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09/03/2021

Annwyl Syr/Madam / Dear Sir/Madam,

BWRIAD / PROPOSAL: SEFYDLU CWT BUGAIL I'W DEFNYDDIO FEL LLETY GWYLIAU

SITING OF SHEPHERDS HUT FOR USE AS HOLIDAY ACCOMMODATION

LLEOLIAD / LOCATION: MULSFORD COTTAGE, MULSFORD LANE, MULSFORD, SARN

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 10/02/2021

We have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if the following requirement is met. Otherwise, we would object to this planning application.

Requirement1: (Foul Drainage) Applicant to demonstrate how they have followed the hierarchy within the Welsh Government Circular 008/2018 (July 2018).

Foul Drainage

We note that the proposed method of foul drainage is stated on the application form as a new cesspit/cesspool.

Within the "Approach to Groundwater Protection" guidance (issued by the Environment Agency in 2018 and adopted by Natural Resources Wales), Position Statement G6 states 'Natural Resources Wales does not encourage the use of cesspools or cesspits, other than in exceptional circumstances. A cesspool or cesspit is a sealed unit that is used for the storage of untreated sewage. There must be no discharge to the environment. Poorly managed cesspools and cesspits present a considerable risk of causing pollution, which can

be difficult to monitor and correct.’ Given the highly sensitive nature of the site we have significant concerns regarding the use of a cesspool /cesspit.

In addition, new developments proposing to use non mains drainage should follow the hierarchy within the Welsh Government Circular 008/2018 (July 2018). The Circular stresses the first presumption must be to provide a system of foul drainage discharging into a public sewer. Only where having taken into account the cost and/or practicability it can be shown to the satisfaction of the local planning authority that connection to a public sewer is not feasible, should non-mains foul sewage disposal solutions be considered. The use of cesspools/cesspits is discouraged. We refer you to paragraphs 2.3-2.8 in the Circular, which set out the approach to be followed.

We therefore require the applicant to demonstrate how they have followed the hierarchy within the Welsh Government Circular 008/2018 (July 2018). Otherwise, we would object to the application.

Requirement 1: (Foul Drainage) Applicant to demonstrate how they have followed the hierarchy within the Welsh Government Circular 008/2018 (July 2018).

In exceptional circumstances, where a cesspool/cesspit can be justified, the Circular advises that a full and detailed consideration be given to the environmental criteria listed under paragraph 2.6.

It is essential that any cesspit is installed correctly. Incorrectly maintained cesspools can cause pollution by contamination the ground, groundwater and, sometimes surface water. Any damage to the fabric of the cesspool, such as cracks or holes, is difficult to detect but needs to be rectified immediately in order to prevent pollution. The cesspit should meet the requirement of British Standard BS 6297. It should be fitted with a level warning device to indicate when the tank needs emptying.

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 phosphate levels for all river SACs across Wales. As part of this package, we issued a [planning position statement](#), in which we confirmed that any proposed development that might increase the amount of phosphate 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 site’s qualifying features. We also issued [Interim Planning Advice](#), which gives specific advice in respect of foul drainage arrangements for new developments.

We note from the information submitted that the proposal intends to connect to private foul drainage. As explained above (Requirement 1, Foul Drainage section), we advise further information is required.

The development has the potential to increase the volume or concentration of wastewater and associated phosphate levels being discharged within the catchment of the SAC. Should you conclude that the proposed development is likely to have a significant effect on the SAC, we look forward to being consulted on your appropriate assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

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 to Developer

The Applicant should be made 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.

We recommend the applicant reviews the following guidance in relation to the proposed development: ·

- Guidance for Pollution Prevention 4 ([NetRegs website](#)) : Sewage treatment and disposal where there is no foul sewer (GPP4)
- [EPR \(Environmental Permitting Regulations\) Guidance](#)

- NRW guidance (May 2019): [How to run your household sewage treatment system well](#) (this document contains some really useful explanatory text regarding different treatment options and EPR)

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

Yn gywir / Yours faithfully

Rhys Jones

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