

From: North Planning <NorthPlanning@cyfoethnaturiolcymru.gov.uk>
Sent: 14 April 2022 16:18
To: PEDW Case work
Cc: planning_admin
Subject: CAS-01527-L8N6L3 - APPEAL- Musley Farm, Musley Lane, Overton, Wrexham, LL13 0LB (LPA ref P/2021/0862) - NRW Response NRW:08541106
Attachments: P-2021-0862 - NRW Response 16-09-22.pdf

Dear Sir / Madam,

We have been notified by Wrexham County Borough Council that an appeal has been made in respect of the above site which we received on 22nd March 2022.

We were originally consulted in relation to this application on the 2nd September 2021 and provided our response dated 16th September 2021 (attached for reference). We advised that further information should be sought from the applicant in relation to foul drainage and potential effects on the River Dee and Bala Lake Special Area of Conservation (SAC).

Further information had been submitted by the applicant, our comments on the additional information are as follows:

The application is for storage and welfare facility for equestrian purposes. The ADDITIONAL INFORMATION (Revision A) states that it will result in 2 employees being based at the site in the daytime with occasional visitors. We advise that you consider if the workers and occasional visitors already live within the catchment of the River Dee and Bala lake SAC, and if that would be the case then there would be no additional phosphorus discharges into the catchment as a result of the proposal.

Furthermore, NRW advisory believe that the proposal has a registered exemption from permitting under the Environmental Permitting Regulations (EPR), due to none of the following criteria applying to the proposed package treatment plant:

- the private sewage treatment system has a discharge to surface water which is within 500 metres of the boundary of a protected or designated area, such as a SAC, Site of Special Scientific Interest (SSSI) or Source Protection Zone
- the private sewage treatment system has a discharge to ground which is within 50 metres of the boundary of a protected or designated area, such as a SAC, Site of Special Scientific Interest (SSSI) or Source Protection Zone
- the property will produce >2m³/day and the septic tank or package sewage treatment plant discharges to a soakaway in the ground
- the property will produce >5m³/day and the package sewage treatment plant discharges to a watercourse
- the sewage discharge is 50 metres or less from a borehole or well
- the property is within 30 metres of the public foul sewer

As you are aware, whilst NRW is the competent authority for discharges regulated by EPR, by virtue of being an exempt activity for the purposes of the EPR, an appropriate assessment will not be carried out. It will therefore be a matter for your Authority to determine how to take account of this as part of your HRA. If, upon consideration of the exempt nature of this activity and any other evidence before you, you are satisfied that the proposal is not likely to have a significant effect on the SAC, you do not need to consult with us again on this matter. However, should you conclude that the proposed development is likely to have a significant effect on the SAC, you must consult us on the Appropriate Assessment.

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

Kind regards,
Rachael Burke

Tîm Cynllunio Datblygu / Development Planning Team
Cyfoeth Naturiol Cymru / Natural Resources Wales

www.cyfoethnaturiolcymru.gov.uk / www.naturalresourceswales.gov.uk

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.

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.