

Wrexham County Borough Council

Date: 19th April 2018

Ebost/Email: Northplanning@cyfoethnaturiolcymru.gov.uk
Ffôn/Phone: (0300) 065 3787

Dear Sir/Madam,

**OUTLINE PLANNING PERMISSION FOR RESIDENTIAL DEVELOPMENT
(LESS THAN 10 HOUSES) LAND SOUTH OF PINECROFT, AFONEITHA ROAD, PENYCAE**

Thank you for referring the revised above planning application received at our office 3rd April 2018.

We recommend that that you should only grant planning permission if the scheme can meet the following requirements and you attach the conditions listed below. These would address significant concerns that we have identified. Therefore, we would not object provided the requirements are met and you attach the conditions to the planning permission.

Requirement 1: A revised Flood Consequence Assessment

Requirement 2 – Submit details of the known contamination at the site to include details on the type and extent of the contamination.

Requirement 3 – Submit details on the proposed remediation for the contamination known on site.
Non-Native Species

Condition: The submission and implementation of a Biosecurity Risk Assessment to the satisfaction of the LPA.

Flood

The amendment of the site boundary to exclude the area adjacent to the river is welcomed. It is difficult to understand from the information submitted how these boundaries have been decided and whether they are based on proposed or existing ground levels. It's also not clear whether the proposals will involve any alterations to the parapet or headwall, or whether they refer to existing works which have been consented by the LLFA.

The LIDAR for the amended application site outlined in red indicates existing ground levels to be 159.87-91 metres above ordnance datum (m AOD) and the levels adjacent to the river outlined in blue would be approx. 155.628 m AOD. It is important to note flood mapping outlines for the site are likely to be broad scale and not take into account the impacts of climate change and blockage and may be unsuitable for use within a flood consequence assessment (FCA).

The proposal raises queries because as a greenfield site it would not be possible to pass the test iii) and there is not a sufficient FCA to assess compliance against test iv) Given the appeal decision in 2013 for residential development on the site which was dismissed Appeal reference APP/H6955/A/13/2196178.

It will be for the LPA to consider how the proposal meets the justification and acceptability tests in section 6 of TAN 15.

Requirement 1: A revised Flood Consequence Assessment

Further information including details of existing and proposed ground levels including photographs in a revised FCA will be required to clarify flood risks and consequences to the site for the lifetime of the development and demonstrate no flood risk elsewhere. Whilst remaining proportional to the development and clearly meeting the requirements of section 6, 7 and Appendix 1 of TAN 15.

Contaminated Land

We have no objection in principle to the proposed development, but understand that the adjacent site (to the North) has had a site investigation for potential land contamination from historical land uses completed on it which covered this site – we have not seen this report. The Design and Access Statement states that the site has some contamination and that it would be remediated. Please submit details on the type and amount of contamination at the site and what remediation will take place at the site.

Requirement 2 – Submit details of the known contamination at the site to include details on the type and extent of the contamination.

Requirement 3 – Submit details on the proposed remediation for the contamination known on site. Non-Native Species

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 any consent includes the imposition of a condition requiring the submission and implementation of a Biosecurity Risk Assessment to the satisfaction of the LPA.

Condition: The submission and implementation of a Biosecurity Risk Assessment to the satisfaction of the LPA.

We consider that this assessment must include

- (i) appropriate measures to control any INNS on site; and
- (ii) measures or actions that aim to prevent INNS

being introduced to the site for the duration of construction of the scheme. In this case, we therefore advise against planting the proposed new pond with aquatic material.

Pollution Prevention

Due to the proximity of the site to watercourses, all works at the site must be carried out in accordance with GPP5 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-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 33 and 34 of the Environmental Protection Act 1990. Carriers transporting waste from the site must be registered waste carriers and movement of any Hazardous Waste from the site must be accompanied by Hazardous waste consignment notes.

Our comments above only relate specifically to matters that are included on our checklist “Natural Resources Wales and Planning Consultations” (March 2015) which is published on our website: (<https://naturalresources.wales/planning-and-development/planning-and-development/?lang=en>). 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*. 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.

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

Yn gywir / Yours' faithfully,



Ruth Prichard

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Deialu uniongyrchol/Direct dial: (0300) 065 3787 **Siaradwr Cymraeg / Welsh Speaker**



cc: