

Caulmert Limited

Engineering, Environmental & Planning
Consultancy Services

Tremeirchion Wastewater Treatment Works (WwTW)

Dŵr Cymru Welsh Water

Change of use of land and construction of an Integrated Constructed Treatment Wetland (ICTW) and associated works including the installation of 2 no. underground septic tanks, creation of 3 no. wetland cells with planting, welfare facility, new internal access roads, fencing and landscaping

Planning, Design and Access Statement

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Document Reference: 5924-CAU-XX-XX-RP-T-0300.A0.C2

October 24



APPROVAL RECORD

Site:	Tremeirchion Wastewater Treatment Works (WwTW)
Client:	Dŵr Cymru Welsh Water
Project Title:	Tremeirchion WwTW, Proposed ICTW
Document Title:	Planning, Design and Access Statement
Document Ref:	5924-CAU-XX-XX-RP-T-0300.A0-C2
Report Status:	FINAL DRAFT FOR PRE-APPLICATION CONSULTATION
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Author	Aslan Saylam Graduate Planner	Date	10/10/2024
Reviewer	Jenny Coxon Principal Planner	Date	15/10/2024
Approved	Jenny Coxon Principal Planner	Date	16/10/2024

Revision Log			
Revision	Description of Change	Approved	Effective Date
P0	Initial Release	J.C.	15/10/2024
P1	Amendments following client comments	J.C	17/10/2024
C2	Final issue	J.C	21/10/2024

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Planning, Design and Access Statement

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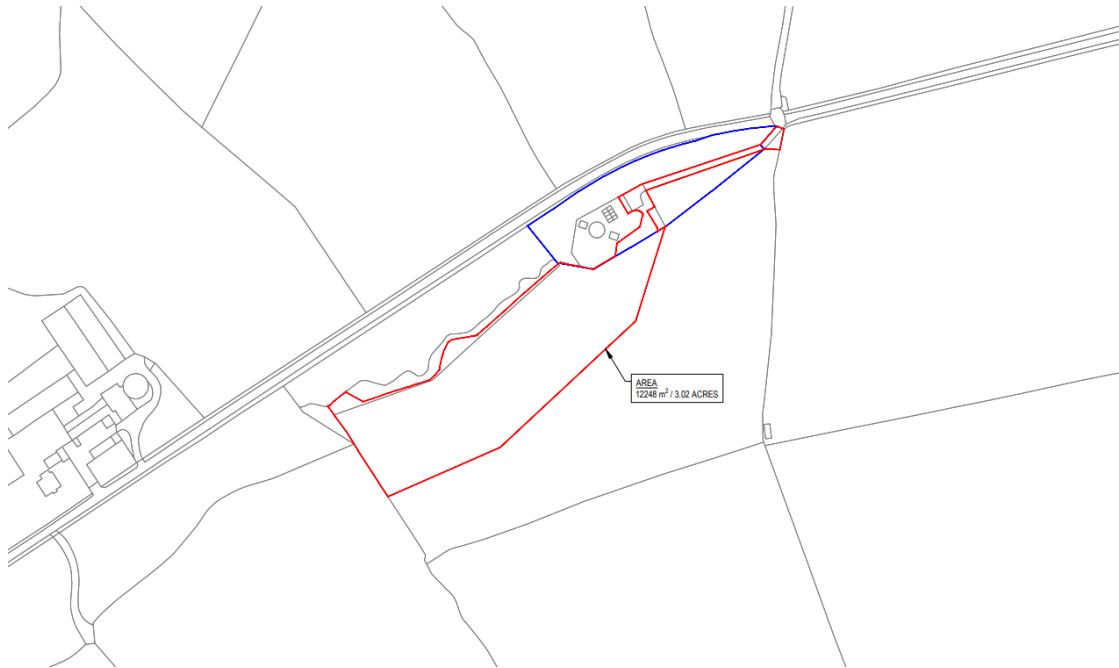
1.0 INTRODUCTION

1.1 Background

- 1.1.1 Caulmert Ltd has been appointed by Dŵr Cymru Welsh Water (“the Applicant”) to submit an application for full planning permission to Denbighshire County Council (the “Local Authority”) for the proposed installation of an Integrated Constructed Treatment Wetland (ICTW) and associated works at Tremeirchion Wastewater Treatment Works (WwTW), Tremeirchion, St Asaph, Denbighshire (“the site”).
- 1.1.2 The proposed ICTW is an engineered wetland and nature-based waste-water treatment system, as an extension to the existing WwTW. The proposed ICTW will significantly improve the local environment and the water quality within the Afon Clwyd Catchment by treating the effluent from the treatment works to reduce phosphate levels. The Regulator Natural Resources Wales (NRW) have set a Total Phosphate target of 2mg/l for Tremeirchion WwTW and the proposed ICTW has been designed to achieve this.
- 1.1.3 Dŵr Cymru Welsh Water (DCWW) are actively looking at options to use innovative green solutions as opposed to traditional ‘grey’ solutions as part of its commitment in AMP8 to cut carbon footprint and increase biodiversity on wastewater sites whilst ensuring the National Environment Programme (NEP) commitment date which has been set by NRW is met. The wetland trial proposed at Tremeirchion has evolved following close liaison between DCWW and NRW on sampling programmes and consenting, and DCWW hopes that the trial will be a blueprint for future green solutions within the wider waste sector.
- 1.1.4 This planning application is accompanied by and should be read in conjunction with the following documents and plans:
- Arboricultural Impact Assessment – Enfys – V1
 - Tree Protection Plan Ref EE_TICW_AIA
 - Preliminary Ecological Appraisal – Enfys Ltd – Ref. P00013985 V3
 - Ecological Appraisal – Enfys Ltd -Ref EE.4346.23.HT
 - Green Infrastructure Statement – Enfys – Ref. EE.4346b.24.RC V3
 - Landscape and Visual Statement – Tirlun Barr – V4
 - Landscaping Plan - Wye & Usk Foundation - Ref V2.0 18/10/2024
 - Wetland Planting Methodology - Wye & Usk Foundation - Ref V4 22/08/2024
 - Groundwater Risk Assessment – WUF – V2 October 2024
 - Construction and Environmental Management Plan – Wye & Usk Foundation - Ref V2 14/10/2024

- Construction Traffic Management Plan -Eric Wright - Rev P02
 - Site Location Plan Ref B17505-00DM13-03-AB-DR-CA-CI5000 - I1.1
 - Proposed Site Layout Ref B17505-00DM13-03-AB-DR-CA-CI5042 - I1.2
 - Planning Application Boundary Ref B17505-00DM13-03-AB-DR-CA-PN1009 -12.0
 - Proposed Sections v2.1
 - Proposed Septic Tank Plan Ref ST2.5-25000
 - Proposed Fencing Detail Ref SDC2010-004-I02
 - Welfare Facility Floorplan & Elevation Ref PRT_2009CXN01A
 - Drainage Plan Ref B17505-00DM13-03-AB-DR-CA-CI5046 - I1.0
 - Proposed Access Gate to Farmer's Field Layout - Ref B17505-00DM13-03-AB-DR-CA-CI5012 - I2.0
- 1.1.5 The proposed development is considered to fall under Schedule 2 of the Town and Country Planning Environmental Impact Assessment) (Wales) Regulations 2017, and under the provisions of Regulation 5(1) of The EIA Regulations, a request was submitted to Denbighshire County Council (DCC), as Local Planning Authority, to adopt a Screening Opinion as to whether the proposed development constitutes EIA development. A Screening Opinion was issued by DCC on 16th August 2024 (Ref 47/2024/1201/EIA-SCR) which confirms that it is the opinion of the Council that the proposed development is not likely to have significant effects on the environment by virtue of factors such as its nature, size and location. Consequently, the proposed development is not Environmental Impact Assessment development.
- 1.1.6 A pre-planning enquiry was submitted to DCC in July 2024. The response received from DCC in August 2024 Ref PREAPP/2024/039 advised on the following: principle of development, agricultural land classification, visual amenity/ detailed design / scale / layout / appearance/ landscaping, amenity considerations, access/highways and parking, drainage and flood risk, ecology and trees. The comments received from DCC have been considered in detail and, where considered appropriate the design of the scheme has been amended.
- ## 1.2 Site Location
- 1.2.1 The application site comprises land at Tremeirchion Wastewater Treatment Works (WwTW), including part of the existing WwTW and an area of agricultural (primarily used for grazing) land to the southwest. The site is of an irregular shape and measures approximately 1.25 hectares in area.
- 1.2.2 The site is located approximately 750m southwest of the village of Tremeirchion, falling outside of its settlement boundary.

- 1.2.3 The site's location is shown below, together with the Site Location Plan (ref. B17505-00DM13-03-AB-DR-CA-CI5000) which accompanies this Draft Application.



- 1.2.4 The WwTW is situated on the Nant Pen Isa'r Waen, a minor stream that discharges into the Afon Bach. The catchment upstream of the existing works is small and drained by three ditches arriving from the North, East, and South.

1.3 Access

- 1.3.1 Access to the site is taken off Tremeirchion Road to the northeast and is secured by a metal field gate. A public right of way runs beside the site's access and into the neighbouring field to the east.

1.4 Topography

- 1.4.1 The topography of the site is relatively flat, with a slight decline towards the northeastern site boundary.

1.5 Vegetation

- 1.5.1 The site is predominantly low diversity agricultural grassland, with the proposed discharge route passing through a narrow section of neighbouring Coniferous woodland (designated as Ancient Woodland) as part of Nant Pen Isa'r Waen which is located along the site's northwestern boundary.
- 1.5.2 There are several trees/groups of trees (mostly Pine) on the site north/north-wester boundary which abuts the woodland, and a cluster of Oak trees in the north-western corner of the site.

1.5.3 The sites western boundary is enclosed by an existing fence with a hedgerow with interspersed mature trees.

1.5.4 The planning application incorporates part of the existing WwTW and extends along the existing access track to the site entrance which has woodland located either side.

1.6 Flood Risk

1.6.1 As per the Development Advice Map, the site is located partially within Zone A (*Considered to be at little or no risk of fluvial or coastal/tidal flooding*).

1.6.2 Within the as of yet unadopted Flood Map for Planning, the land either side of the watercourse to the north of the site is recognised as being within Flood Zone 2 and Flood Zone 3.

1.6.3 The site is also located within a Groundwater Source Protection Zone.

1.7 The Surrounding Area

1.7.1 The site is located approximately 750m southwest of the settlement boundary of Tremeirchion, and approximately 2.2km northeast from Trefnant.

1.7.2 The land surrounding the site is predominantly in use for agriculture mostly used for beef, dairy, and sheep farming. The site is enclosed to the south and east by parcels of agricultural land (pasture).

1.7.3 The nearest properties to the proposed site are, the farm and farmhouse of Plas Goch (approximately 325m distant from the existing works to the north east), the former farmhouse and storage business at Pen Isa'r Waen (approximately 350m distant to the north) and Hafod y Coed farm house and farm buildings (500m distant to the east). Views of the site from these properties are limited due to the presence of woodland and mature hedgerows.

1.8 Landscape Designations

1.8.1 The site is not located within a Special Landscape Area, however, land to the east (circa 1.2km east, at the settlement of Tremeirchion) falls within a designated Area of Outstanding Natural Beauty (AONB).

1.9 Environmental Designations

1.9.1 There are no statutory and two non-statutory designated ecological sites within 1km of the survey area. The area of woodland to the north of the site, is Ancient and Semi Natural Woodland. Nan Pen Is'r Waen Wildlife Site is located 160m southwest of the site and is a direct continuation of the woodland adjacent to the site. Pwll Echo Wildlife Sites is located 603m from the site. Both are designated for their Oak Woodland.

1.10 Heritage Designations

1.10.1 The site and surrounding area are located within the Vale of Clwyd Registered Landscape of Historic Interest in Wales (ref HLW(C) 1 described as:

A broad, lowland river valley edged by the Clwydian Hills in central Denbighshire, representing the best surviving and most complete, typical historic part of the Vale of Clwyd. The area contains significant evidence of the late prehistoric and medieval land use and includes a spectacular, defensive chain of Iron Age Hill forts overlooking the valley floor, which is characterised by medieval estate enclosure, settlements and Denbigh and Ruthin defended town and castles.

1.10.2 There are no designated heritage assets within the application site. The closest asset to the site is the Grade II listed 'Waen Farm' (reference no. 21924) which lies some 550m to the north-west of the site.

1.11 Planning History

1.11.1 From a review of Cyngor Sir Ddinbych's / Denbighshire County Council's publicly accessible database, the relevant site history relating to the site is listed below:

- Ref 2/TRE/0363/88/P, which was granted planning permission on 27/09/1998 for *Additional Humus Tank to improve effluent treatment.*

2.0 DEVELOPMENT PROPOSALS

2.1 Proposed Development

2.1.1 The proposed development comprises the construction of an Integrated Constructed Treatment Wetland (ICTW) scheme at the existing Tremeirchion WwTW comprising:

- the installation of 2 no. underground septic tanks;
- the creation of 3 no. wetland cells with planting;
- a welfare facility;
- new internal access road(s),
- perimeter fencing; and
- Landscaping works.

2.1.2 The proposed development will involve mostly engineering operations, the construction of three wetland cells covering a total surface area of approximately 4,595m² and each with a wetted depth of circa 200mm.

2.1.3 Each of the wetland cells will be planted with native species providing a biodiversity benefit. This is shown within the Landscaping Plan, which accompanies this application.

2.1.4 Each wetland cell will feature hydraulic isolation pipework so that maintenance can be carried out on each cell in isolation.

2.1.5 A stock-proof fence is proposed around the boundary of the site, with hedgerow planting along its length to provide separation from the adjacent agricultural land.

2.1.5 The proposed welfare facility comprises a modular building measuring 6m (length) x 2.7m (width) x 2.5m (height), with the visible faces clad in Larch and left to age/weather naturally. The building is to be sited to the northeast of the site and will be used for staff and the infrequent visit to the site. The structure will be lightweight but permanent in design and will be required for the lifetime of the development.

2.2 Waste Water Treatment Process and Decommissioning of existing WwTW

2.2.1 The proposed ICTW is an engineered wetland system designed to mimic the physical, chemical, and biological processes occurring in a natural wetland for wastewater treatment purposes. It will provide a wide variety of benefits including biodiversity improvements and a reduction in carbon impact, with the primary benefit being wastewater filtration and removal of nutrients, pathogens, and other contaminants from wastewater to meet permit regulations.

- 2.2.2 Primary treatment of the wastewater will be carried out in the two septic tanks located beneath ground level. Effluent will flow from the septic tanks into the primary wetland cell for treatment. The wastewater then slowly moves via a piped connection to the two secondary wetland cells, and then finally discharges through an outlet pipe to the Nant Pen Isa'r Waen, a minor stream that discharges into the Afon Bach.
- 2.2.3 The proposed discharge route leaves the site at its north-western boundary and extends down a relatively gentle slope to the Nant Pen Isa'r Waen.
- 2.2.4 The ICTW will be planted with emergent wetland species which have a high nutrient uptake efficiency. Large shallow wetland ponds allow high exposure to UV light which helps breakdown pollutants and remove pathogens. The water moves slowly through the wetland system, and in combination with the plants, this allows suspended solids and attached pollutants such as metals and non-soluble phosphorus, to settle to the wetland bed.
- 2.2.5 The existing WwTW will be retained as a standby facility throughout the commissioning and three-year operating technique agreement period (the minimum lifetime of the development). Following this three-year period, provided the ICTW technology has proved to be successful, the existing WwTW would be decommissioned, and once all buildings and structures are demolished, the area would be seeded with meadow land plants.
- 2.2.6 Other than in terms of its visual impact, the proposal is not intended to function as a public amenity. The site, as is the case with the existing WwTW, will not be publicly accessible.

3.0 PLANNING POLICY CONTEXT

3.1 Planning Policy Wales & Technical Advice Notes

3.1.1 Planning Policy Wales (Edition 12, February 2024) provides the overarching policy context and guidance for planning within Wales. It states that the primary objective is to *“ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places.”*

3.1.2 Chapter 1 ‘Introduction’ sets out seven well-being goals for a sustainable Wales:

- *A globally responsible Wales;*
- *A prosperous Wales;*
- *A resilient Wales;*
- *A healthier Wales;*
- *A more equal Wales;*
- *A Wales of cohesive communities; and*
- *A Wales of vibrant culture and thriving Welsh Language.*

3.1.3 The Well-being of Future Generation Act (Wales) places a duty on public bodies to carry out sustainable development. The Act provides the following definition of sustainable development in Wales:

“Sustainable development” means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals. Acting in accordance with the sustainable development principles means that a body must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs”.

3.1.4 National Sustainable placemaking outcomes are identified as:

- *Creating and Sustaining Communities;*
- *Making best use of resources;*
- *Growing our economy in a sustainable manner;*
- *Maximising Environmental Protection and Limiting Environmental Impact;*
- *Facilitating Accessible and Healthy Environments.*

3.1.5 Chapter 6 of PPW (paragraph 6.2.7) emphasises the importance of nature-based solutions in providing water quality, as well as the need for the reduction of pollution, as far as possible, by identifying nature-based solutions which form part of, or complement, wider activity at a

catchment scale to address pollution and improve the restoration of riverine and other habitats.

3.1.6 Paragraph 3.58 of PPW states “Agricultural land of grades 1, 2 and 3a of the Agricultural Land Classification system (ALC) is the best and most versatile, and should be conserved as a finite resource for the future.” PPW allows for the development of BMV agricultural land where there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable. It goes on to say that if BMV agricultural land does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade.

3.1.7 **Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009)** provides guidance regarding nature conservation and proposed development. A general approach of PPW, supported by the TAN, is to promote opportunities for the incorporation of wildlife green infrastructure in respect of new development.

When considering policies and proposals in local development plans and when deciding planning applications that may affect nature conservation, local planning authorities should:

- *pay particular attention to the principles of sustainable development, including respect for environmental limits, applying the precautionary principle, using scientific knowledge to aid decision making and taking account of the full range of costs and benefits in a long term perspective (PPW 2.2.1);*
- *contribute to the protection and improvement of the environment, so as to improve the quality of life and protect local and global ecosystems, seeking to avoid irreversible harmful effects on the natural environment (PPW 2.3.2);*
- *promote the conservation and enhancement of statutorily designated areas and undeveloped coast (PPW 2.3.2);*
- *ensure that appropriate weight is attached to designated sites of international, national and local importance (PPW 5.3.2);*
- *protect wildlife and natural features in the wider environment, with appropriate weight attached to priority habitats and species in Biodiversity Action Plans (PPW 5.2);*
- *ensure that all material considerations are taken into account and decisions are informed by adequate information about the potential effects of development on nature conservation (PPW paragraphs 5.5.1 and 5.5.2);*
- *ensure that the range and population of protected species is sustained (PPW 5.2.3, 5.5.11 and 5.5.12);*
- *adopt a step-wise approach to avoid harm to nature conservation, minimise unavoidable harm by mitigation measures, offset residual harm by compensation measures and look for new opportunities to enhance nature conservation; where there*

may be significant harmful effects local planning authorities will need to be satisfied that any reasonable alternative sites that would result in less or no harm have been fully considered (PPW 5.2.2, 5.2.7 and 5.5.2).

3.1.8 **Technical Advice Note (TAN) 12 Design (2016)** is intended to provide guidance on 'Promoting sustainability through good design' and 'Planning for sustainable building'. The TAN promotes a collaborative approach to delivering good design.

3.1.9 In regard to rural areas, TAN 12 states that:

The special qualities of the rural landscape and coastline of Wales should be recognised. The qualities should be enhanced through conservation of the character of the countryside and by achieving quality in new development. (TAN 12, 5.8.1)

3.1.10 **Technical Advice Note (TAN) 15 Development and Flood Risk (2004)**, provides guidance to supplement the policies set out in Planning Policy Wales in relation to development and flooding. TAN 15 advises caution in respect to development which affects flood risk and provides a 'precautionary framework'.

The overarching aim of the precautionary framework is, in order of preference, to:-

- *Direct new development away from those areas which are at high risk of flooding.*
- *Where development has to be considered in high risk areas (zone C) only those developments which can be justified on the basis of the tests outlined in section 6 and section 7 are located within such areas.*

The operation of the precautionary framework is governed by:

- *A development advice map containing three zones (A, B and C with subdivision into C1 and C2) which should be used to trigger the appropriate planning tests in relation to sections 6 and 7 and appendix 1.*
- *Definitions of vulnerable development and advice on permissible uses in relation to the location of development and the consequences of flooding.*

3.1.11 **Technical Advice Note (TAN) 21 Waste (2014)**, provides guidance on how planning decisions should contribute towards sustainable waste management and resource efficiency.

3.1.12 Development proposals should be determined in accordance with the Development Plan unless material considerations indicate otherwise, in accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004.

3.2 Denbighshire County Council Local Development Plan 2006 – 2021

- 3.2.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004, requires that a planning application be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 3.2.2 In this instance Statutory Development Plan relevant to the proposal is the Denbighshire County Council Local Development Plan 2006 – 2021 (the “LDP”) (adopted June 2013).
- 3.2.3 As per the LDP, the site is located in an area of Open Countryside, outside of any development boundary.
- 3.2.4 LDP policies most relevant to the proposal are as follows, with a summary of each policy provided below:
- Policy RD1 – Sustainable development and good standard design
 - Policy RD5 – The Welsh Language and the social and cultural fabric communities
 - Policy VOE 2 – Area of Outstanding Natural Beauty and Area of Outstanding Beauty
 - Policy VOE5 – Conservation of natural resources
 - Policy VOE 6 - Water Management
- 3.2.5 Policy RD1: Sustainable development and good standard design, states, insofar as is relevant to the development proposal:

Development proposals will be supported within development boundaries provided that all the following criteria are met:

- i) Respects the site and surroundings in terms of the siting, layout, scale, form, character, design, materials, aspect, micro-climate and intensity of use of land/buildings and spaces around and between buildings; and*
- (iii) Protects and where possible enhances the local natural and historic environment; and*
- (iv) Does not unacceptably affect prominent public views into, out of, or across any settlement or area of open countryside; and*
- (v) Incorporates existing landscape or other features, takes account of site contours and changes in levels and prominent skylines; and*
- (viii) Provides safe and convenient access for disabled people, pedestrians, cyclists, vehicles and emergency vehicles together with adequate parking, services and manoeuvring space. Proposals should also consider impacts on the wider Rights of Way network surrounding the site; and*

- (ix) *Does not have an unacceptable effect on the local highway network as a result of congestion, danger and nuisance arising from traffic generated and incorporates traffic management/calming measures where necessary and appropriate. A transport assessment and travel plan will be required where appropriate; and*
- (xi) *Does not prejudice land or buildings safeguarded for other uses, or impair the development and use of adjoining land; and*
- (xii) *Satisfies physical or natural environmental considerations relating to land stability, drainage and liability to flooding, water supply and water abstraction from natural watercourse; and*
- (xiv) *Incorporates suitable landscaping measures, including where appropriate hard and soft landscaping treatment, the creation and/or protection of green and blue corridors, mature landscaping, and arrangements for subsequent maintenance. Landscaping should create a visually pleasant, sustainable and biodiversity rich environment that protects and enhances existing landscape features and also creates new features and areas of open space that reflect local character and sense of place; and*
- (xv) *Has regard to the generation, treatment and disposal of waste.*

3.2.6 Policy RD5 – The Welsh Language and the social and cultural fabric communities, states:

In determining all planning applications, the needs and interests of the Welsh language will be taken into account. Development could be refused if its size, scale or location would cause significant harm to the character and language balance of a community. To be able to make an informed decision on applications that may have an effect on the future of the Welsh language within communities, applicants will normally be expected to submit a:

- i) *Community Linguistic Statement to accompany a planning application for smaller developments within villages, hamlets or the open countryside comprising proposals of the following kind: 5 residential units or more, commercial, industrial or leisure/tourism development with a floor area of 1000m² or more, development likely to lead to the loss of community facilities or employment opportunities, infrastructure projects with long term community impacts;*
- ii) *More detailed assessment in the form of a “Community and Linguistic Impact Assessment” to accompany a planning application in all settlements where developments are on a larger scale comprising proposals of the following kind: 20 residential units or more, commercial, industrial or leisure/tourism development with a floor area of 3000m² or more, large scale infrastructure projects with long term community impacts.*

Developers will be expected to provide bilingual signage as a minimum means of promoting the Welsh language. In appropriate circumstances, mitigation against any adverse effect will be secured through requiring a financial contribution by Section 106 or other means.

3.2.7 Policy VOE5: Conservation of natural resources, states that:

Development proposals that may have an impact on protected species or designated sites of nature conservation will be required to be supported by a biodiversity statement which must have regard to the County biodiversity aspiration for conservation, enhancement and restoration of habitats and species.

Where the overall benefits of a development outweigh the conservation interest of a locally protected nature site, mitigation and enhancement measures in or adjacent to these sites should be an integral part of the scheme.

If necessary, measures required to mitigate likely adverse effects on the qualifying features of statutory designated sites should be put in place prior to the commencement of development. Measures required to offset any likely adverse effects will be secured by planning conditions and/ or planning obligations.

Planning permission will not be granted for development proposals that are likely to cause significant harm to the qualifying features of internationally and nationally designated sites of nature conservation, priority habitats, priority species, regionally important geodiversity sites, or to species that are under threat.

3.2.8 Policy VOE 6: Water Management states:

All development will be required to incorporate water conservation measures, where practicable. Major development proposals (greater than 71 1,000 sqm floorspace or 10 dwellings) should be accompanied by a Water Conservation Statement.

All development will be required to eliminate or reduce surface water run-off from the site, where practicable. The run-off rates from the site should maintain or reduce pre-development rates

3.3 Supplementary Planning Guidance Documents (SPGs)

3.3.1 Also relevant to the development proposed are the Supplementary Planning Guidance Notes

Conservation and Enhancement of Biodiversity SPG (July 2016)

3.3.2 This SPD supports LDP policies RD1, VOE 1 and VOE 5. It states that *Ecological surveys and assessment work should be carried out at the early stages of project management to be able to amend the proposal's design, layout or plan in line with results and recommendations.*

3.3.3 The SPD provides additional guidance on the level of ecological information that Denbighshire will expect to accompany planning applications.

Planning for Community Safety SPG (March 2017)

- 3.3.1 This SPG supports LDP policy RD 1 ('Sustainable development and good standard design'). This policy applies to all development proposals and states that development must "*Take account of personal and community safety and security in the design and layout of development and public/private spaces and has regard to implications for crime and disorder*".
- 3.3.2 It states that the principles of planning for community safety should be considered as part of the design stage and should be applied to all development types.
- 3.3.3 The design principles set out in the SPG are based on the UK-wide police initiative 'Secured by Design', which aims to improve community safety through good design and has published detailed design guidance for those involved in the design process.

Trees & Landscaping SPG (July 2016)

- 3.3.4 This SPG relates to development proposals that would result in damage and/or inappropriate felling of significant trees. The SPG states that:

Development proposed near to existing trees, woodlands or hedgerows must be in accordance with the design and protection principles set out in this Local Planning Guidance Note and BS 5837: 2012 "Trees in relation to design, demolition and construction - Recommendations" (or any subsequent revisions).

- 3.3.5 For 'Large Scale Applications', the SPD recommends planning applications be accompanied by a tree survey; arboricultural implications assessment (AIA); Tree Protection Plan; and Arboricultural method statement).

3.4 Replacement Local Development Plan

- 3.4.1 Denbighshire County Council are in the process of producing a replacement LDP (the "preferred strategy") for which most recently a preferred strategy has been consulted upon. As the replacement LDP is at an early stage of the plan making process, limited weight can only be afforded to the draft policies contained within. Nonetheless, the preferred strategy sets out the Council's intention to manage waste sustainably, stating:

*Proposals must support the prevention of waste in the first instance and, where this is not possible, **minimise the impact on the environment through re-use and recycling of waste.***

Proposals for waste management facilities must demonstrate how they support the movement of waste up the waste hierarchy, are supported by evidence of need and do not result in unacceptable impacts on amenity.

4.0 PLANNING CONSIDERATIONS

4.1 The Principle of Development

- 4.1.1 The proposed ICTW is a gravity-fed engineered wetland system designed to mimic the physical, chemical, and biological processes occurring in a natural wetland for wastewater treatment purposes. It will introduce a nature-based treatment system receiving settled effluent from the proposed septic tanks. The proposed ICTW will significantly improve the local environment and the water quality within the Afon Clwyd Catchment by treating the effluent from the treatment works in order to reduce phosphate levels.
- 4.1.2 The Afon Clwyd has been classified, under the updated 2021 Water Framework Directive classifications, as moderate status for the majority of its length. Tremeirchion WWTW discharges into the Nant Pen Isa'r Waen, which flows into the Afon Bach a tributary of the Clwyd, ~800 m downstream of the works. NRW have concluded that its reason for not achieving 'good' status is due to excessive phosphate in the catchment. A Total Phosphate target of 2mg/l has been set for Tremeirchion WwTW and the proposed ICTW has been designed to achieve this.
- 4.1.3 Integrated wetlands to improve and manage foul water are successfully established throughout England and Ireland and are considered to meet the definition of sustainable development and are supported by national and local policy. Chapter 6 of PPW emphasises the importance of nature-based solutions in providing water quality, as well as the need for the reduction of pollution, as far as possible, by identifying nature-based solutions which form part of, or complement, wider activity at a catchment scale to address pollution and improve the restoration of riverine and other habitats.
- 4.1.4 The Pre-application enquiry (Ref PREAPP/2024/039) response from DCC confirmed the Council's view that the principle of a nature-based wetland as a sustainable management of waste in this location is supported.

4.2 Landscape & Visual Impact

- 4.2.1 This Draft Planning Application is supported by a Landscape & Visual Statement prepared by Tirlun Barr, which assesses the landscape context, and the impact of the proposed development on the landscape and visibility.
- 4.2.2 The surrounding land is pastoral, comprising seasonal farmland of medium size fields bounded by well-maintained hedgerows, including hedgerow trees and field trees predominately Oak and small woodlands and riparian vegetation following the local streams to the valley bottom and River Clwyd in the west.
- 4.2.3 Natural Resources Wales (NRW) National Landscape Assessment (based upon LANDMAP Characterisation) confirms that the proposed site area is located centrally within the boundary of Area 11 – Vales of Clwyd and the summary description is set out below:

Vale of Clwyd landscape but here displays a more wooded and stronger estate wooded character on the gently undulating flat valley floor. Hedgerow trees give the area a strong wooded effect character and provide good visual containment for views into and out of the area. A small to medium intimate field pattern gives the area a very rural agrarian appearance with the emphasis increasing on livestock rather than arable farming to the south of the area. Settlements are limited to a few small village/market towns settlements. Transport links through the area are largely relatively quiet rural roads with mature hedgerow and tree lined boundaries reinforcing the rural character, generally an attractive and settled area.

- 4.2.4 The site is located within LANDMAP Visual and Sensory Character Aspect Area – LANDMAP reference DNBGHVS031, which is classified as having a High Visual and Sensory evaluation with well-defined and vegetated pastoral agricultural landscape with attractive views throughout the area often framed by mature intervening vegetation and woodland blocks.
- 4.2.5 The site and surrounding area are located within the Vale of Clwyd Registered Landscape of Historic Interest in Wales. Other than this the site is not within an otherwise designated landscape area, or protected landscape.
- 4.2.6 The site will not be accessible to the public and due to extensive private ownership of surrounding farmland and there being few Public Footpaths or areas of publicly accessible land, publicly available access in the vicinity of the proposed site is limited.
- 4.2.7 The woodland to the north of the proposed development encloses the site and prevents view of the site from the immediate and surrounding area to the north, which is the main potential source of receptor opportunity via the main road.
- 4.2.8 The nearest properties to the site Plas Coch, Pen Isa'r Waen and Hafod y Coed Lodge and Hafod y Coed are not able to view the existing site at present even in Winter leafless conditions, due to the presence of existing vegetation and juxtaposition.
- 4.2.9 The Nationally Important Long Distance Offa's Dyke is over 2.5m distant at its closest point to the site with extensive views westwards and over the length of the Vale, however the existing and proposed site is not visible from the route due to its small scale, layering of valley vegetation and juxtaposition.
- 4.2.10 The proposed welfare facility whilst being the largest proposed structure on the site, is small in scale and with simple form and design clad in Larch. It is predicted to be undiscernible, and with the hedgerow and tree planting proposed, it is considered that the existing landscape character (and layering of hedgerows) will be strengthened by its implementation. The welfare facility is sited within an already developed part of the site and as such if visible will be read in the context of the existing WwTW.
- 4.2.11 The LVS summarises that the small scale, and restricted visual influence of the proposal and rural content will not detract from the surrounding landscape character aspect area, or introduce any discordant, new features into the wider landscape.

- 4.2.12 The LVS concludes that there will be a **Neutral Impact**, upon landscape character as a result of the proposals, i.e. no discernible difference - whereby the proposal would complement the scale, landform and pattern of the existing landscape and would not impact negatively upon the identified landscape quality or character.
- 4.2.13 The magnitude of the effect has been categorised as **Negligible** - Where the development or work or activity associated with the development is not predicted to be discernible over and above levels of activity currently undertaken and its rural content of ponds, hedges etc.
- 4.2.14 Visual Impact is predicted to be a **Neutral Impact**: i.e. no discernible difference or sensitive receptors groups (including receptors within the AONB or nearby properties) will be impacted by the proposed development due to its limited scale and proposal content which is enclosed by existing mature and established native vegetation preventing wider visual influence.
- 4.2.15 The site area has little light pollution and a rating of between 0.5-1 (Nano Watts/cm²/sr) and the proposal is not predicted to generate any additional change to the current Night Sky rating due to ambient background lighting already present, and the fact that lighting does not form part of the proposed development.
- 4.2.16 The proposed development is acceptable in landscape terms and complies with the requirements of Policy RD 1 criterion iii and xvi.

4.3 Drainage

- 4.3.1 The site lies within a Ground Water Protection Area. A Groundwater Risk Assessment accompanies this Draft Application and has been used to inform the design of the scheme. It is proposed that a clay liner is installed along the base and sides of the wetland, to act as an effective aquitard preventing leakage from the wetland. The liner will comprise of site-won clay that is compacted to obtain a very low permeability layer. The Groundwater Risk Assessment concluded that *“Conservative fate and transport simulations (allowing soil water partitioning, without biodegradation activated) confirm that a 0.5m thick clay liner constructed with clay material obtained from site is suitable to prevent pollutant breakthrough into the Sandstone Aquifer within a model timeframe of 1,000 years.”*
- 4.3.2 The site is not at risk of flooding from rivers, or surface water and small watercourses and is suitable for an ICTW under flood risk requirements.
- 4.3.3 The proposed development has been sensitively designed and will not have any adverse impact on flood risk, or ground water as is evidenced in the Groundwater Risk Assessment.
- 4.3.4 Policy VOE 6: Water Management requires development to eliminate or reduce surface water run-off from the site, where practicable, and the run-off rates from the site should maintain or reduce pre-development rates.
- 4.3.5 A Drainage Plan accompanies this Draft Planning Application which demonstrates how surface water drainage will be managed on the site, and an application will be made by DCWW to the

SuDS Approving Body (SAB) in due course. The proposed development complies fully with the relevant requirements of Policy VOE 6.

- 4.3.6 The application has demonstrated that an appropriate design and layout of the wetland system can be achieved which will satisfy natural environmental considerations relating to land stability, drainage and liability to flooding, in accordance with Policy RD1 criterion xiii.

4.4 Ecology/Biodiversity/Arboricultural Impacts

- 4.4.1 This Draft Application is accompanied by a Preliminary Ecological Appraisal (PEA) prepared by Enfys Ecology Ref EE.4346.24.RC. which focusses on the area of the proposed wetland cells and the woodland area in the immediate vicinity of the proposed discharge route, including the areas approximately 50 metres upstream and downstream of the discharge point.
- 4.4.2 There are no statutory and two non-statutory designated ecological sites within 1km of the survey area. Nan Pen Is'r Waen Wildlife Site is located 160m south-west of the site and is a direct continuation of the woodland adjacent to the site. Pwll Echo Wildlife Sites is located 603m from the site. Both are designated for their Oak Woodland, and the PEA concludes that neither of these designations will be affected by the proposed development.
- 4.4.3 The site itself comprises improved grassland and is of low ecological value. The open, grazed grassland has limited diversity and the enclosing hedgerows (only a small section of which border the proposed development area) are species-poor and in generally poor condition.
- 4.4.4 All of the improved grassland on site will be lost, but the majority will be replaced by higher value habitats and is therefore considered to be an enhancement of this habitat. In addition, a small area of grassland will be lost through the creation of new access tracks but the overall quality of the habitats on site will be greatly improved through the proposed works.
- 4.4.5 There is an area of broadleaved woodland which forms the northern boundary to the proposed wetland area, and this is registered as Ancient Woodland under the National Inventory of Woodland and Trees. The proposed discharge route runs through approximately ten metres of this woodland to join the Nant Pen Isa'r Waen stream. The proposed headwall will affect a small area of this Ancient Woodland and will involve the removal of smaller diameter trees together with two category U trees. The accompanying Arboricultural Impact Assessment (AIA) confirms that many of the ash trees in this part of the woodland are overgrown by ivy and some show apparent signs of ash dieback. The understorey in this area is an unremarkable carpet of dense ivy with scattering saplings. Impacts on the woodland will be minimal and restricted to a narrow area, and the PEA concludes that there will be negligible loss of this habitat and no overall loss of habitat functionality as a result.
- 4.4.6 In order to minimise impact on trees around the proposed discharge route the accompanying AIA recommends that low impact construction methods are used in the construction of the headwall such as a micro digger and tracker plates, or alternatively for any excavations to be hand dug. The proposed discharge route was one of three discharge routes investigated (reference Ecological Appraisal Ref EE.4346.23.HT) and was considered the most preferable

in terms of topography and with the least impact on surrounding trees. DCWW will also commit to a no-dig construction method when carrying out the proposed reprofiling works of the access track up to the WwTW.

- 4.4.7 Whilst the PEA identifies that there are multiple trees within the woodland, as well as along the field boundaries that have potential bat roost features, no suitable potential roost features were observed in trees along the proposed discharge route. If suitable features are subsequently found on any trees that require felling or pruning then a suitably licenced Ecologist would be consulted before the works proceed.
- 4.4.8 The PEA identifies that the woodland, field boundary trees and more intact sections of hedgerows offer suitable nesting and foraging habitat for a variety of birds. Signs of badger activity were observed close to the site, and the adjacent woodland has the potential for both foraging and sett building.
- 4.4.9 No invasive non-native species were observed within the survey area or immediate surroundings.
- 4.4.10 The proposed works have the potential to impact on the following non-statutory statutory designated nature conservation site: Nant Pen Isa'r Waen Wildlife Site. This Wildlife Site is a direct continuation of the broadleaved woodland, located 160m to the south-west. The PEA confirms that whilst there will be no direct impacts on this Wildlife Site, there is a hydrological connection to it and therefore a risk of any run-off from the works affecting the Wildlife Site. It was noted that the stream is already very turbid, and therefore low volumes of sediment influx during construction would be unlikely to have a significant or lasting impact.
- 4.4.11 Section 6.3 of the PEA identifies a series of mitigation measures that should be adopted as part of the proposal to minimise the potential impact on biodiversity features. These are detailed below.
- 4.4.12 Hedgerows will be planted along the new site boundaries, which will compensate for loss of any trees, provide an overall habitat enhancement as well as improving habitat connectivity across the site. Details of these hedgerows are provided in the Landscaping Plan and include a mixture of appropriate native species.
- 4.4.13 To compensate for the loss of features which could be used by nesting birds, for example trees removed during the works (which would represent a loss in nesting opportunities within the site, at least until the new hedgerows become sufficiently mature), bird boxes will be incorporated near to and facing areas of trees, as recommended in the PEA.
- 4.4.14 The proposed wetland cells will be planted with a mixture of native emergent aquatic/aquatic marginal plug plants (as identified in the Landscaping Plan), which will greatly increase diversity within the site. The wetland cells will also create habitats suitable for a range of invertebrates, amphibians and reptiles.

- 4.4.15 It is proposed that all of the retained grassland area is seeded with a grassland and wildflower seed mix which, in conjunction with an appropriate management regime, which will further enhance biodiversity across the site.
- 4.4.16 In summary, the proposed development will affect approximately 1.1ha of improved grassland; approximately 0.6ha will become wetland cells and the majority of the grassland will be retained, with a small area lost to create access tracks. The discharge route for the wetland area will run through a short section of adjacent woodland; a small number of low value trees will need to be removed or pruned, but there will be no overall loss of woodland cover. Through the creation of wetland cells, species rich grassland, hedgerows, and the erection of bird boxes, the proposed development will provide a net gain for biodiversity.
- 4.4.17 The proposed development fully complies with the requirements of Policy RD1 criterion xiii, Policy VOE 1, and Policy VOE 5, as well as Chapter 6 of PPW.

4.5 Agricultural Land Classification

- 4.5.1 1.13 ha of the total site area (1.25ha) is agricultural land, currently used for grazing. The Welsh Government's Predictive Agricultural Land Classification (ALC) Map 2 broadly classifies this area of agricultural land as Grade 3a.
- 4.5.2 The Predictive Agricultural Land Classification Map (Wales) Guidance Note (November 2017) indicates that where Best Most Versatile (BMV) agricultural land is an issue for consideration, the predictive grade can be used and accepted as the best available information.
- 4.5.3 PPW allows for the development of BMV agricultural land where there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable. It goes on to say that if BMV agricultural land does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade.
- 4.5.4 There is a clear overriding need for the proposed development in that it is required in order to fulfil the obligations of the National Environment Programme (NEP), and is required in order to improve the status of the Afon Clwyd, and the total Phosphate target. The proposed development needs to be located adjacent to the existing WwTW, there is no choice of sites here. As such the tests set in PPW for the loss of BMV land have been demonstrated.

4.6 Residential Amenity

- 4.6.1 The nearest properties to the application site are, the farm and farmhouse of Plas Goch (approximately 325m distant from the existing works to the north east), the former farmhouse and storage business at Pen Isa'r Waen (approximately 350m distant to the north) and Hafod y Coed farm house and farm buildings (500m distant to the east).
- 4.6.2 The proposed development will not give rise to any adverse impacts on nearby residents by way of noise or disturbance.

4.7 Heritage

4.7.1 The proposed site lies within the boundary of the Vale of Clwyd landscape of outstanding historic interest. Advice was sought from CADW and the response was as follows:

“This part of the historic landscape has not been characterised in detail, but the higher level Landmap description indicates that it is part of an extensive area of medium sized regular field pattern interspersed with woodland and hints of an earlier, possibly medieval landscape. The insertion of ponds of the size indicated into this area will not have any significant impact on the registered historic landscape.”

4.6.2 Consultation with the Clwyd-Powys Archaeological Trust (CPAT) has taken place and results from the Historic Environment Record (HER) enquiry confirmed that there are no archaeological records or historical remains within the proposed site or within 500m of the site.

4.8 Transport, Access & Parking

4.7.1 The proposed development will utilise the existing access off Tremeirchion Road. An initial preliminary consultation with one of DCC’s Development Control Engineers has taken place, and the response received confirmed that provided there would be no increase in vehicle movements associated with the proposed development, an improvement to the existing access onto Tremeirchion Road would not be necessary as part of the proposed development.

4.8.2 Once built, the proposed development is likely to result in the following traffic movements, which is the same as at present under the existing operations:

- 3 no. van visits per week
- 1 no. sludge tanker per month (tanker size circa. 10k litres)

4.8.3 This Draft Application is accompanied by a Construction Traffic Management Plan (CTMP) which identifies the number and types of vehicles that will be required as part of construction works.

4.8.4 As part of the proposal, the internal road that leads up to the existing WwTW will be improved (resurfaced).

4.8.5 There is sufficient space for 2 no. parking spaces to be provided within the existing WwTW, for maintenance staff.

4.9 Pre-Application Consultation

4.9.1 The proposed development constitutes major development and, therefore, falls within the requirement for pre-application consultation in accordance with the provisions of Section 61Z of the Town and Country Planning Act 1990, as amended (“the Act”), and the Town and

Country Planning (Development Management Procedure) (Wales) Order 2012, as amended (DMPWO).

- 4.9.2 This Planning and Design & Access Statement constitutes to the supporting planning documents which have been produced for the Pre-Application Consultation exercise which commenced 24th October 2024 and will conclude 25th November 2024.
- 4.9.3 Once the Pre-Application Consultation has concluded, a Pre-Application Consultation Report will be produced to support the submission of a planning application in due course.

5.0 DESIGN AND ACCESS

5.1 Introduction

5.1.1 The following Section of this report provides details of the proposal.

5.2 Use and Amount

5.2.1 The application seeks permission for the construction of an integrated constructed treatment wetland adjacent to the existing Wastewater Treatment Works.

5.2.2 The development comprises a total of 3 no. wetland pond cells, the installation of 2 no. underground septic tanks, a single storey welfare facility, new internal access roads in addition to fencing and landscaping.

5.2.3 The area of each wetland cell will measure as follows (approximate):

- Cell 1 - 1650 m²
- Cell 2 - 1575 m²
- Cell 3 - 1370 m²

5.2.4 As stated, the wetland ponds cells will have a wetted depth of circa 200mm.

5.3 Scale and Massing

5.3.1 The proposed welfare facility comprises a single storey structure, utilitarian in terms of its design, measuring 6m (length) 2.7m (width) and 2.5m (height) and covers a footprint of 16.2m². A floor plan and elevation for the proposed welfare facility is provided (plan ref. PRT_2009CXN01A).

5.4 Layout

5.4.1 The proposed site layout is shown on submitted plan ref B17505-00DM13-03-AB-DR-CA-CI5042 - I1.1.

5.4.2 The layout has been designed to provide efficient use of the land and follows a linear pattern in order to function effectively as a wastewater treatment process. The cells have been laid out to ensure an appropriate buffer between them and the root protection areas of the trees to the northwest of the site.

5.4.3 The proposed layout includes a track, laid to gravel, which is to run a length of approximately 150m from the existing WwTW to wetland Cell 3. The track is to be 3.5m in width and will be sited between the northwestern site boundary and the northern edge of the wetland cells. At its eastern end the track links to a new grasscrete access road connecting the site to the existing WwTW. In addition, gravel paths are also proposed between cells 1 and 2 and cells 2 and 3 for pedestrian access for monitoring and maintenance.

- 5.4.4 The headwall and pipes enter the woodland from the north-west of the site to connect into the Nant Pen Isa'r Waen watercourse following the treatment. An Ecological Assessment (Ref EE.4346.23.HT) was carried out of three possible discharge routes. The discharge route chosen is the most preferable in terms of topography and with the least impact on surrounding trees.
- 5.4.5 It is proposed that a stock proof fence be erected around the boundary of the field, with a hedgerow planted along its length, to provide separation from the adjacent agricultural land.
- 5.4.6 The proposed welfare facility is within the northeastern part of the existing WwTW, and to the west of this are 2 no. parking spaces for maintenance staff visiting the site.

5.5 Materials

- 5.5.1 The proposed welfare facility will be faced in Larch and left to age/weather naturally, so as to best integrate (visually) into the forested setting.
- 5.5.2 The proposed fence enclosing the site on its southern boundary will be a timber post stock proof fence.
- 5.5.3 The wetland cells themselves will be lined in clay to prevent the water from discharging into the surrounding soil.
- 5.5.4 The proposed path to the north of the wetland cells will be gravel and the access track linking the area of wetland cells to the existing WwTW will be grasscrete.

5.6 Landscaping

- 5.6.1 The proposed development presents a significant opportunity for the enhancements of the site through the provision of a diverse wetland habitat creation to allow a range of aquatic and terrestrial species to thrive. Native hedgerow planting and species rich grassland will further enhancement the landscaping and biodiversity of the site.
- 5.6.2 This Draft Application is accompanied by a Landscaping Plan as well as a Planting Methodology which details the planting species, numbers and planting techniques.

5.7 Access and Parking

- 5.7.1 The proposed development will utilise the existing access off Tremeirchion Road.
- 5.7.1 As part of the proposal, the internal access road that leads up to the existing WwTW will be resurfaced.
- 5.7.2 There is sufficient space for 2 no. parking spaces to be provided within the existing WwTW for any maintenance staff, the location of which is shown on the Proposed Site Plan.

6.0 CONCLUSIONS

- 6.1.1 The combined effect of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 is that a planning application should be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 6.1.2 This application seeks full planning permission for the change of use of land and construction of an Integrated Constructed Treatment Wetland (ICTW) and associated works including the installation of 2 no. underground septic tanks, creation of 3 no. wetland cells with planting, welfare facility, new internal access roads, fencing and landscaping at Tremeirchion Wastewater Treatment Works.
- 6.1.3 The proposed development accords with the key principles of Planning Policy Wales as well as local policies in the adopted Local Development Plan, and therefore, planning permission should be granted without delay.



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