



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-193819-N8D7
Eich cyf/Your ref: P/2022/0621

Maes Y Ffynnon,
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01/08/2022

Annwyl Syr/Madam / Dear Sir/Madam,

BWRIAD / PROPOSAL: CONVERSION OF BUILDING TO DWELLING

LLEOLIAD / LOCATION: YR HEN FANC, NEW ROAD, GLYN CEIRIOG, LLANGOLLEN.

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 13/07/2022.

We have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, your Authority should confirm if there are overriding reasons for considering granting the application contrary to national planning policy on development and flood risk. You should also 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, (the conversion of a building to a dwelling). Our Flood Risk Map confirms the site to be within Zone C2 of the Development Advice Map (DAM) contained in TAN15 and the 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 review the submitted flood consequences assessment FCA 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 request sufficient time to review the applicant's 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 and 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.

This application, for the conversion of a building to a 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.

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).

Ultimately, the suitability of foul drainage arrangements for the proposed development is a matter for your Authority to determine.

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

Rhys Jones

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