Cyfoeth Naturiol Cymru
Natural Resources Wales

Our Ref: CAS-308328-H7D8

Your Ref: P/2026/0226

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 28 May 2026

Annwyl Syr/Madam/Dear Sir/Madam,

Bwriad/Proposal: Change of use of existing container to class A3 (food and drink - refreshment kiosk)

Lleoliad/Location: Bradley Mill Barn, Bradley, Wrexham, LL11 4DD

Thank you for consulting Cyfoeth Naturiol Cymru/Natural Resources Wales (NRW) about the above, which we received on 11 May 2026.

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.

Flood Risk

The planning application proposes less vulnerable development for the siting of a container to be used as a refreshment kiosk. The Flood Map for Planning identifies the application site to be at risk of flooding and within Flood Zone 3 (Rivers).

Given the scale and nature of the proposed development (and in the absence of a flood consequences assessment) we consider the proposals could be acceptable, subject to the developer being made aware of the potential flood risks and consequences. We would also expect the developer to take the opportunity to incorporate flood resilient design where feasible.

Guidance on resilient design can be found in Chapter 13 of Technical Advice Note 15: Development, flooding and coastal erosion, dated 2025, which references advice from Construction Industry Research and Information Association, including a Code of Practice and Guidance for Property Flood Resilience.

We provide advice on our website Natural Resources Wales / Preparing for a flood which may be useful for the developer or occupant of the proposal.

Flood Risk Activity Permit

The site lies immediately adjacent to the Afon Alyn which is a designated main river. A bespoke Flood Risk Activity Permit would be required for any works or structures located in, under, over or within 8 metres of the bank top of a designated main river. We refer you to our website for further advice.

Protected Sites – Foul Drainage

We note the application site is within the catchment of the River Dee and Bala Lake Special Area of Conservation (SAC). In line with our Advice to Planning Authorities for Planning Applications Affecting Nutrient Sensitive River Special Areas of Conservation, under the Habitats Regulations, Planning Authorities must consider the 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 a cesspit is proposed to provide foul drainage for the development. The development therefore has the potential to increase the amount of nutrients being discharged from the site. As such, we refer you to our Advice and advise you to seek further information from the applicant information as identified in the section titled *'What does this mean for development proposals involving private sewage treatment systems'* of that Advice'.

Ultimately, the suitability of foul drainage arrangements for the proposed development is a matter for your Authority to determine. We therefore advise you 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 may be necessary) to demonstrate no adverse effect on site integrity.

We note that the proposed method of foul drainage for foul waste is to 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 concerns regarding the use of a cesspool / cesspit.

In addition, new developments proposing to use private 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.

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

In exceptional circumstances, where a cesspool/cesspit can be justified, the Circular advises that a full and detailed consideration be given the 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 of 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 Species

No ecological information has been submitted in support of this application. We note that there are records of otter and bats in the vicinity of the site. We recommend you seek the advice of your Authority's internal ecological adviser about the requirement for further information to be submitted in support of the application, the need for bespoke surveys and the scope of further information, where required.

Historic Landfill

According to our records the proposed development site is located near to land that is, or has been, used for the deposition of waste material (Gwersyllt Park and Gwersyllt Park Quarry). We would therefore advise you to consult with the local authority's Environmental Health and Building Control Departments, as they may hold detailed records, and may wish to make appropriate recommendations in respect of landfill gas investigation/remedial work. The developers should be made aware of the existence of the landfill site(s) so that they can decide whether or not to make their own investigations into the presence of landfill gas.

Other matters

The advice in this letter relates to matters which are included on our consultation topics list. We do not rule out the potential for the proposed development to affect other environmental interests that are not included on this list.

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 about the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully,

Sara Thomas
Uwch Gynghorydd - Cynllunio Datblygu/ Senior 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.