

Maes Y Ffynnon,
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LL572DW

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

ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

21/02/2022

Annwyl Syr/Madam / Dear Sir/Madam,

BWRIAD / PROPOSAL: PROPOSED NEW ACCESS TRACK AND BRIDGE

LLEOLIAD / LOCATION: CHESHIRE CHEESE, OVERTON ROAD, PENLEY, WREXHAM, LL13 0LU

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 01/02/2022.

We have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome if the documents identified below are included in the approved plans and documents condition on the decision notice:

- Woodsyde Developments Ltd. January 2020. Flood Risk & Flood Consequence Assessment.
- Elite Ecology, January 2022. Preliminary Ecological Appraisal

Please note, without the inclusion of these documents we would object to this planning application. Further details are provided below.

Flood Risk

The planning application proposes less vulnerable development. 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 2/3 Rivers.

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 shows that the risks and consequences of flooding are manageable to an acceptable level. Therefore, we have no objection to the application as submitted.

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.

European Protected Species (EPS)

We note the Ecological report submitted in support of the above application (Elite Ecology, January 2022. Preliminary Ecological Appraisal). From the information submitted, we consider that the proposed development represents a lower risk for EPS.

As this is a lower risk case for EPS, we consider that the development is not likely to be detrimental to the maintenance of the population of any EPS species concerned at a favourable conservation status in its natural range.

Furthermore, we advise that the proposed development is not likely to harm or disturb EPS or their breeding sites and resting places at this site, provided the avoidance measures described in the bat report are implemented.

We advise that the report should be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

Please consult us again if any further information shows that this is no longer a lower risk case.

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

Garmon Lewis

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