

For the attention of Philip Forster

29/11/2018

Dear Philip,

TOWN AND COUNTRY PLANNING ACT 1990
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PROPOSAL:
Land to the West of Friars Court, Bangor-on-Dee, Wrexham
LOCATION:
Use of Land as a cemetery

Thank you for consulting Natural Resources Wales (NRW) about the above, which was received on 08/11/2018.

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 requirement and you attach the condition listed below. Otherwise, we would object to this planning application.

Summary of Requirement and Condition

Requirement 1: FCA to be updated to consider all flood risk issues.

Condition 1: All burials in the cemetery shall be:

- i. a minimum of 50 m from a potable groundwater supply source;
- ii. a minimum of 30 m from a water course or spring;
- iii. a minimum of 10 m distance from field drains;
- iv. no burial into standing water and the base of the grave must be above the local water table;

Floodrisk

The planning application for a proposed cemetery extension is supported by a flood consequence assessment (FCA) v1.011118 produced by Unda and dated November 2018 (Reference 88158-Dewey-BangorOnDee).

This consultation response is provided in addition, to the response provided in April 2018 (CAS-58364-F8L0) and further to the pre-application discussions held in 2016 which identified significant concerns.

This FCA suggests the proposed development for a cemetery would involve low risk, low burial rate of two per year and infers to the use of the one hearse vehicle would generate minimal vehicle traffic and predominately pedestrian use to and from the Bangor on Dee church. The proposed layout whilst similar to that noted at pre-application stage, is still indicative and the FCA raises some key concerns but does not identify the:

- Potential vulnerability development category of the development in relation to Figure 2 TAN 15 and it does not assess the impact of the proposed cemetery use within a floodplain and impacts from fluvial (river) flood risk from the Bangor on Dee study completed in 2012 . It doesn't assess how raised fluvial water levels in the River Dee could impact on ground water levels and the impacts on fluvial flood defence, ground water levels and other flood risk assets (Wrexham CBC flood officer comments).
- Significant fluvial risks from the River Dee and impacts of a fluvial breach with climate change identified from the Bangor on Dee study 2012 and the likelihood that the development is unable to demonstrate compliance with the requirements of A1.14 of TAN 15.
- Details of the proposed alterations to create a ramped access track and parking area within the site and the potential impacts on the crest level of the flood defence embankment and other flood defence assets and any of the corresponding flood risk activity permit requirements, future maintenance or liability.
- Application site does not include the entire length of track along the embankment and whether this access would sufficient in terms of its construction and width and compatibility with other users, and it hasn't explained why an alternative access from Friars Court could not be achieved.

This FCA and accompanying details for the proposed development does not address the significant concerns. The site and the proposed development is located within the floodplain and at significant flood risks and is unlikely to demonstrate compliance with TAN 15. The modifications to the key flood embankment and proximity of the development to the River Dee could significantly increase flood risks to people and property elsewhere within the village of Bangor on Dee.

The Local Planning Authority should confirm their opinion on the vulnerability category of the development and further details should be submitted to address the concerns raised above. If these concerns cannot be addressed and the development is unable to demonstrate compliance with TAN 15, we would recommend the application be refused.

If the LPA is minded to approve the application contrary to our advice, we should be informed of all the matters that influence this decision, prior to granting of planning permission and allowing sufficient time for further representations to be made.

Land Contamination

We have reviewed the risk assessment submitted in support of the proposal (Proposed Extension, Bangor On Dee Cemetery – Tier 1 Risk Assessment. Smith Grant LLP, October 2014). We note the overall risk scoring as low – due to the low burial rate of 2 burials per year. We therefore request that the following condition be imposed on any planning permission granted for the site.

Condition 1: All burials in the cemetery shall be:

- i. a minimum of 50 m from a potable groundwater supply source;
- ii. a minimum of 30 m from a water course or spring;
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- iv. no burial into standing water and the base of the grave must be above the local water table;

Reason: To protect the quality of controlled waters in the local area.

Protected Species

The application is supported by an ecological submission (reference Roe, R (2017). Land at Friar's Court, Bangor on Dee: Ecological; Survey Report Kingdom Ecology. Unpublished. The proposal is:

- a. Not likely to be detrimental to the maintenance of the favourable conservation status of any local populations of European protected species; and
- b. Not likely to adversely affect any local populations of British 'fully' protected species.

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.

Yn gywir / Yours sincerely,

Daniel Davies

Daniel Davies

Cynghorydd Cynllunio Datblygu / Development Planning Advisor

Cyfoeth Naturiol Cymru / Natural Resources Wales