Cyngor Sir CEREDIGION County Council

Huw Williams
Pennaeth y Gwasanaethau Ffordd o Fyw /
Head of Lifestyle Services

Neuadd Cyngor Ceredigion, Penmorfa, Aberaeron, SA46 0PA
www.ceredigion.gov.uk

planning consent

Mr R Bowen
Asbri Planning Ltd
1st Floor Westview House
Oak Tree court
Cardiff Gate Business Park
Cardiff
Glamorgan CF23 8RS

Rhif y Cais / Application No. A130627

Swyddog / Officer Graham Dorrington

Estyniad / Extension 01545 572132

Dyddiad / Date 12 December 2013

Annwyl Syr / Fadam
Dear Sir/Madam

Y Bwriad / Proposal Construction and use of an anaerobic digestion facility and associated works.

Safle / Location Crugmore Farm, Penparc, Cardigan

Mae'n ddâ'gennyf am'gáu eich caniatâd Cynllunio ynglŷn â'r bwriad uchod.

Fe'ch cynghorir i ddarllen yr amodau yn ofa'us ac os bydwch am gael eglurhad ynglŷn ag unrhyw bwynt bydd croeso i chi gysylltu â'r swyddog perthnasol yn y swyddfa hon.

I have pleasure in enclosing your Planning permission for the above proposal.

You are advised to read the conditions carefully and if you wish to clarify any point please do not hesitate to contact the case officer at this office.

Yr eiddoch yn gywir / Yours faithfully

Huw Williams

Pennaeth y Gwasanaethau Ffordd o Fyw
Head of Lifestyle Services

Amg / Enc

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PLANNING DECISION

Town and Country Planning Act 1990

PLANNING PERMISSION

Applicant:

Mr R Ward
Syrus Energy
c/o Agent

Agent

Mr R Bowen
Asbri Planning Ltd
1st Floor Westview House
Oak Tree court
Cardiff Gate Business Park
Cardiff
Glamorgan CF23 8RS

Part 1 - Particulars of application

Date of application 29/07/2013 Application No. A130627

Particulars and location of development

Crugmore Farm, Penparc, Cardigan

Construction and use of an anaerobic digestion facility and associated works.

Grid reference: 220464 247243

Part 2 - Particulars of decision

Cyngor Sir Ceredigion hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that PERMISSION HAS BEEN GRANTED for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:-

1. The development hereby permitted shall be commenced before the expiration of five years from the date of this permission. Written notification of the date of commencement shall be sent to the Local Planning Authority a minimum of 14 days prior to commencement.

2. Unless otherwise agreed in writing by the Local Planning Authority, or required by any condition attached to this planning permission, the development hereby approved shall be carried out in complete accordance with the approved plans and supporting documents received 29 July 2013 as amended and expanded upon by the corrected Location Plan and revised Site Layout Plan received 7 August 2013, the revised Design and Access Statement received 8 August 2013 and the Proposed Levels and Indicative Sections Plans received 13 August 2013.

Application number A130627 continued:

3. All site preparation and construction shall be carried out in strict accordance with a Construction Method Statement (CMS) to be submitted and approved in writing by the Local Planning Authority before the development commences. This shall include details of badger protection works, including details of re-survey if works are to be carried out later than 12 months after the initial survey. Therafter the CMS shall be implemented as approved.

4. With the exception of that which is permitted under condition 5, no waste materials, other than the waste feedstock materials specified in the application (farm slurries and category 3 commercial food waste) and non-commercial food waste up to (and including) category 3, shall be imported, deposited, stored or processed anywhere on the site

5. Any incidental waste materials not conforming to the categories of feedstock permitted under condition 4 that are found to be included amongst the feedstock brought onto the site permitted under condition 4, shall (as far as is practicable) be removed from the feedstock within the building hereby approved, then immediately transferred to sealed skips for onward transfer off-site by registered waste carriers. The quantity of such materials that may be held on site at any one time shall be no more than can be contained within 2 x 4cubic metre sealed skips, and such skips shall be retained within the building hereby approved until such time as they are transported from the site.

6. Unless otherwise agreed in writing by the Local Planning Authority the total volume of feedstock (comprising the waste materials permitted under condition 4 and fodder beet) brought onto the site shall not exceed 20,000 tonnes in any calendar year.

7. Separate logs shall be kept of every load of feedstock material brought into the site, which records the date, tonnage and source of each load and the contract to which it relates, together with the cumulative tonnage received during that calendar year. This record shall be retained on site and made available to the authority for inspection on site whenever the site is operational; or in the case of any written request by the authority to view the records, the requested records shall be submitted to the authority within five working days of the date of such request.

8. No deliveries of feedstock shall be accepted at the site, and no vehicles carrying digestate shall leave the site outside the following hours: 07:30hrs to 18:00hrs Monday to Friday and 08:00hrs to 14:00hrs on Saturday. No deliveries shall be accepted at the site, and no vehicles carrying digestate shall leave the site at any time on Sundays, Bank Holidays, or Public Holidays.

9. Before the site becomes operational a scheme setting out the measures to be undertaken to ensure that all vehicles delivering feedstock to the site (including any operated by third parties outside the control of the operator) or transporting digestate off the site are appropriately designed, maintained and managed to ensure that there are no leaks, spills or other release of their contents, including the escape of any odours, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme shall be implemented as approved.

10. Before the development hereby approved commences a scheme setting out the mechanisms to be employed to ensure that the doors/roller shutters of the building hereby approved shall be kept shut at all times except when required to be opened in order to provide for vehicular access shall be submitted to and approved in writing by the Local Planning Authority.

Application number A130627 continued:

11. Before the development hereby approved commences a scheme for ensuring that the noise levels generated by the proposed development will not exceed the noise limits recommended on page 11 of the Environmental Noise Assessment Report (Reference 3109/ENA2 – rev1 dated 25 July 2013) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate how best practice shall be adopted to minimise the level of noise generated in accordance with the various recommendations set out in the Environmental Noise Assessment Report (Reference 3109/ENA2 – rev1 dated 25 July 2013); and shall include a mechanism for monitoring noise levels once the site is operational, together with proposals for reporting the results to the Local Planning Authority. Thereafter the scheme shall be implemented as approved.

12. In the event that noise levels arising from the development exceed the noise limits recommended on page 11 of the Environmental Noise Assessment Report (Reference 3109/ENA2 – rev1 dated 25 July 2013) then within one month of the developer being notified that the maximum permitted levels have been exceeded a scheme and programme of measures for the minimisation and suppression of noise, including provision for monitoring and review of the scheme, shall be submitted to and approved in writing by the Local Planning Authority; and thereafter the scheme shall be implemented as approved and complied with at all times.

13. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturers' specifications at all times, and shall be fitted with and use effective silencers.

14. The noise emitted at any time from the site shall not contain any discrete continuous note, i.e. whine, hiss, screech, hum or distinct impulses i.e. bangs, clicks, clatters or thumps (that are repeated as part of normal operations) distinguishable at any of the monitoring locations identified in the scheme to be approved under condition 11.

15. No vehicles under the control of the operator using the site shall be fitted with reversing bleepers. Instead, all such vehicles shall be fitted with and always use a non-audible safety device or a "smart" form of reversing alarm, in accordance with specifications to be submitted to and approved in writing by the Local Planning Authority within 3 months of the date of this permission.

16. The development hereby approved shall not commence until the highway access/junction approved under planning permission A100642 (as modified by plan reference 031a-100-002 approved under planning permission A120564) and the new access road approved under planning permission A120564 have been completed and certified in writing as complete by or on behalf of the Local Planning Authority.

17. The development hereby approved shall not be carried out until a scheme has been submitted to and approved in writing by the Local Planning Authority, which indicates how all delivery traffic requiring access to and from the site will be prevented from accessing/exiting the site via the existing access lane to the north of Crugmore Farm. Thereafter the scheme shall be implemented as approved.

18. Within three months of the date of this permission the developer shall submit for the written approval of the Local Planning Authority a scheme indicating the facilities and /or methods to be put in place to ensure that all vehicles leaving the site do so without emitting dust or depositing slurry, mud, or other material from the site upon the public highway, including provision for revision of the scheme in the event of the scheme being ineffective, and including any remedial measures to be put in place to clear the highway of any such material. Thereafter the scheme shall be implemented as approved

Application number A130627 continued:

19. Before the development commences the developer shall either (i) submit to the Local Planning Authority detailed design calculations to demonstrate that the proposed Sustainable Surface Water Drainage System (SUDS) will effectively attenuate the rate of surface water discharge from the proposed development to existing greenfield run-off rates or less, even in the event of rainfall events that are extreme in both their intensity and duration; or (ii) submit for the written approval of the Local Planning Authority plans for an amended SUDS scheme (together with design calculations) that will effectively attenuate the rate of surface water discharge from the proposed development to existing greenfield run-off rates or less, even in the event of rainfall events that are extreme in both their intensity and duration. Thereafter the scheme shall be implemented as approved.

20. Any repair, maintenance and refuelling of plant and machinery, shall only take place on an impervious surface drained to an oil interceptor.

21. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls or in proprietary double skinned tanks. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

22. Before the development commences details on the pollution prevention measures to be employed to ensure that if any leaks occur, they cannot enter the nearby watercourses and surrounding habitats, shall be submitted to and approved in writing by the Local Planning Authority. Such scheme shall also include measures for monitoring for leaks. Thereafter the monitoring and pollution prevention measures shall be implemented as approved.

23. Prior to the commencement of any preparatory work or development on site, a walkover survey shall be undertaken by a suitably qualified ecologist to confirm whether there are any active badger setts present. If an active badger sett is found to be present the developer shall inform the Local Planning Authority in writing and shall not proceed with any development that may only be carried out under licence until the authority receives confirmation that the required licence has been obtained.

24. The landscaping of the site shall be carried out in strict accordance with a Landscaping Plan and Landscape Management Plan to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work on site. The Landscaping Plan shall include, in addition to the hedgerow planting and screening referred to in the submission documents, the provision of additional soft landscaping and planting, which shall comprise native species of UK provenance; and the Landscape Management Plan shall provide for the on-going maintenance and management of the works included within the Landscaping Plan throughout the operational life of the site, ensuring that any works that may affect the adjacent woodland strips take full account of the potential for them to support breeding birds and their likely use by foraging/commuting bats.

25. All landscaping and planting in the approve Landscaping Plan shall be carried out within 12 calendar months of the commencement of the development or in such phases as may be agreed in writing with the Local Planning Authority.

Application number A130627 continued:

26. All existing and proposed trees, bushes and hedgerows including those to be planted in accordance with the approved Landscaping Plan and Landscape Management Plan shall be retained and maintained, and shall not be wilfully damaged or destroyed or uprooted, felled, lopped, or topped without the previous written consent of the Local Planning Authority. Any trees, bushes or hedgerows being removed without such consent or dying, being severely damaged or becoming seriously diseased shall be replaced with shrubs of such size and species as may be agreed in writing by the Local Planning Authority

27. The developer shall conform to the recommendations of British Standard 5837:2005 'Trees in relation to construction – Recommendations' to provide a buffer between the woodland area / stream and the proposed development

28. The recommendations set out under Section 6 of the Phase 1 Habitat Survey prepared by Excal Ltd. dated July 2012 shall be implemented in full within 12 calendar months of commencement of the development or in such phases as may be agreed in writing with the Local Planning Authority.

29. Details of the location, height, design, sensors, and luminance of any floodlighting and security lighting to be used in connection with the development hereby approved (which should be directional, preferably LED and shall be designed to minimise the potential nuisance of light spillage on to the highway and nearby properties, and avoid contaminating the woodland or surrounding habitats with stray light), shall be submitted to and approved in writing by the Local Planning Authority before being erected. Thereafter no security lighting or floodlighting, other than that approved, shall be used on the site without the prior written approval of the Local Planning Authority.

30. Any floodlights to be utilised shall not be illuminated between the hours of 18:15 to 07:30 Monday to Friday, nor between 00:00 to 08:00 or 14:15 and 24:00 on Saturday or at any time on Sunday or National Holidays (save for security lighting activated by unauthorised entry by persons or vehicles), unless otherwise agreed in writing with the Local Planning Authority.

31. The developer shall ensure that a professionally qualified architect is present during the undertaking of any ground works in the development area, so that an archaeological watching brief can be carried out. The archaeological watching brief will be undertaken to the standards laid down by the Institute for Archaeologists. The developer shall inform the planning authority in writing, the name of the said archaeologist at least two weeks prior to the commencement of the development.

32. The external walls and roof(s) of the proposed building(s) shall be clad in through coloured (or painted) dark green or blue/grey profiled cladding, details of which, and where so required, samples of which shall be submitted to and approved in writing by the Local Planning.

33. Other than where necessary in order to construct the development hereby approved, or in order to repair or maintain any of the fixed, outdoor plant or structures hereby approved, no outdoor operation of plant or machinery of any kind, shall take place on the land, with the exception of the movement of vehicles required to transport materials to, from and within the site, without prior approval, in writing, of the Local Planning Authority.

34. No feedstock shall be deposited or stockpiled anywhere out in the open.

Application number A130627 continued:

35. Within 6 months of any cessation of the anaerobic digestion operations hereby approved, the applicant shall have submitted for the approval in writing by the LPA, a scheme for the removal of all buildings, structures, hard-standings, plant and machinery, roadways, fencing or other structures and equipment brought onto or erected on the land for the purposes of the development. The scheme shall include details of restoration and a timescale for completion. The scheme shall be fully implemented within 6 months of the date of approval.

Reasons:

1. Pursuant to Section 91 of the Town and Country Planning Act 1990

2. To ensure compliance with the approved plans.

3. Reason: In the interests of protection of biodiversity on the site and in the locality.

4, 5, 6. To enable the authority to adequately control the scale of the development and to minimise its impact on the residential amenity of the area.

7. To allow the Local Planning Authority to adequately monitor activity at the site and in the interests of the amenity of the residents of the area

8. To protect the amenities of local residents and the amenities of the locality from the effects of any noise arising from the development.

9. To protect the amenities of local residents and the amenities of the locality.

10. To limit the escape of any odours to protect the amenities of local residents and the amenities of the locality.

11, 12, 15. To protect amenities of local residents and the amenities of the locality from the effects of any noise arising from the development.

13. To ensure minimum disturbance from operations and avoidance of nuisance to the local community.

14. To protect the amenities of the locality from the effects of any noise arising from the development.

16. In the interests of highway safety.

17. In the interests of highway safety; and to protect the amenities of local residents.

18. In the interests of highway safety and to prevent mud and dust getting on the highway.

19. To reduce the risk of flooding within the catchment.

20. To minimise the risk of pollution of watercourses and aquifers.

21. To prevent pollution of the water environment.

22. To prevent pollution of the water environment

23. In the interests of protecting a protected species, in the interests of biodiversity.

24. To ensure that the site is properly landscaped in the interests of the visual amenity of the area and for biodiversity

25. To ensure that the site is properly landscaped in the interests of the visual amenity of the area and for biodiversity.

26. In the interests of protection of biodiversity on the site and in the locality and to ensure the development is adequately screened in the interests of the visual amenities of the area.

27, 28. In the interests of protection of biodiversity on the site and in the locality.

Application number A130627 continued:

29. To minimise nuisance and disturbance to residential and local amenity; and in the interests of highway safety.

30. To minimise nuisance and disturbance to neighbours (and the surrounding area); and in the interests of highway safety.

31. To enable a site of archaeological interest to be adequately investigated and recorded.

32. To safeguard the visual amenities of the area.

33, 34. To minimise nuisance and disturbance to residential and local amenity.

35. To safeguard the character and amenities of the area. To retain control of this development which is of a temporary character.

Informatives:

To meet the requirements of condition 17 the required scheme will need to demonstrate that all site traffic will only be able to access and exit the site via the entrance and access from the A487 Trunk road shown forming part of the site on the site location plan, and that no deliveries will be able to access the site via the existing road connecting to Crugmore Farm from the north.

All practicable means shall be employed by the operators for preventing or minimising the emission of odour during the approved use of the site. The requirements of condition 10 are most likely to be met if an automatic lobbied door arrangement is installed.

It is noted that it is intended that the liquid digestate will be applied to land in the vicinity of the farm. Although the end of line product is unlikely to generate odour if the process is properly controlled, it would be sensible to avoid the use of spread plates for dispersal onto land and instead to apply the liquid digestate directly either by dribbling using a dribble bar, or preferably by direct injection into the ground.

The applicant will need to ensure that any digestate applied to the land is certified as a biofertiliser as set out in British Standard BSI PAS 110, or that the land has the appropriate waste permit / permissions in place to accept the deposition of the digestate as a waste product. Please note that there is no planning permission in place to deposit any digestate classified as waste on the land at Crugmore Farm.

The facility will require a waste operations permit from Natural resources Wales (NRW) under the Environmental Permitting (England and Wales) Regulations 2010 (as amended).

NRW point out that badgers are protected under the Protections of Badgers Act 1992 which makes it an offence to damage or destroy a badger sett, to obstruct access to a sett and to disturb a badger whilst it is occupying a sett. Please note badgers can be disturbed by work near a sett even if there is no direct interference or damage to the sett.
The attached NRW guidance note provides additional advice on pollution prevention and waste management.

Any works that may affect the adjacent woodland strips should take account of the potential for them to support breeding birds and their likely use by foraging/commuting bats.

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The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. Under the Water Industry Act 1991 Dwr Cymru Welsh Water (DCWW) has rights of access to its apparatus at all times. Accordingly, in order to retain the integrity of the public sewer and avoid damage thereto no part of any building is permitted within 3m either side of the centreline of the public sewer.

Some public sewers and lateral drains may not be recorded on DCWW's maps of public sewers because they were privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist DCWW in dealing with this proposal they request the applicant contacts DCWW's Operations Contact Centre on 0800 35 3968 to establish the location and status of the sewer. Under the Water Industry Act 1991 DCWW has rights of access to its apparatus at all times.
The proposed development is crossed by a trunk/distribution watermain, the approximate position being shown on the attached plan. DCWW as Statutory Undertaker has statutory powers to access their apparatus at all times. Enclosed is a copy of their 'Conditions for Development near Watermain(s). It may be possible for this watermain to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the developer. The developer must consult DCWW before any development commences on site.

Public Footpaths78/37 and 74/31 are located to the south of the site. It is essential that these rights of way remain open and available at all times, both during the construction process and thereafter. This is of particular importance whilst undertaking the proposed drainage works (Drawing Title: Proposed Drainage Schematic) as the scheme involves placing a culvert under the rights of way. The developer should take into consideration whether this work can be undertaken whilst maintaining public safety at all times. In addition the surface of the right of way must be returned to its previous standard once the culvert has been installed.

The development is of an appropriate scale and location to incorporate nature conservation, education or access (Ceredigion LDP Policy DM14: Nature Conservation and Ecological Connectivity). This could be an information point about the wooded area or it could be an access gate and path for staff to the right of way that goes through the woodland.

Additional planting should be incorporated within the development site to provide Sustainable Urban Drainage, biodiversity, amenity and social and health benefits for staff .

The proposal will need prior temporary Ordinary Watercourse Consent from Ceredigion County Council Assets and Transportation Services for the outfall within the river bank profile before works commences.

The site lies within an area where full radon protection is required for any structures containing confined spaces likely to be accessible to human users. You are advised to contact Building Control to discuss this matter further.

The proposed development site lies in close proximity to the probable site of the Battle of Crug Mawr, an important engagement fought between Welsh and Anglo-Norman armies on the 10th October 1136. The precise location of the battlefield is

Application number A130627 continued:

uncertain though the application area is a candidate for the site, and finds of archaeological interest and human burial are possible. Accordingly an archaeological watching brief condition is recommended in line with Welsh Circular 60/96 – Planning and the Historic Environment: Archaeology, Paragraph 22.

Date 12 December 2013

Neuadd Cyngor Ceredigion,
Penmorfa, Aberaeron, Ceredigion,
SA46 0PA

Huw Williams
Pennaeth Gwasanaethau Ffordd o Fyw
Head of Lifestyle Services

The development plan covering Ceredigion is the Local Development Plan 2007 – 2022 (LDP). The following LDP policies were relevant to the consideration of this application.

DM03	Sustainable Travel
DM06	High Quality Design and Placemaking
DM11	Designing for Climate Change
DM13	Sustainable Drainage Systems
DM14	Nature Conservation and Ecological Connectivity
DM15	Local Biodiversity Conservation
DM17	General Landscape
DM19	Historic and Cultural Landscape
DM20	Protection of Trees, Hedgerows and Woodlands
DM22	General Environmental Protection and Enhancement
LU12	Employment Proposals on Non-allocated Sites
LU31	Resource Recovery and Waste Management Facilities
LU32	Development and the Waste Hierarchy

Application number A130627 continued:

S03	Development in Rural Service Centres (RSCs)

Note: This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment byelaw, order or regulation.

Appeals toThe National Assembly for Wales

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the National Assembly for Wales under section 78 of the Town and Country Planning Act 1990.
If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Planning Inspectorate at Cathays Park, Cardiff. CF1 3NQ.
The National Assembly for Wales can allow a longer period for giving notice of appeal, but it will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
The National Assembly for Wales need not consider an appeal if it seems to it that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of the development order and to any other directions given under a development order.
In practice, the National Assembly for Wales does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by it.

Purchase notices

If either the local planning authority or the National Assembly for Wales refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
In these circumstances, the owner may serve a purchase notice on the County Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part IV of the Town and Country Planning Act 1990.

Cyfoeth Naturiol Cymru
Natural Resources Wales

Planning Advice Note
Natural Resources Wales

This note provides guidance on environmental planning. It should be noted that this guidance note has not been designed to cover all issues, therefore should you have any other queries associated with the development, please contact the Natural Resources Wales Customer Contact Centre on 0300 065 3000 for further assistance.

Pollution prevention
Site operators should ensure that there is no possibility of contaminated water (including silt laden runoff) entering and polluting surface or ground waters. This is to protect water quality and prevent any potential deterioration in Water Framework Directive Classification. Detailed pollution prevention guidance for developers is available from the Environment Agency website at www.environment-agency.gov.uk

Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

If, during development, any contamination is found to be present at the site then development shall cease and you must contact the Natural Resources Customer Contact Centre for advice and guidance.

Foul drainage – Disposal to the public foul sewer
If it is intended to connect the development to the mains system Dwr Cymru/ Welsh Water should be contacted to confirm that there is adequate hydraulic and biological capacity in the system to accommodate the increased flows without causing pollution.

Please note that we would not support any proposals to provide a non-mains drainage system within a sewered area.

Foul drainage - Disposal to a Package Treatment Plant or a Septic Tank
If it is intended to connect the development to a package treatment plant or septic tank, a non-mains drainage assessment (Welsh Office Circular10/99) must be undertaken. In addition to planning permission and building regulations approval a permit or registration as exemption from the requirement for a permit under the Environmental Permitting (England and Wales) Regulation 2010, is required from Natural Resources Wales. Further guidance is available on our website http://naturalresourceswales.gov.uk/apply-buy-report/apply-buy-grid/water/discharge/?lang=en

Existing systems must also be registered.

We are opposed to the use of sealed cesspits for the disposal of foul drainage.

Surface Water
To fulfil the requirements of Section 8.5 of the Welsh Government's Technical Advice Note 15 (TAN 15), surface water run-off should be dealt with by way of a Sustainable Drainage System (SUDS), to attenuate flows and prevent an increased risk of flooding within the catchment.

SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, green roofs, ponds and wetlands. SUDS also offer significant advantages over conventional piped drainage systems including improving water quality and adding amenity value to a development.

Further information sources on SUDS can be found in:

- Technical Advice Note 15: Development and Flood Risk (TAN15), July 2004.
- CIRIA C522 document Sustainable Drainage Systems – design manual for England and Wales.
- CIRIA C523 document SUDS – best practice manual.
- The Interim Code of Practice for Sustainable Drainage Systems. The Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SUDS.
- For further guidance please refer to Natural Resources and CIRIA websites: www.naturalresourceswales.gov.uk and www.ciria.org.

If good reason can be given why SUDS cannot be implemented within a development site, any conventional drainage system installed should provide attenuation to reduce peak rates of run-off and also demonstrate an improvement on the status quo prior to discharge to a watercourse.
Please note that any surface water management system implemented should be designed to ensure there is no increase in surface water run-off from the site in all events up to and including the 1% (1:100 year) storm with an appropriate allowance for climate change. The details of the surface water system should be submitted and approved to the satisfaction of the Local Authority to ensure there is no increased flood risk elsewhere.

Ordinary Watercourses and Main Rivers
Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of Natural Resources Wales is required for any proposed works or structures in, under, over or within 7 metres of the top of the bank of any Main River.

If any works are proposed which will affect the flow within an ordinary watercourse (including culverting) the developer will require prior written consent from the Lead Local Flood Authority under the Land Drainage Act 1991. The Lead Local Flood Authority is the relevant Local Authority to the proposed development site.

Any ordinary watercourse and/or main river within the vicinity of the site should be protected at all times during both construction and operational phases. Information on pollution prevention measures has been provided above however, we would also advise that an agreed buffer strip must be retained, in perpetuity, along the length of any watercourse. The buffer zone should be without structures, hard standings, footpaths, fences or overhanging development such as balconies and should not include domestic garders or formal landscaping.

Any ordinary watercourse and/or main river within the site must be incorporated into the design of the development and any culverting (except for access crossings) will be opposed.

If there are any ordinary watercourses within the vicinity of the site we would strongly advise you to consult with the Local Authority's Drainage Engineers who may have local information/knowledge regarding flooding in the area. Should any information be forthcoming with regards to flooding we are happy to offer further advice.

Waste management
If any controlled waste is to be removed off site, then the site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. The Duty of Care Regulations for dealing with waste materials are applicable for any off-site movements of wastes. The developer as waste producer therefore has a duty of care to ensure all materials removed go to an appropriate licensed disposal site and all relevant documentation is completed and kept in line with regulations.

If during construction or excavation works any contaminated material (including asbestos) is revealed then the movement of such material either on or off the site should be undertaken in consultation with Natural Resources Wales.

Under the Environmental Permitting Regulations (England and Wales) 2010, if any waste is to be used on site the applicant will be required to obtain the appropriate authorisation from us prior to commencement.

It is important that any soil or hardcore which is imported onto the site is free of the seeds/root/stem of the invasive plant, Japanese Knotweed, the spread of which is prohibited under the Wildlife and Countryside Act 1981. If any Japanese knotweed is encountered during any stage of the development or restoration, then it should be managed in line with the guidance 'Managing Japanese Knotweed' which can be found on the following link http://www.environment-agency.gov.uk/static/documents/Leisure/Knotweed_CoP.pdf.

In accordance with the waste hierarchy, we wish the applicant to consider reduction, reuse and recovery of waste in preference to offsite incineration and disposal to landfill during site construction.
If the applicant wishes more specific advice on waste issues they can contact our Customer Contact Centre on 0300 065 3000, or look at the guidance on the NRW website at http://naturalresourceswales.gov.uk/our-work/policy-advice-guidance/waste/?lang=en

Sustainable Development
The developer is encouraged to go further in the design of their buildings to embrace water-saving measures, such as rainwater harvesting and storage, grey water re-use for toilet flushing (further advice can be obtained from the Environment Agency website at www.environment-agency.gov.uk/savewater) and use of materials that move towards a low carbon footprint. The latter could include procurement of materials from sustainable resources, micro-generation (wind and solar power) and use of efficient heating and insulation systems.

Habitats and Species
If protected species are encountered on site, development shall cease and you must contact our Customer Contact Centre immediately for advice on how to proceed on 0300 065 3000.

Please note that we have not considered possible effects on all species and habitats listed in section 42 of the Natural Environment and Rural Communities (NERC) Act 2006, or on the Local Biodiversity Action Plan or other local natural heritage interests. To comply with your authority's duty under section 40 of the NERC Act, to have regard to conserving biodiversity, your decision should take account of possible adverse effects on such interests. We recommend that you seek further advice from your authority's internal ecological adviser and/or nature conservation organizations such as the local Wildlife Trust, RSPB, etc. The Wales Biodiversity Partnership's website has guidance for assessing proposals that have implications for section 42 habitats and species (www.biodiversitywales.org.uk).