

Maes Y Ffynnon,
Penrhosgarnedd,
Bangor,
Gwynedd
LL572DW

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

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

11/02/2022

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 January 2022.

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, protected sites and 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 (Residential). Our Flood Risk Map confirms the site to be within Zone C1 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 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.

We have reviewed the FCA undertaken by Fairhurst, dated December 2021, reference 146521/01. Our advice to you is that the FCA fails to demonstrate that the risks and consequences of flooding can be managed to an acceptable level for the reasons explained below.

- A1.14 Criteria

The FCA states that based on a review of the surrounding levels, the site is estimated to sit at an elevation of at or around 14.6mAOD. This is not accurate enough to definitively assess potential level of flooding in a breach or overtopping scenario. The submitted Planning

Statement suggests that the ground floor is already raised by 3 steps from the pavement. The actual dry threshold level is therefore likely to be considerably higher than 14.6mAOD.

Model extracts indicate the site is impacted in an undefended scenario with flooding expected to a depth of 0.97m during the 1 in 100-year flood event and 1.44m during the 1 in 1000-year flood event.

This does not meet the requirements of A1.14 of TAN15, which states the development (site and building) should be flood free in such a flood event, although this would only be during a low probability undefended/breach scenario.

Taking the above into consideration, we require a more detailed level survey of the existing building and surrounding land, in order for us to provide more specific comments on the flood risk to the proposed development. In addition, consideration should be given to how floor levels could be elevated further as well as raising thresholds.

- *A1.15 Criteria*

We bring your attention to the potential risks posed to occupants during an extreme flood event for access/egress or if a breach or overtopping of the flood defences were to occur. Whilst the probability of this happening is low, the consequences are high. The FCA highlights the predicted depths in excess of 1 metre with velocities of approximately 0.25 m/s in the vicinity during a breach scenario. These risks, therefore, exceed the criteria tabulated in A1.15 of TAN15.

However, we acknowledge that this is for the Local Authority and Emergency Services to consider further as part of the Flood Management Plans for Bangor-on-Dee, as a whole and not specifically in this instance.

We recommend the Planning Authority considers consulting other professional advisors on the acceptability of the developer's proposals, on matters we cannot advise you on such as emergency plans, procedures and measures to address structural damage that may result from flooding. We refer you to the FCA to aid these considerations. Please note, we do not normally comment on or approve 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.

Our advice, therefore, is that the FCA has failed, at this time, to demonstrate that the consequences of flooding can be acceptably managed for the lifetime of the development in accordance with TAN15, in relation to a breach/overtopping/undefended scenario.

If no further information is submitted, or a revised FCA fails to demonstrate that the consequences of flooding can be acceptably managed over the lifetime of the development, then we object to this application.

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 and 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).

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