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21/02/2023

Annwyl Syr/Madam / Dear Sir/Madam,

BWRIAD / PROPOSAL: PROPOSED MIXED UNIT HOLIDAY ACCOMODATION SCHEME.

LLEOLIAD / LOCATION: WILD ROSE COTTAGE, DUFFRYN LANE, ST. NICHOLAS.

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 01/02/2023.

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 European Protected Species. If this information is not provided, we would object to this planning application. Further details are provided below.

Foul Drainage

We have reviewed the Construction Letter by M.A. REES Construction (dated 18th July 2022) submitted in support of this application. We have also reviewed the written justification (submitted by The Vale of Glamorgan Local Planning Authority via email, dated 31st January 2023) submitted in support of connecting the proposed development to a non-mains foul drainage system in a mains sewer area.

We consider the applicant has not provided sufficient information for us to make an assessment. While the above information submitted considers the costs of connecting to the mains sewer, it does not satisfy all points raised in our letters dated 14/12/2022 (our reference CAS-204773-V4G7) and 25/05/2022 (our reference CAS-187699-Y9V0) as explained below.

As raised in our previous two letters, Government guidance on private sewerage in Welsh Government Circular 008/2018 stresses that 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 practicality 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.

We therefore require the Applicant to either amend their proposal to ensure that the foul drainage is connected to the mains sewerage system or provide detailed evidence to demonstrate that it is not reasonable to connect.

The Applicant should thoroughly investigate the possibility of connecting to the foul sewer by taking the following steps:

- Formally approach the sewerage undertaker regarding a connection under Section 106 or a requisition under Section 98 of the Water Industry Act (WIA) 1991.
- Serve notice for connection under Section 106 of the WIA 1991 if the sewerage undertaker has refused connection.
- Provide details of the reasons given by the sewerage undertaker if it has refused connection under section 98 or section 106 of the WIA 1991 and confirmation that they have appealed against this decision.
- Demonstrate that it is not reasonable to connect to the public foul sewer. When taking this step, please refer to paragraph 2.4 of Welsh Government Circular 008/2018 for further details. We also note that while a cost comparison has been undertaken, we would also require a cost benefit analysis to be submitted to outline the overall cost difference of using a private drainage system, including operation and maintenance costs, in comparison to connecting to the mains sewer in the long term.
- Where it is not reasonable to connect to the public foul sewer, demonstrate that they have considered requesting that the sewerage undertaker adopt their proposed system.

The Applicant should be aware that should a connection to the mains sewer not be feasible, they will also need to demonstrate that the proposal would not pose an unacceptable risk to the water environment. 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.

Until the above criteria have been met, we have no further comments to make. As such, our advice requesting the submission of further details (regarding foul drainage) prior to determination still applies.

European Protected Species

We understand that formal comments are being sought from your Authority's in house ecologist to determine if there is a reasonable likelihood of great crested newts, which are European Protected Species, being present within the application site. If so, in accordance with Technical Advice Note 5: Nature Conservation and Planning (paragraph 6.2.2) surveys for the species may be required. Any surveys should be carried out in accordance with best

practice guidelines. We therefore are unable to provide advice until this information is received.

We have previously provided advice (in relation to bats) in our letter dated 14/12/2022 (our reference CAS-204773-V4G7). This advice, noting no adverse comments with regards to bats, still applies.

Flood Risk

We have reviewed the Flood Consequence Assessment (FCA) by Hydrogeo, dated January 2022, submitted in support of the application. We note the application site is not located within Zone C of the development advice maps (DAM) contained in TAN15 or Zones 2 or 3 (Rivers or Sea) of our Flood Map for Planning (FMfP).

We note the FCA mainly concerns surface water flood risk. Surface water is a matter for the Lead Local Flood Authority to comment on. As such, we have no comments to make with regards to flood risk.

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

Frances Holms

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