

Ein cyf/Our ref: CAS-255749-K9G2
Eich cyf/Your ref: P/2024/0293

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 06 June 2024

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: NEWID DEFNYDD ADEILAD AMAETHYDDOL I DDEFNYDD CYMYSG MASNACHOL DOSBARTH B1 / B8 A GWAITH CYSYLLTIEDIG / CHANGE OF USE OF AGRICULTURAL BUILDING TO COMMERCIAL MIXED-USE CLASS B1 / B8 AND ASSOCIATED WORKS

LLEOLIAD/LOCATION: STRYT YR HWCH FARM, SONTLEY, WREXHAM

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 20 May 2024.

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

Foul Drainage

We understand that the development is not served by the public foul sewer. However, the application form does not confirm any details regarding foul drainage proposals. 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 information has been submitted in relation to foul drainage proposals other than to confirm W.C.'s form part of the proposals.

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 would be effective at this location. The developer has not submitted any details regarding the foul drainage arrangements. Further information should be submitted regarding the proposed method of foul drainage and if this involves a private treatment plant or septic tank, and

information regarding the capacity, porosity/percolation testing results and the location of the treatment plant and associated drainage field or discharge point.

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

Applicants wishing to operate a private sewerage system will need either to apply to us for an environmental permit or register with us for an exemption from the permit requirement. Septic tanks and small sewage treatment works that meet certain criteria may be registered as exempt.

A step by step guide to registering an exemption can be found on our [website](#).

If the septic tank or private sewage treatment system is not eligible for an exemption, the Applicant will need to apply for an environmental permit, further details can be found [here](#). Should a permit be required further information may be needed as part of that application process. The Applicant is therefore advised to contact us for pre-application advice at the earliest opportunity to try to ensure that there is no conflict between any planning permission granted and the permit requirements. Further details on how to access our pre-application advice service can be found [here](#).

It is important to note that a grant of planning permission does not guarantee that a permit will be granted. A proposal may be deemed unacceptable either because of environmental risk or because upon further investigation, a connection to mains sewer was feasible. Applicants are encouraged to ensure they have all the required permissions, consents, permits and any other approvals in place prior to commencement of works on the site.

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 Sites

Special Area of Conservation (SAC)

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. In line with our [Planning Advice](#) (August 2023), under the Habitats Regulations, Planning Authorities must consider the phosphorus impact of proposed developments on water quality within SAC river catchments. We therefore advise you to consider whether the proposals, as submitted, would increase the volume of foul discharge from the site in planning terms.

We note from the information submitted that the proposed development includes foul drainage provision. However, no further information has been submitted to confirm the foul drainage arrangements. We note that the application site is within a non-mains sewered area. As such, we refer you to our Planning Advice and advise you to seek further information from the applicant as identified in the sections titled 'What does this mean for development proposals involving private sewage treatment systems' and 'Can additional wastewater be discharged to existing private sewage treatment systems?' of that advice.

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).

Site of Special Scientific interest (SSSI)

The development site is located approximately 330m from a watercourse, which is hydrologically connected to the Sontley Marsh Site of Special Scientific Interest (SSSI),

We have concerns that insufficient information has been submitted to demonstrate how likely damage to the Sontley Marsh SSSI will be avoided. Planning permission should only be granted if information is provided which demonstrates that the proposed development will not unacceptably damage the features by reason of which the SSSI is of special interest.

Paragraph 6.4.26 of *Planning Policy Wales* states that proposals must be carefully assessed to ensure that effects on those nature conservation interests which the designation is intended to protect are clearly understood; development should be refused where there are adverse impacts on the features for which a site has been designated.

We consider that the proposed development is likely to damage the features by reason of which the Sontley Marsh is of special interest.

However, the applicant has not provided sufficient information to demonstrate how the proposed development will avoid damaging the special interest features of the SSSI.

No information has been provided regarding foul drainage. Therefore, we cannot rule out potential impacts to the Gefeiliau Brook which flows into Sontley Marsh SSSI 545m downstream.

Further information regarding foul drainage arrangements should therefore be submitted. Please refer to our Foul Drainage advice above for details of the information that should be submitted.

In the absence of this information, we cannot rule out adverse impacts on the special interest features of the SSSI from the scheme.

We therefore recommend that planning permission should only be granted if information is provided which demonstrates that the proposed development will not damage features for which the SSSI is of special interest.

Should you be minded to grant permission for the above planning application in the absence of this information, we ask that you notify us under the provisions contained in Section 281 of the Wildlife and Countryside Act 1981 (as amended).

Protected Species

We note that the ecological report submitted in support of the above application (Preliminary Ecological Appraisal, Stryt Yr Hwch, April 2024, Abor Vitae) has identified that no evidence of protected species was found on site. We therefore have no comments to make in relation to protected species.

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,

Rachael Burke

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

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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.