

Maes Y Ffynnon,
Penrhosgarnedd,
Bangor,
Gwynedd
LL572DW

Wrexham County Borough Council,
The Guildhall,
Wrexham,
LL11 1AY

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

01/06/2022

Dear Sir/Madam,

PROPOSAL: CONVERSION OF BUILDING TO DWELLING.

LOCATION: 16, DEE COURT, BANGOR ON DEE, WREXHAM, LL13 0AQ

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 24th May 2022.

We continue to 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 protected sites and foul drainage. If this information is not provided, we would object to this planning application. Further details are provided below.

We also advise that based on the information submitted to date, condition regarding flood risk should be attached to any planning permission granted. Without the inclusion of this condition, we would object to this planning application.

Protected Sites and Foul Drainage

- Foul Drainage

We note the application site is within the catchment of the River Dee 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. As part of this package, we issued a Planning Position Statement, in which we advised that any proposed development that might increase the amount of phosphate (or phosphorus) within a river SAC catchment could lead to damaging effects to the SAC. Therefore, such proposals should be screened through a Habitats Regulations Assessment (HRA), to determine whether they are likely to have a significant effect on the SAC. We have also issued Planning Advice (May 2021) which gives specific advice in respect of foul drainage arrangements for new developments.

This application for the conversion of building to dwelling proposes connection of foul water to the mains sewer. As such, we refer you to our Planning Advice, in particular the section titled 'What does this mean for development proposals involving connection to public wastewater treatment works', which specifies the information that should be provided to support applications which propose connections to public wastewater treatment works.

With regards to the third bullet point, we note from the information available on your Authority's website that Welsh Water in their consultation response dated 31/01/2022 have confirmed that Bangor Isycoed WwTW Wastewater Treatment Works does not have a phosphate permit.

Your Authority will need to take the above into account in your determination of whether the development is likely to have a significant effect on the SAC. Should you determine that an Appropriate Assessment is required, the Applicant will then need to submit whatever evidence they deem appropriate (seeking advice from consultants as may be necessary) to demonstrate no adverse effect on site integrity. You should then consult us on your Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Flood Risk

The planning application proposes highly vulnerable development (Residential). Our Flood Risk Map confirms the site to be within Zone C1 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 3 Rivers with Recorded Flood Extents.

Section 6 of TAN15 requires the Local Planning Authority to determine whether the development at this location is justified. Therefore, we refer you to the tests set out in section 6.2 of TAN15. If you consider the proposal meets the tests set out in criteria (i) to (iii), then the final test (iv) is for the applicant to demonstrate through the submission of an FCA that the potential consequences of flooding can be managed to an acceptable level.

The FCA undertaken by Fairhurst, dated December 2021, reference 146521/01 and the additional submitted information Fairhurst e-mail dated 24th May 2022, reference 146521/AS/JA/L1 shows that the risks and consequences could be managed to an acceptable level, provided a planning condition is attached to any permission granted as follows:

Condition: Finished floor levels set to a minimum of 15.06mAOD

NRW also recommend flood proofing and resilience to ensure all vulnerable elements are protected below the predicted, low probability flood level, should be secured through an appropriately worded condition to the satisfaction of the LPA.

- Surface water

Please note as well as potential fluvial flood risk resulting from a low probability risk of overtopping or breach of the NRW maintained flood defences, there is also inadequate highway/surface water drainage which can affect the area during severe flood events. We

understand that the flooding at the frontage of the proposed in the attached photo dated January 2021 is as a result of highway drainage flooding as opposed to fluvial flood risk.

The Planning Authority is therefore advised to consult the Wrexham County Borough Council Lead Flood Authority to ascertain any future drainage improvement works that could benefit the community.

As it is for your Authority to determine whether the risks and consequences of flooding can be managed in accordance with TAN15, we recommend you consider consulting other professional advisors on matters such as emergency plans, procedures and measures to address structural damage that may result from flooding. Please note, we do not normally comment on or grant the adequacy of flood emergency response plans and procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement during a flood emergency would be limited to delivering flood warnings to occupants/users.

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.

Yours faithfully

Ruth Prichard

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