

From: North Planning <NorthPlanning@cyfoethnaturiolcymru.gov.uk>
Sent: 14 January 2022 16:07
To: Matthew Phillips; planning_admin
Subject: P/2021/1095 - Land East Of Cadney Lane, Bettisfield, Wrexham, SY13 2LW (Major)
V2 - NRW Response NRW:08540773

Good Afternoon Matthew,

Thank you for the additional information which we received on 15th December 2021 regarding this site. Unfortunately, the submitted drawing reference 01-1_OP_SP02 Revision B, does not provide sufficient information for us to be satisfied that there would not be negative impacts on the water environment.

The drawing reference 01-1_OP_SP02 Revision B shows the PTP system to discharge into the ditch adjacent to Cadney Lane and existing properties along this road. We consider that this ditch may be seasonally dry and therefore, there is a significant risk that it would be unsuitable to receive the high discharge volume from the proposed development. We strongly advise that the applicant applies for a permit and includes information to demonstrate whether this ditch has sufficient year-round flows to dilute the proposed discharge.

From the information submitted it is also unclear whether the proposed system would have sufficient capacity for the proposed 9 dwellings and this would need to be demonstrated through a permit application.

I would be grateful if you are able to confirm whether a HRA has been undertaken by the LPA in relation to this application? We advise that the proposal may have implications for The Fenn's, Whixall, Bettisfield, Wem and Cadney Mosses SAC and, as part of any planning application submitted the local authority will need to carry out a Test of Likely Significant Effects (TLSE) under regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended). NRW are also required to take this into consideration during the permit application and as this site spans the England/Wales border, the permitting department may also need to consult with Natural England when determining any permit application.

Given the risk that the drain/ditch would not have sufficient flow to dilute treated effluent, the applicant should, in the first instance, make enquiries with Severn Trent Water to determine whether it is their intention to provide a public foul sewerage system for the village.

Should no public sewerage system be planned for Bettisfield, then the applicant should consider carrying out porosity tests to determine whether ground conditions would be suitable for a soakaway system as opposed to discharging to the ditch/drain. In the event that a public sewerage system is not made available and further investigations indicate that a private means of disposal is not environmentally acceptable, the only available alternative would be sealed cesspits/cesspools. Welsh Office Circular 10/99 (Planning requirement in respect of the Use of Non-Mains Sewerage incorporating Septic Tanks in New Development) discourages the use of cesspools for new development.

Submission of a permit application for discharge of treated effluent to a ditch/drain or soakaway does not guarantee that such permit would be granted. In view of the long history of drainage problems in the area, we strongly recommend that the planning application is withdrawn/not determined until such time as Severn Trent Water confirm that provision of a public sewerage system is available, or a permit to discharge has been granted by NRW.

I would be grateful if you could forward any additional information outlined above in order that we can provide a substantive response as at this stage there is insufficient information for us to do so.

Kind regards,

Rachael

Rachel Burke

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

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

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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.