Ein cyf/Our ref: CAS-274080-S0T3
Eich cyf/Your ref: P/2025/0074

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Dyddiad/Date: 13 February 2025

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: **CHANGE OF USE OF EXISTING COMMERCIAL OFFICE TO RESIDENTIAL USE AS PART OF MAIN DWELLING**

LLEOLIAD/LOCATION: **YEW TREE COTTAGE, CHURCH ROAD, SOUTHSEA, WREXHAM, LL11 5PG**

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 04 February 2025.

We have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should seek further information from the applicant regarding flood risk. If this information is not provided, we would object to this planning application. Further details are provided below.

Flood Risk

The planning application proposes highly vulnerable development (conversion of a commercial office to ancillary residential accommodation). Our Flood Risk Map confirms the site to be partially within Zone C2 of the Development Advice Map (DAM) 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 partially falls into Flood Zone 2 (Rivers).

We refer you to Section 6 of TAN15 and the Chief Planning Officer letter from Welsh Government, dated 9 January 2014, which affirms that highly vulnerable development should not be permitted in Zone C2 (paragraph 6.2 of TAN15). The justification tests in paragraph 6.2 of TAN15 do not apply to highly vulnerable development in Zone C2.

Should you grant planning permission contrary to policy, we are unable to give you technical advice on the acceptability of flooding consequences as no Flood Consequences Assessment (FCA) has been submitted. If you require this advice, an FCA should be

submitted prior to determination of the application. We can then advise you whether the FCA is in accordance with the technical criteria in Appendix 1 of TAN15.

A supporting FCA should demonstrate as a minimum that the development complies with TAN15 A1.14 and has been designed to be flood free for the 1%+ climate change (fluvial) flood event.

The tolerable conditions (depth and velocity) set out in A1.15 of TAN15 should be appropriately assessed, in order for the application to demonstrate that the risks and consequences of flooding can be appropriately avoided or mitigated. The other elements of A1.15 (speed of inundation / rate of rise) should also be assessed.

A flood modelling study is available for this reach of the Afon Gwenfro (Afon Gwenfro_5_V3.0_2016) which demonstrates that the site might only be affected during an extreme event. We advise that the model outputs should be sourced from NRW (email datadistribution@cyfoethnaturiolcymru.gov.uk) to consider the depths associated with a 0.1% plus climate change flood event. It is expected that flood depths in the extreme event will be within tolerable conditions of A1.15 but the application should confirm this as part of the FCA.

If an FCA is not submitted or any subsequent FCA fails to demonstrate that the consequences of flooding can be acceptably managed over the lifetime of the development, then we object to the application. The criteria for the FCA, which should normally be undertaken by a suitably qualified person carrying an appropriate professional indemnity, are given in Section 7 and Appendix 1 of TAN15. The FCA should be proportionate to the development proposed. You may also refer to our website, which contains technical advice and recommendations.

Please inform us, in accordance with paragraph 11.7 of TAN15, if you are minded to grant permission for the application contrary to our advice.

Protected Sites – Foul Drainage

We note the application site is within the catchment of the River Dee and Bala Lake Special Area of Conservation (SAC). In line with our *Advice to Planning Authorities for Planning Applications Affecting Nutrient Sensitive River Special Areas of Conservation* (28 June 2024), under the Habitats Regulations, Planning Authorities must consider the impact of proposed developments on water quality within SAC river catchments. We therefore advise you to consider whether the proposals, as submitted, would increase the volume of foul discharge from the site in planning terms.

We note the application, as submitted, proposes ancillary accommodation. You may wish to consider whether this development proposal would result in the creation of independent living accommodation, a separate planning unit and/or whether the use can no longer be said to be ancillary to the main residence. In this respect, we refer you to our Advice and the section titled '*What does this mean for domestic extensions*?'

Ultimately it is a matter of judgment for you, as Competent Authority, to satisfy yourselves that the proposed development will not result in a significant effect on the SAC.

Other Matters

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

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

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

Yn gywir / Yours faithfully,

Sara Thomas
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.