirm that provided this guidance is followed and you are able to conclude that the development is not likely to have a significant effect on the SAC, we 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).

The Development already has full planning permission P/2020/0059. However this application for discharge of condition confirms that the development will dispose of foul water via the mains sewerage system which connects to the Five Fords wastewater treatment works (WWTW). This has provision to remove a percentage of phosphates from wastewater and consents to discharge treated water into adjacent watercourses (and therefore indirectly into the River Dee), subject to specific limits on the amount of phosphate within the treated water.

Whilst the WWTW is currently operating within its consented limits, the existing discharge consent is around 10 years old and pre-date recent case law, and as such need to be reviewed using new data and specially developed models. This work is being undertaken NRW and Welsh Water but is unlikely to be completed until later in 2022. Furthermore whilst the existing provisions in place at the WWTW removes a proportion of phosphate from waste water, a residual amount remains. Development which increases foul water flows to the WWTW will therefore also result in an increase in phosphate discharges into the SAC.

The proposals subject to the application will result in an increase foul water flows to the WWTW. In the absence of details that mitigate for the Accordingly it is not possible to conclude that the development is unlikely to adversely impact upon the SAC. The details as submitted therefore cannot be approved.

Trees

The details are agreed

Contamination

The details are agreed.

RECOMMENDATION SPLIT	
APPROVE	5 AND 7
REFUSE	4

