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Wrexham County Borough Council,
The Guildhall,
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15/11/2021

Dear Sir/Madam,

**PROPOSAL: CHANGE OF USE OF AGRICULTURAL LAND TO CARAVAN
SITE AND ASSOCIATED WORKS**

**LOCATION: LAND BETWEEN HOLLY COTTAGE AND CHAPEL FARM WHITEWELL
WHITCHURCH**

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 2nd November 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, you should seek further information from the applicant regarding foul drainage. If this information is not provided, we would object to this planning application. Further details are provided below.

We also advise that based on the information submitted to date, condition regarding European protected species should be attached to any planning permission granted. Without the inclusion of this condition we would object to this planning application.

Protected Sites and Foul Drainage

We note the application site is within the catchment of the River Dee 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 package treatment plant is to be installed to provide foul drainage for the conversion of agricultural land to caravan site the development has the potential to increase the amount of phosphorus being discharged from the site. As such, we refer you to our [Planning Advice](#) and advise you to seek further information from the applicant. We note that information has already been submitted in the Tim Williams e-mail (2nd November 2021) that the proposal cannot connect to the main sewer, the non mains foul system will be package treatment plant to drainage field. It has also been highlighted that the drainage field is 134m from the closest watercourse.

The applicant has also submitted percolation calculations showing results a percolation value (Vp) below 15 within Drainage Plan 719-21 Soakaway and Test Results Holes 3 and 4. BS6297 Design and Installation of drainage fields details that the Vp is to be between 15-100. The minimum value of 15 ensures that untreated effluent cannot percolate too rapidly into groundwater.

In addition, Drainage plan 719-21 Foul Discharge Treatment Plan to Soakaway 01 have based the discharge calculations on 16 people in each of the 8 caravans giving a value of 27.9m³/day. For touring caravans, the calculation is based 4 berth (4people) caravan multiplied by the number of caravans by 100 litres.

Taking the above into consideration, we advise you to seek further information as identified in the section titled 'What does this mean for development proposals involving private sewage treatment systems' of that advice.

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).

European Protected Species

We note that the Preliminary Ecological Appraisal (Williams, D. (2021). Preliminary Ecological Appraisal (Incorporating an Extended Phase 1 Survey, Preliminary Roost Assessment). Salopian Consultancy. Unpublished) submitted in support of the above application has identified no bats or Great Crested Newt (GCN) are present at the application site. Bats, GCN and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended).

We note that a pond is located 159m south of the site, but no detailed amphibian survey has been carried out and no evidence presented of why Whitewell Lane represents a barrier to dispersal. Therefore, we do not concur that the applicant has sufficiently demonstrated predicted absence of GCN. We consider that it is possible that the species utilizes the site for foraging, dispersal or sheltering purposes. However, we advise that the development and its subsequent operation is not likely to be detrimental to the maintenance of the favourable conservation status of the GCN populations provided that any subsequent consent is subject

to the imposition of a condition requiring the submission and implementation of an Amphibian Method Statement.

Condition: No development, including site clearance, shall commence until a site-wide Amphibian Method Statement for construction has been submitted to and approved in writing by the Local Planning Authority. The Method Statement should include:

- Details of protective measures to be taken to minimise the impacts on GCNs.
- Actions to be taken in the event that previously unidentified GCN features are found.
- Details of measures to prevent or reduce incidental capture or killing of GCNs.

The Method Statement shall be carried out in accordance with the approved details.

Justification: To ensure that an approved Method Statement is implemented, which protects Great Crested Newts affected by the development.

Please consult us again if the plans are changed in ways that may harm or disturb GCN or their breeding sites and resting places at this site.

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.

Advice for the Developer

Environmental Management

All works at the site must be carried out in accordance with PPG6: 'Working at construction and demolition sites' which are available on the following website:

<http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

The activity of importing waste into the site for use as, for example hardcore, must be registered with Natural Resources Wales as an exempt/permittable activity under the Environmental Permitting Regulations 2016. The developer should contact Natural Resources Wales to discuss the necessity for an exemption/permit for any material imported to and exported from the site.

If during construction/excavation works any contaminated material is revealed, then the movement of such material either on or off site should be done in consultation with Natural Resources Wales. Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 34 of

the Environmental Protection Act 1990. Carriers transporting waste from the site must be registered waste carriers and movement of any Hazardous Waste from the site must be accompanied by Hazardous waste consignment notes.

If you have any queries on the above, please do not hesitate to contact us.

Yours faithfully

Ruth Prichard

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