

For the attention of Matthew Phillips

07/11/2018

Dear Matthew,

TOWN AND COUNTRY PLANNING ACT 1990
DEDDF CYNLLUNIO GWLAD A THREF 1990

PROPOSAL:

**ERECTION OF AFFORDABLE HOUSING UNITS COMPRISING 1 DETACHED
DWELLING, 18 SEMI-DETACHED DWELLINGS AND 6 FLATS AND ASSOCIATED
WORKS**

LOCATION:

Land off Jacques Way, Wrexham

Thank you for consulting Natural Resources Wales (NRW) about the above, which was received on 29/10/2018.

We have significant concerns with the proposed development as submitted. We recommend that you should only grant planning permission if the scheme can meet the following requirements and you attach the conditions listed below. Otherwise, we would object to this planning application.

Summary of Requirement and Conditions

Requirement 1: A revised FCA is submitted to fully demonstrate that the development would remain "flood free" in accordance with Table A1.14 of TAN15.

Condition 1: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Flood risk

The application site lies partially within Zone B and on the extremity of Zone C2 as defined by the Development Advice Map referred to under TAN 15 Development and Flood Risk (July 2004), and

is shown to be located on the boundary of the 1% (1 in 100) and 0.1% (1 in 1,000) annual exceedance probability (AEP) event flood outlines on the NRW Flood Risk Map.

The Afon Gwenfro flows in a south-easterly direction adjacent to the site's southern boundary. The Zone C2 outline associated with this watercourse encroaches into the site boundary along the western and southern boundaries; however, this may be partly due to the resolution of the digital terrain model (DTM) used within the modelling which was undertaken to derive the flood outlines.

A Flood Consequences Assessment (FCA) has been prepared by Weetwood in support of the application (ref: 3972/FCA/Final/v1.0/2018-08-02).

The FCA comments on the flood risk posed by all sources, including the Afon Gwenfro. The FCA assesses the flood risk posed by the Afon Gwenfro using a comparison between the flood outlines and LiDAR data to approximate a flood level, rather than using a flood level derived from the Afon Gwenfro hydraulic modelling study undertaken in 2016. Based on this approach, a flood level of 82.50 m above Ordnance Datum (AOD) for the 0.1% Annual Exceedance Probability (AEP) event is used within the FCA. The FCA concludes that the main development area will be in the region of 2.5 m above the estimated flood level, and would therefore be considered to be at a low risk of flooding during this event. The FCA does not quantify the flood risk posed to the site in the 1% AEP event with an allowance for climate change, instead assuming the flood level for this event would be lower than the 0.1% AEP event flood level. Potential blockage of the railway culvert to the west of the site is briefly considered within the report; it is argued that the low lying land to the west of the site would flood prior to the site flooding, and therefore the report concludes that flood risk to the site during a blockage scenario is considered to be low.

Having considered the FCA, NRW has significant concerns that the potential flood risks associated with culvert blockage and climate change have not been adequately assessed within the FCA. In particular, the lower lying areas of the site (particularly at the southern extremity) could be vulnerable to flooding during "free flowing" and blockage flood conditions. Based on the proposed sections (particularly Section E-E) submitted with the application, the southern section of the site is to be raised significantly to allow the southernmost plots to be built on level ground. The sections suggest that the land would be raised to between 85.0 to 86.0m AOD, resulting in land raising of over 3.0 m for the lowest parts of the site. Whilst the affected area is relatively small, the area is likely to provide an important function for flood flow conveyance and flood storage during times of flood. Any land level alterations within this area could result in unacceptable increases in flood risk elsewhere, and would be contrary to TAN15.

Requirement 1: Based on the above, we have significant concerns with the FCA as it stands, and would recommend that a revised FCA is submitted with the following information:

The flood risk posed to the site in the design event (1% AEP blockage event with an allowance for climate change) should be quantified fully through a hydraulic modelling study. This is required to fully demonstrate that the development would remain "flood free" in accordance with Table A1.14 of TAN15. The existing Afon Gwenfro model can be purchased from Wrexham County Council. The guidance outlined within OGN100 should be considered when assessing culvert blockage, which can be accessed here: <https://naturalresources.wales/guidance-and-advice/business-sectors/planning-and-development/advice-for-developers/development-and-flood-risk/?lang=en>

The flood risk posed to the site and development during the 0.1% AEP event should be assessed using modelled flood levels from the Afon Gwenfro study

If this site is shown to flood during the 1% AEP blockage event with an allowance for climate change and/or the 0.1% AEP event, the FCA will need to demonstrate that the proposed land raising does not impact adversely on flood risk elsewhere, in accordance with A1.12 of TAN15

In addition to the above, we recommend that the Lead Local Flood Authority (LLFA) is consulted in respect to whether the proposals would impact access to the Afon Gwenfro (an ordinary watercourse) and the nearby culvert, as this could have implications for maintenance of the watercourse and culvert. The LLFA will also provide advice in relation to how the developer intends on managing surface water runoff generated by the development, as NRW no longer provides flood risk advice in this regard. The contact details for the LLFA are as follows:

Neil Taunt
Flood and Water Management Resilience Officer
Emergency Planning

Tel: 01978 298827
Email: flooding@wrexham.gov.uk

Land Contamination

We note that a desk study and site investigation were carried out in 2004 and 2007 covering the redline boundary of this site and concluded that the risk to controlled waters (groundwater) was low. The Contaminated Land Office for Wrexham County Borough Council requested conditions to undertake further site investigation. We request the following condition to be imposed on any planning permission granted.

Condition 1: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason: Given the size/complexity of the site it is considered possible that there may be unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remediated.

Biosecurity

We consider biosecurity to be a material consideration owing to the nature and location of the proposal. In this case, biosecurity issues concern invasive non-native species (INNS) and diseases. We therefore advise that the recommended action in Japanese Knotweed Survey Report (27/03/2018) be carried out to the satisfaction of the LPA.

Please do not hesitate to contact us if you require further information or clarification of any of the above.

Our comments above only relate specifically to matters that are listed in our 'Consultation Topics' document (September 2018) which is published on our website: (<https://cdn.naturalresources.wales/media/686847/dpas-consultation-topics-august-2018->

[eng.pdf?mode=pad&rnd=131819256840000000](#)). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance.

Advice to Applicant

Pollution Prevention

Due to the proximity of the site to watercourses, all works at the site must be carried out in accordance with PPG5 and PPG6: 'Works in, near or over watercourses' and 'Working at construction and demolition sites' which are available on the following website: <http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-andreplacement-series/guidance-for-pollution-prevention-gpps-full-list/>

Any work which is to take place should be done so with pollution prevention in mind. Pollution prevention advice and guidance can be found via this link:

<http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

Should any pollution occur during the construction or operational phase, Natural Resources Wales should be notified via the incident hotline – 03000 65 3000.

Waste

Waste produced during the construction phase of your development must be dealt with appropriately and be in line with all relevant waste legislation including Duty of Care Regulations and Hazardous Waste Regulations. As part of your waste duty of care you must classify the waste produced:

- before it is collected, disposed of or recovered
- to identify the controls that apply to the movement of the waste
- to complete waste documents and records
- to identify suitably authorised waste management options
- to prevent harm to people and the environment.

Any waste removed from site will be subject to waste management controls. The links below provided information on how to classify waste and register as a waste carrier or hazardous waste producer:

<http://naturalresources.wales/waste/how-to-classify-and-assess-waste/?lang=en>

<http://naturalresources.wales/apply-for-a-permit/waste/?lang=en>

Further guidance can be found on the GOV website here:

<https://www.gov.uk/managing-your-waste-an-overview/duty-of-care>

The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

If you have any queries on the above please do not hesitate to contact us.

Yn gywir / Yours sincerely,

Daniel Davies

Daniel Davies

Cynghorydd Cynllunio Datblygu / Development Planning Advisor

Cyfoeth Naturiol Cymru / Natural Resources Wales