Cyfoeth Naturiol Cymru
Natural Resources Wales

Ein cyf/Our ref: CAS-263887-Q5K1
Eich cyf/Your ref: P/2024/1257

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 23 September 2024

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: NEWID DEFNYDD TIR O GWRTIL PRESWYL, GOSOD DREIF A CHREU ARDAL PARCIO NEWYDD ODDI AR Y FFORDD / CHANGE OF USE OF LAND TO RESIDENTIAL CURTILAGE, LAYING OF DRIVEWAY AND FORMATION OF NEW OFF ROAD PARKING AREA

LLEOLIAD/LOCATION: 5 Castle Mill, Chirk, LL14 5BL

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 05 September 2024.

We have no objection to the proposed development as submitted and provide the following advice.

Flood Risk

Our Flood Risk Map confirms the application site lies entirely within Zone C2 of the Development Advice Maps (DAM) as contained in Technical Advice Note (TAN) 15: Development and Flood Risk (2004). The Flood Map for Planning identifies the application site to be at risk of flooding and falls into Flood Zone 2 and 3 Rivers.

Given the scale and nature of the proposed development (and in the absence of a flood consequences assessment) we consider the proposals could be acceptable, subject to the developer being made aware of the potential flood risks and advised to install flood-proofing measures as part of the development.

Furthermore, there must be no raising of the ground levels within the FZ 2 or 3 and all excavated material must be removed from site and out of the recognised flood zone.

In areas at risk of flooding, we recommend that consideration be given to the incorporation of flood resistance/resilience measures into the design and construction of the development.

We refer the applicant to our website for further advice and guidance is available. Additional guidance including the leaflet "Prepare your Property for flooding" can be found here.

Protected Species

Our records indicate that otters and bats have been recorded within the vicinity of the application site. We note that there is no information about protected species with the application and, therefore, are assuming that your Authority has screened the application and concluded that there is not a reasonable likelihood of protected species being present.

Protected Sites

Special Area of Conservation (SAC)

-Foul Drainage

We note the application site is within the catchment of the River Dee and Bala Lake Special Area of Conservation (SAC). In line with our *Advice to Planning Authorities for Planning Applications Affecting Nutrient Sensitive River Special Areas of Conservation* (28 June 2024), under the Habitats Regulations, Planning Authorities must consider the impact of proposed developments on water quality within SAC river catchments.

However, recognising the specific nature of the application submitted we are satisfied that there is unlikely to be a source of additional nutrients and/or a pathway for impacts. As such, in our opinion, it would be reasonable for your Authority to screen out this proposal as not likely to have a significant effect on the River Dee and Bala Lake SAC in relation to nutrient inputs.

Pollution Prevention

The application site is located approximately 5m from the River Dee and Bala Lake SAC.

From the information provided, we consider that the proposal may affect the protected sites and have identified pollution as a potential impact pathway to features of the sites.

However, we consider the above pathway would not result in an adverse effect if the developer implements/adheres to standard pollution prevention guidelines.

As the competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended), it is for your Authority to carry out the test of Likely Significant Effects for the proposed development. Should you conclude that the proposal is likely to have a significant effect on a SAC, either alone or in combination with other plans or projects, an appropriate assessment must be made of the implications of the project for that site in view of its conservation objectives. You must for the purposes of the assessment consult NRW and have regard to any representations we make within such reasonable time as you specify.

From the information provided, we consider that the proposal may affect the protected sites and have identified pollution as a potential impact pathway to features of the site.

However, we consider the above pathway would not result in an adverse effect if the developer adheres to standard pollution prevention guidelines. Further information on standard pollution prevention guidelines is provided under the 'Advice for the developer' section below.

Our advice may change should modifications be made to the proposed development prior to the determination of the application. If there are any changes to the proposed development which may affect the consideration of potential environmental impacts, please consult us again before you determine the application.

As the competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended), it is for your Authority to carry out the test of Likely Significant Effects for the proposed development. Should you conclude that the proposal is likely to have a significant effect on a SAC/SPA/Ramsar site, either alone or in combination with other plans or projects, an appropriate assessment must be made on the implications of the project for that site in view of its conservation objectives. You must for the purposes of the assessment consult NRW and have regard to any representations we make within such reasonable time as you specify.

Site of Special Scientific Interest (SSSI)

-River Dee SSSI

NRW consider the proposals have the potential to impact upon the River Dee SSSI. Providing the impact pathways referenced above for the SAC are adequately addressed, NRW consider the features of the SSSI will also be adequately safeguarded

-Chirk Castle and Parkland SSSI

We have considered the submitted in support of the above application. Based on the information submitted, we consider that the proposed development is not likely to damage the features for which Chirk Castle and Parkland SSSI is of special interest.

Landscape

The development is situated within the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB) / National Landscape. We note that there is no information regarding landscape assessments with the application and therefore, we are assuming that your Authority has screened the application and concluded that any impacts on landscape are unlikely and the proposal is in line with Planning Policy Wales. If you require further advice, then please reconsult us.

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

Advice for Developer

During the construction phase you should take any precaution to prevent contamination of surface water drains and local watercourses. Oils and chemicals should be stored in bunded areas and spill kits should be readily available in case of accidental spillages.
For further guidance please refer to GPP 5 and PPG 6 at the following link:

Guidance for Pollution Prevention (GPP) documents | NetRegs | Environmental guidance

If you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully,

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

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Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi./Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.