



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-206069-V0Y9
Eich cyf/Your ref: P/2022/1033

Maes Y Ffynnon,
Penrhosgarnedd,
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northplanning@cyfoethnaturiolcymru.gov.uk

13/01/2023

Annwyl Syr/Madam / Dear Sir/Madam,

**BWRIAD / PROPOSAL: TROSI AC YMESTYN ADEILAD I GREU 4 O FFLATIAU /
CONVERT AND EXTEND BUILDING TO CREATE 4
APARTMENTS**

LLEOLIAD / LOCATION: 36 BROOK STREET, WREXHAM

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 04.01.2023.

We have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns with respect to flood risk you should confirm if there are overriding reasons for considering granting planning permission. In addition, you should seek further information from the applicant regarding foul drainage. 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 for the conversion and extension of the building to form 4 apartments.

Our Flood Risk Map confirms the site to be within Zone C2 of the Development Advice Map (DAM) contained in TAN15 and the Flood Map for Planning (FMfP) identifies the application site to be at risk of flooding and 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 and emergency services 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 or emergency services in Zone C2.

In the first instance, your Authority should make a planning policy decision on the application. Therefore, unless we receive written confirmation from your Authority that you believe there are overriding reasons to consider granting planning permission, despite the site's location within Zone C2, we do not intend to comment on the risks and consequences of flooding and we would advise that your Authority should refuse the planning application on planning policy grounds.

The decision as to whether a development should be considered contrary to TAN15 policy is entirely a matter for your Authority. However, if you provide overriding reasons and require our advice, we would ask to be re-consulted and granted sufficient time to provide technical advice and comments on the flood risks and consequences. In such circumstances, we would review the submitted FCA.

We will then provide you with technical advice on the acceptability of flooding consequences in accordance with Appendix 1 of TAN15. If the FCA fails to demonstrate that the consequences of flooding can be acceptably managed over the lifetime of the development, then we would object to the application.

Please inform us, in accordance with advice in paragraph 11.7 of TAN15, if you are minded to grant permission for the above application contrary to our advice and allow sufficient time for further representations to be made before any consent is granted.

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). As you are aware, on the 21st January 2021, we published an evidence package outlining phosphorus levels for all river SACs across Wales. In line with our [Planning Advice](#) (July 2022), under the Habitats Regulations, Planning Authorities must consider the phosphorus 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 from the information submitted that the development for the conversion of the building to flats has the potential to increase the amount of phosphorus being discharged from the site. As such, we refer you to our Planning Advice and advise you to seek further information from the applicant as identified in the section titled 'What does this mean for development proposals involving connection to public wastewater treatment works' of that advice.

Should you conclude that the proposed development is likely to have a significant effect on the SAC, please consult us on your Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Protected Species

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.

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 D Thomas

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