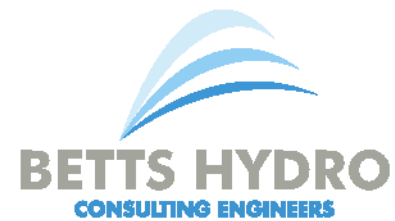


19th January 2022

Ms. S. McLoughlin
(Email: suzannemcloughlin17@yahoo.com)



LAND REAR OF CHURCH ROAD, WORTHENBURY PLANNING APPLICATION – P/2021/0032 CONSULTATION RESPONSE

As instructed by the client, we have undertaken a short exercise to determine a suitable location for an improved private sewage treatment system which will discharge domestic wastewater to ground in accordance with current policy. This letter provides justification for the new wastewater outflow location, which will avoid increasing phosphorous levels within the Special Area of Conservation as a result of the proposed development.

CURRENT NRW POLICY & GUIDELINES

On the 21st January 2021, NRW published information that outlines the level of phosphorus for all river Special Areas of Conservation (SACs) throughout Wales. Alongside this, a Planning Position Statement was released, which advises that proposed development has the potential to increase phosphate levels within these river SAC catchments that may cause damage to these areas. In review of the mapping data the proposed development is shown to be located within the River Dee and Bala Lake Special Area of Conservation (SAC).

A development can be screened out as not likely to have a significant effect on a river SAC in relation to phosphorous inputs as there is unlikely to be a source of additional phosphorous or pathway for impacts:

- any development that does not increase the volume of foul wastewater.
- any development that improves existing water quality discharges by reducing the phosphorus load of wastewater, or by decreasing the volume of wastewater produced (e.g., by improvements to existing wastewater treatment infrastructure).
- private sewage treatment systems discharging domestic wastewater to ground, built to the relevant British Standard (BS 6297:2007+A1:2008) as long as the maximum daily discharge rate is less than 2 cubic metres (m³), the drainage field is located more than 40m from any surface water feature such as a river, stream, ditch or drain and is located more than 50m from a SAC boundary.

PROPOSED OUTFALL LOCATION

It is understood that based on these criteria, the development proposals are unlikely to increase phosphate inputs to the surrounding area, as the proposals are for a private sewage treatment, which will discharge to ground which is located more than 50m from the Special Area of Conservation and has a daily discharge rate of less than 2m³. This has been evidenced by the client who has instructed Kingspan Environmental Ltd. to test the proposed wastewater treatment system for the systems efficiency (results included in **Appendix A**). This proposed system provides significant betterment to the existing situation where the existing wastewater treatment is outdated and needs replacing.

Current policy also states that "to ensure that there is no significant in combination effect, the discharge to ground should be at least 200m from any other discharge to ground. The density of discharges to ground should also not be greater than 1 for every 4ha (or 25 per km²)".

To conform to the above policy, the location of the proposed wastewater outfall has been reviewed in relation to existing points of discharge to ground, identified by NRW's free datasets

Page 1 of 3



Old Marsh Farm Barns
Welsh Road, Sealand
Flintshire CH5 2LY
Telephone: 01244 289 041

(see plan in **Appendix B**). A new location has therefore been proposed for the wastewater outfall, as shown in **Figure 1**. To identify the proposed location for a suitable outfall, the "NRW_DS123318_WQ_Exemptions" dataset provided by NRW was reviewed. Initially, an outfall into the field adjacent to the northern boundary of the site was not possible due to the presence of three existing points of discharge to ground.

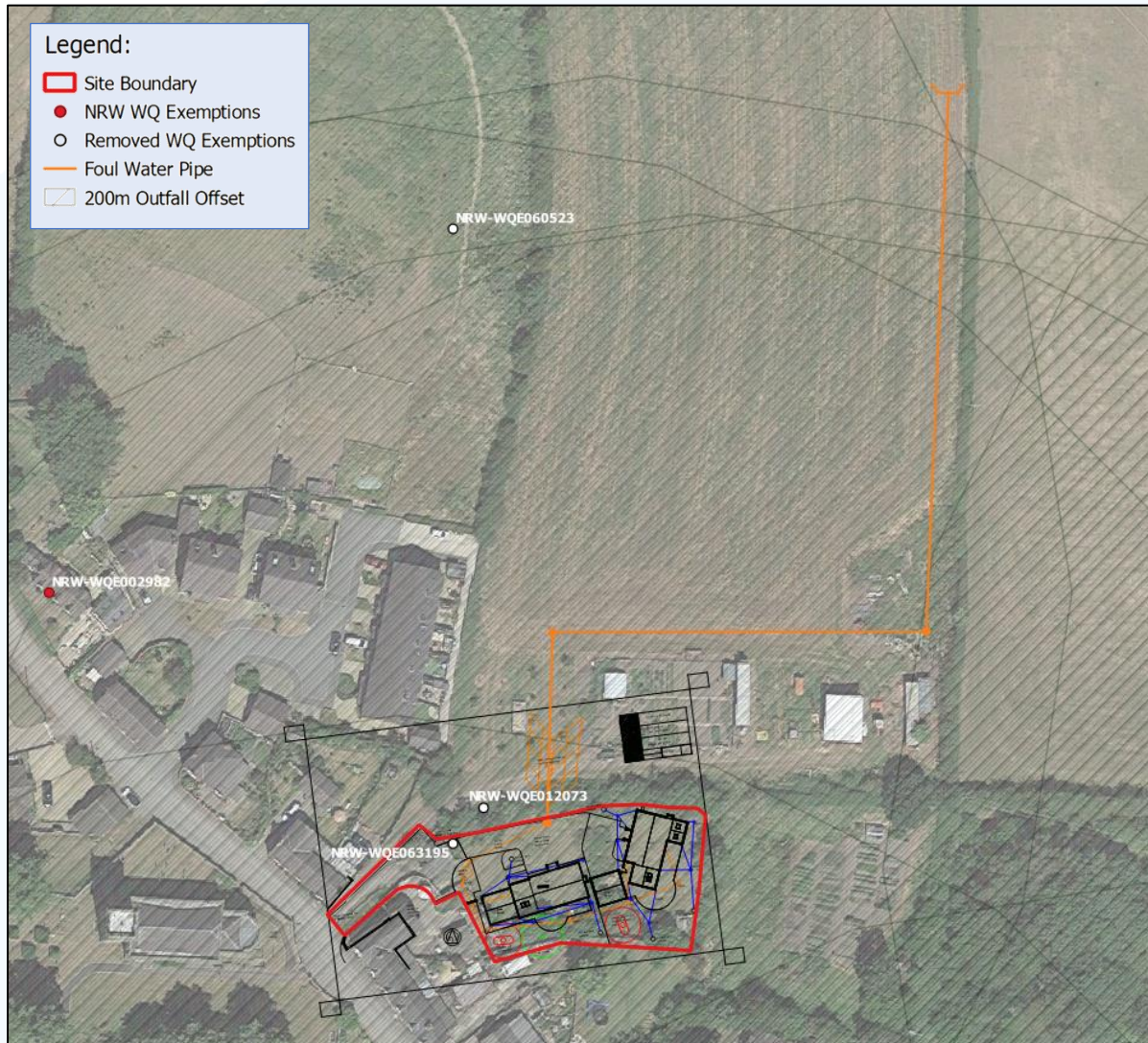


Figure 1: Proposed Wastewater Outfall Location (Betts Hydro, 2022)

The following points were however removed before calculating the 200m outfall offset in relation to the development proposals:

- NRW-WQE063195
- NRW-WQE012073
- NRW-WQE060523

Points NRW-WQE063195 and NRW-WQE012073 were removed as discussion with the client have identified that these points are to be replaced by the new wastewater treatment system as part of the development proposals. The third point of outfall (NRW-WQE060523) identified north-west of the development proposals has also been removed as further discussion with Matthew Phillips and Emma Broad at Wrexham County Borough Council, and John Done who owns the four-acre field gave NRW permission to move the outflow so it was not located within proximity to any other discharges to ground.

With the removal of the three points of outfall, a suitable location was identified within the north-eastern corner of the field located adjacent to the northern boundary of the site. It is understood that this location is policy compliant as it is not located within 200m of another point of outfall.

SUMMARY

I trust that this letter provides justification for the proposed location and is sufficient for the application to be approved in accordance with NRW's advice regarding phosphorous levels within Special Areas of Conservation. I hope the above is acceptable, however if you have any further queries, please do not hesitate to contact us.

Yours sincerely,



Hannah Buchanan BSc(Hons) MSc GradCIWEM
Graduate Flood Risk Analyst

Appendices

- Appendix A – Kingspan Environmental Ltd. Performance Results
- Appendix B – Proposed Wastewater Outflow Location Plan
- Appendix C – NRW Correspondence

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Appendix A – Kingspan Environmental Ltd. Performance Results

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PERFORMANCE RESULTS

Kingspan Environmental Ltd.
College Road North, HP22 5EW, Aylesbury
United Kingdom

EN 12566-3

"Small wastewater treatment system for up to 50 PT"

Small wastewater treatment system BioDisc®
Rotating biological contractor

Nominal organic daily load	0.29	kg BOD ₅ /d	
Nominal hydraulic daily load	1.2	m ³ /d	
Material	glass reinforced plastic (GRP)		
Watertightness (water test)	pass		
Crushing resistance (vertical load test)	pass (also wet conditions)		
Treatment efficiency (nominal sequences)		Efficiency	Effluent
	COD	89.4 %	59 mg/l
	BOD ₅	95.7 %	10 mg/l
	NH ₄ -N	88.6 %	3.8 mg/l
	SS	94.8 %	15 mg/l
Electrical consumption	1.3	kWh/d	

Performance tested by:

PIA – Prüfinstitut für Abwassertechnik GmbH
(PIA GmbH)
Hergenrather Weg 30
D-52074 Aachen

Certified according to
ISO 9001:2008
Notified Body number: 1739



This document replaces neither the declaration
of conformity nor the CE marking.

Prüfinstitut für Abwassertechnik GmbH
[Signature]
geprüft - tested - teste

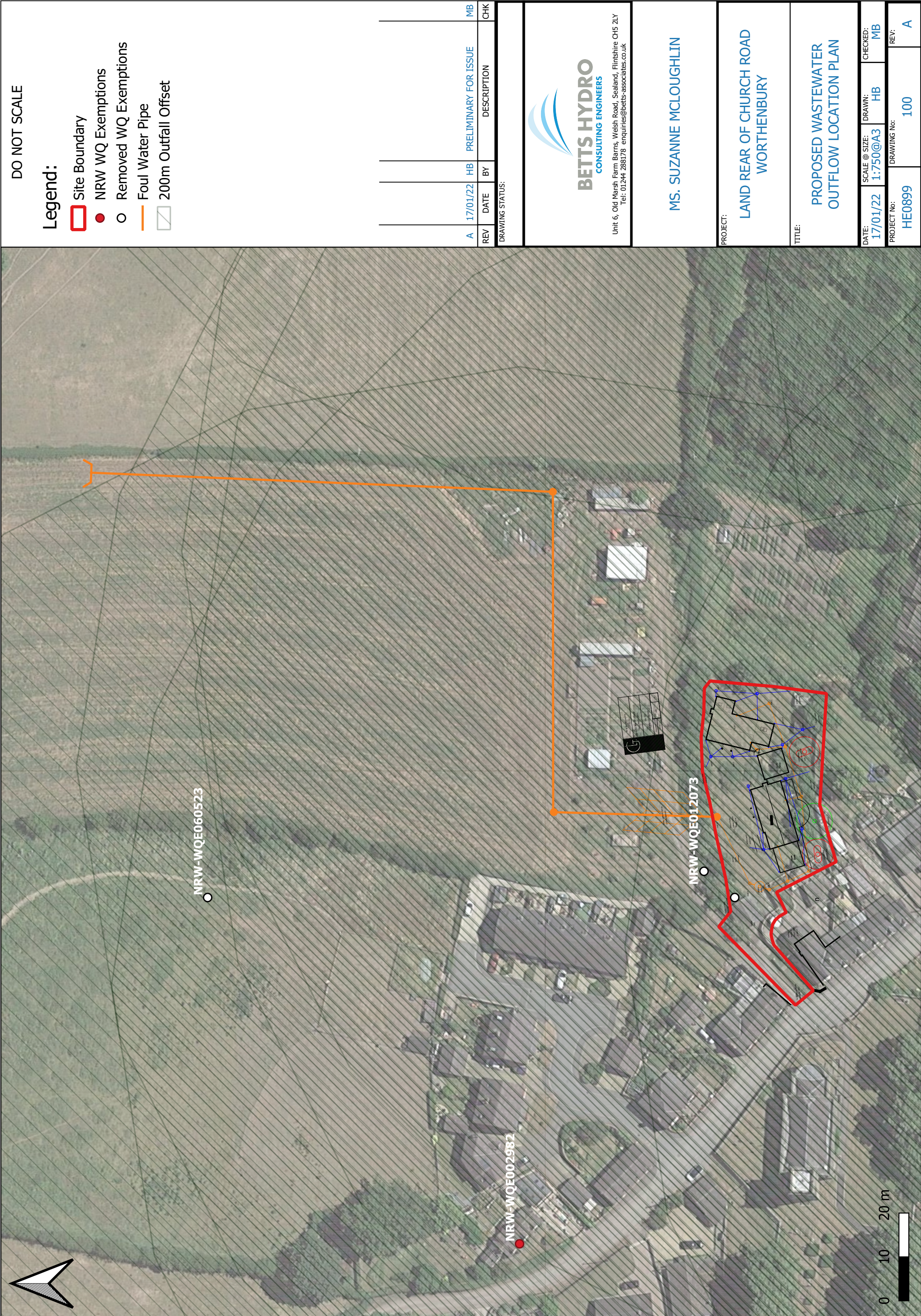
Elmar Lancé

May 2013

Appendix B – Proposed Wastewater Outflow Location Plan

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DO NOT SCALE

Legend:

- Site Boundary
- NRW WQ Exemptions
- Removed WQ Exemptions
- Foul Water Pipe
- 200m Outfall Offset

REV	DATE	BY	DESCRIPTION	CHK
A	17/01/22	HB	PRELIMINARY FOR ISSUE	MB
DRAWING STATUS:				



BETTS HYDRO
CONSULTING ENGINEERS

Unit 6, Old Marsh Farm Barns, Welsh Road, Sealand, Flintshire CH5 2LY
Tel: 01244 288178 enquiries@betts-associates.co.uk

MS. SUZANNE MCLOUGHLIN

PROJECT:
LAND REAR OF CHURCH ROAD
WORTHENBURY

TITLE:
PROPOSED WASTEWATER
OUTFLOW LOCATION PLAN

DATE: 17/01/22	SCALE @ SIZE: 1:750@A3	DRAWN: HB	CHECKED: MB
PROJECT No: HE0899		DRAWING No: 100	
		REV: A	

Appendix C – NRW Correspondence

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Old Marsh Farm Barns
Welsh Road, Sealand
Flintshire CH5 2LY
Telephone: 01244 289 041

Hannah Buchanan

From: Megan Berry
Sent: 19 January 2022 13:40
To: Hannah Buchanan
Subject: FW: P/2021/0032 - Church View, Church Road, Worthenbury, Wrexham (Minor) V10
- NRW Response NRW:07142025

On Friday, January 14, 2022, 3:04 pm, Suzanne Mcloughlin
<suzannemcloughlin17@yahoo.com> wrote:

Hi Tristan,

Many thanks for this and we are working with an ecologist at present to provide further mapping and just as soon as we have this information we will be back in touch.

I appreciate this is a difficult situation and I am trying my very best to reach a solution that gives us compliance.

With kind regards,

Suzanne

[Sent from Yahoo Mail for iPhone](#)

On Friday, January 14, 2022, 2:43 pm, North Planning
<NorthPlanning@cyfoethnaturiolcymru.gov.uk> wrote:

Dear Suzanne,

Thank you again for your email in relation to the above application. I quote your queries in italics and please see our responses below.

*"Point 1 – The BioDisc is certified to EN12566-3, I have also attached a certificate which shows the European Standard, which includes British Standard [saved to second link above],
As a company Klargestar could not sell any product if it were not certified to a British Standard Mark. If this does not satisfy NRW then we would would as a company be very interested to know why as this would be a first."*

"Point 2 – The VP for the Percolation test was 14 which is in the perimeter of the VP score of between 5 – 100, the VP score meant that the drainage field needs to be 20 (rounded up from 16mt) linear mts as the water was quick to soak away, These results are well within our levels of acceptance but again

if this information needs presenting in a different way please let me know."

"3. Outflow position for the tank.

I have now had a conversation with Matthew Phillips at Wrexham and also Emma Broad the ecologist at Wrexham with regards to the result of our HRA and the position of our outflow. To help you understand the position of the plot in relation to the field we have available to us I will send two separate pictures taken from Google Earth showing the plot and then the four acre field next to it.

Emma conducted our HRA based on the original position of the outflow as supplied in the drainage plan when the application was made in January 2021. She also confirmed (as has Callum Brennan in permits) that there is no specific mapping available for Worthenbury only a National mapping link which she gave me. Emma took the information from this link and then with pieces of paper she cut out her own local map of the other discharge to ground in the area so fair to say a very rudimentary exercise. It was from this exercise the tank was failed due to density issues.

In August of this year the farmer John Done who owns the four acre field gave us permission for the outflow to be moved further in to the field to ensure we had the option of not being too close (200m to be exact) to any other discharges to ground as well as any other water courses etc. John Done has also confirmed that where our drain off would be moved to there is no other drain off in that vicinity as he would have had to give permission.

Percolation tests were done here also by the builder and Jamie Crowley from Klargester and the results were the same as the ones conducted in the original planned outflow which all meet requirements.

To allow Emma Broad to review the HRA based on the new location for the outflow I am talking to some ecology companies who maybe able to provide a more accurate mapping report to ensure by moving the outflow we satisfy the HRA criteria and I will supply that as soon as I have it but due to Christmas being upon us this information may not be available until early January."

Having consulted relevant colleagues, I confirm we are content with the information presented in relation to points 1 and 2.

In relation to point 3, we would advise that an updated plan should be submitted to the Local Planning Authority in order to provide confirmation of the location of the proposed drainage field. However, in principle, we can confirm that provided there are no other discharges to ground within 200m of the location, the application should screen out in accordance with our [Advice to planning authorities for planning applications affecting phosphorus sensitive river Special Areas of Conservation](#).

I hope this is of assistance.

Kind regards,

Tristan

Tristan Williams

Cynghorydd Cynllunio Datblygu / Development Planning Adviser

Cyfoeth Naturiol Cymru / Natural Resources Wales

Yn sgil y datblygiadau diweddaraf rwy'n gweithio gartref ar hyn o bryd ac felly nid mewn cyswylt ar y ffôn. Os oes angen i chi gysylltu, anfonwch e-bost ataf os gwelwch yn dda a byddaf yn ymateb cyn

gynted â phosib /In light of recent events, I am currently working from home and as such not contactable on the phone. If you need to get in touch, please email me and I will respond as quickly as possible.

Maes y Ffynnon, Bangor, Gwynedd, LL57 2DW
Siaradwr Cymraeg

Yn falch o arwain y ffordd at ddyfodol gwell i Gymru trwy reoli'r amgylchedd ac adnoddau naturiol yn gynaliadwy.

Proud to be leading the way to a better future for Wales by managing the environment and natural resources sustainably.

cyfoethnaturiol.cymru / naturalresources.wales

[Twitter](#) | [Facebook](#) | [LinkedIn](#) | [Instagram](#)

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.

Maes Y Ffynnon,
Penrhosgarnedd,
Bangor,
Gwynedd
LL572DW

Wrexham County Borough Council,
The Guildhall,
Wrexham,
LL11 1AY

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

15/10/2021

Dear Sir/Madam,

PROPOSAL: CONSTRUCTION OF TWO NEW TWO STOREY DWELLINGS

LOCATION: CHURCH VIEW, CHURCH ROAD, WORTHENBURY, WREXHAM

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales with additional information about the above, which we received on 06/09/2021.

We continue to have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, further consideration is required regarding foul drainage. Further details are provided below.

We also advise that based on the information submitted to date, the document identified below should be included in the approved plans and documents condition on the decision notice. Without the inclusion of this document we would object to this planning application.

Approved document: Griffin, E. (2021). Bat Emergence Survey: Garage Opposite Church Road, Church View, Worthenbury, Wrexham, LL13 0AW. Arbtech. Unpublished.

Foul Drainage and Protected Sites

As stated in our previous response letter dated 08/09/2021 (our ref: CAS-164518-N2S2), 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 phosphorus 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 (or phosphorus) 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 have also issued [Planning Advice](#) (May 2021) which gives specific advice in respect of foul drainage arrangements for new developments.

We note from the information submitted that a private sewage treatment system discharging domestic wastewater to ground is proposed.

The Drainage Report shared with us on 06/09/2021 (uploaded to your website on 23/08/2021) confirmed that a percolation test had been completed and that "32 mts of Drainage Field [is] required based on times provided by [the applicant]".

The correspondence dated 07/10/2021 from the applicant quoted advice from Kingspan Water & Energy Ltd. and provided a copy of a Certificate 353.05C02 for small wastewater treatment system BioDisc +P ("nominal hydraulic daily load 0.9m³/d"). The email from the applicant dated 07/10/2021 stated:

"...based on the guarantee from Klargestar...re phosphate wastage they do not understand why we need a HRA at all especially as the outflow is a four acre field which is completely empty and that the system we are using is for just three bedroom properties (taking into account Church View is going onto the system) when it could potentially accommodate up to twenty dwellings."

We would advise you that this development alone is unlikely to increase phosphate inputs as it falls within the following criterion in the interim advice: 'Private sewage treatment systems discharging domestic wastewater to ground which are located more than 50m from the SAC (any waterbody), and which have a daily discharge rate of less than 2 cubic metres (m³).'

Our Planning Advice also states:

"Also, to ensure that there is no significant in combination effect, the discharge to ground should be at least 200m from any other discharge to ground. The density of discharges to ground should also not be greater than 1 for every 4ha (or 25 per km²)."

In light of the above information, we advise that your Authority should screen the proposal through a HRA. 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).

We advise the Applicant to contact our Permitting Team on 0300 065 3000 at the earliest opportunity, to try to ensure that there is no conflict between any planning permission granted and the permit requirements. It is important to note that a grant of planning permission does not guarantee that a permit will be granted, should a proposal be deemed to be unacceptable (either because of environmental risk or because upon further investigation, a connection to mains sewer was feasible). The Applicant should ensure that they have all the required permissions, consents, permits and any other approvals in place prior to commencement of works on the site.

More information, including a step by step guide to registering and the relevant application forms are available on our [website](#). Where private sewage treatment/disposal facilities are utilised, they must be installed and maintained in accordance with British Standard 6297 and Approved Document H of the Building Regulations. We also refer the Applicant to Guidance for Pollution Prevention 4 on the [NetRegs website](#), which provides further information.

Protected Species

Bats

We note that the Bat Emergence Survey report (Griffin, E. 2021. Arbtech. Unpublished) submitted in support of the above application has concluded:

“No bat roost confirmed in B1. No bats were seen to be emerging from B1. Bat activity by common and soprano pipistrelles was recorded within the area surrounding B1.”

From the information submitted, we consider that the proposed development represents a lower risk for bats, as defined in our guidance document ‘*Natural Resources Wales Approach to Bats and Planning* (2015)’. Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended).

As this is a lower risk case for bats, we consider that the development is not likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Furthermore, we advise that the proposed development is not likely to harm or disturb the bats or any breeding sites and resting places at this site, provided the avoidance measures described in the Bat Emergence Survey report are implemented.

The report must be included in the ‘approved list of plans / documents’ condition within the decision notice should consent for the project be granted.

Please consult us again if any further information shows that this is no longer a lower risk case.

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.

Yours faithfully,

Tristan Williams

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