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Wrexham County Borough Council,
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ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

30/03/2022

Annwyl Syr/Madam / Dear Sir/Madam,

BWRIAD / PROPOSAL: ERECTION OF INDUSTRIAL UNIT (CLASS B2)

LLEOLIAD / LOCATION: VILLAGE BAKERY LTD, COED ABEN ROAD, WREXHAM INDUSTRIAL ESTATE, WREXHAM, LL13 9UH

Thank you for re-consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 10/03/2021.

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

Foul Drainage

As stated in our previous response letter dated 06/01/2022 (our ref: CAS-177976-H5F5), 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.

This application for the erection of an industrial unit proposes connection of foul water to the mains sewer. As such, we refer you to our [Planning Advice](#), in particular the bullet point list given in the section titled 'What does this mean for development proposals involving connection to public wastewater treatment works', which specifies the information that

should be provided to support applications which propose connections to public wastewater treatment works.

With regards to the third bullet point, we note from the information in the letter from Dŵr Cymru, dated 14/03/2023 that Five Fords Wastewater Treatment Works does have capacity to treat additional waste water and holds a phosphate permit.

We note that the Drainage Technical Note (154-XOS-XX-XX-RP-C-5000, March 2022) proposed to treat phosphates that are discharged from this site prior to connecting to the foul mains, via a *Kingspan* foul water treatment plant. The development is within a sewered area and as such, should connect directly to the mains.

Whilst various suggested mitigation options might be appropriate in principle, the applicant will need to provide your Authority with details of the mitigation option that is intended for delivery, evidence that the option can be delivered and finally the analysis showing that it will achieve neutrality with regards phosphorus loading in the SAC (or evidence that any residual phosphorus discharge will not result in adverse effect on site integrity).

Your Authority will need to take the above into account in your determination of whether the development is likely to have a significant effect on the SAC. 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 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).

With regards to pre-treatment (chemical dosing) via a package treatment plant before connection to mains, there are a number of matters to consider.

- What is the proposed chemical? What is the risk to the environment, for example, how will the chemical react in the receiving watercourse?
- Dosing the system in the correct way based on the number of people.
- Having an appropriate management system over the lifetime of the development.
- Measures to ensure there are no spills.
- Can neutrality be achieved with regards to phosphorus loading in the Special Area of Conservation (SAC) and guaranteed over the lifetime of development? If neutrality is not possible, analysis will be required to demonstrate what effect the phosphorus discharge would have on the SAC.

Advice would also need to be sought from Dŵr Cymru Welsh Water on whether they are satisfied with such a proposal. Their advice should also be sought on what impact the chemical dosing would have on their final effluent discharge / permit compliance etc.

European Protected Species (EPS)

We note that the protected species report submitted in support of the above application (Indigo Surveys, November 2021. Ref 21819) states that the application site offered negligible value habitat

for any EPS. We therefore have no comments to make on the application as submitted and advise that you liaise with your Authority's internal ecologist.

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

Garmon Lewis

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