



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-158719-K7Y2
Eich cyf/Your ref: P/2021/0309

Maes Y Ffynnon,
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16/07/2021

Dear Sir/Madam,

PROPOSAL: ERECTION OF HOLIDAY ACCOMMODATION (IN RETROSPECT)

LOCATION: COXWOOD FARM COTTAGE, COX LANE, ROSSETT, WREXHAM

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales with additional information about the above, which we received on 09/07/2021.

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

Foul Drainage and Protected Sites

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.

In our previous response dated 22/06/2021 (our ref: CAS-153002-N1J6), we noted that the application form states that the applicant is “not proposing to connect to existing” foul drainage (which is understood to be a septic tank) and no further information had been provided in relation to the proposed method of foul drainage. On 09/07/2021 you provided

details of an exemption registered at the property (for existing discharge to surface water of 5 cubic metres or less). It was also confirmed on 09/07/2021 that the applicant intends to connect to the existing septic tank (which is assumed to be the structure/feature that has been 'exempted') for the additional wastewater capacity that would be generated by the proposed holiday cottage.

As such, we refer you to our [Planning Advice](#) and advise you to seek further information from the applicant as identified in the bullet point list given 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).

Groundwater contamination

We understand that the development is not served by the public foul sewer and that the application form indicates that foul drainage is to be discharged to a private sewerage system. In these circumstances Welsh Government Circular 008/2018 advises that a full and detailed consideration be given to the environmental criteria listed under paragraph 2.6 of the Circular, in order to justify the use of private sewerage. In this instance, no other information has been submitted in relation to foul drainage.

The application does not, therefore, provide a sufficient basis for an assessment to be made of the risks of pollution to the water environment arising from the proposed development.

In particular, the submitted application fails to show that disposal of foul effluent from the septic tank would be effective at this location. The developer has not submitted any porosity/percolation testing results. Nor are there calculations for the specific size of any proposed soakaway(s) or the location of the discharge of foul effluent.

The application site is within a Source Protection Zone (SPZ) 3 for groundwater, within a phosphorus sensitive SAC catchment, immediately adjacent to a private water supply and there is a lack of information on local ground conditions and the design and operational performance of the proposed private sewerage system. Therefore, we advise that details of the location and size of the soakaway(s)/drainage field along with percolation test results, are submitted prior to the determination of the application.

The developer should ensure there is sufficient space to install the drainage field as set out in BS 6297:2007+A1:2008.

On receipt of the above information we will review our position and advise your Authority accordingly.

The Applicant should be aware that to operate a private sewerage system, they will need to apply for an environmental permit or register an exemption with us. Septic tanks and small sewage treatment works may be registered as exempt from the requirement to obtain an environmental permit if certain criteria are met. Please note, should a permit be required, further information may be required as part of that application and the Applicant is therefore advised to hold pre-application discussions with 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

We note that there is no information about protected species with the application and, therefore, are assuming that your Authority has screened the application and concluded that there is not a reasonable likelihood of protected species being present.

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