



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-56560-T2J0
Eich cyf/Your ref: P/2018/0139

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Wrexham County Borough Council

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Ffôn/Phone: (0300) 065 3787

Date: 15th March 2018

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 above planning application received at our office 23rd February 2018.

Flood Risk

The planning application proposes highly vulnerable development, which is partially located in Zone C2 of the Development Advice Map (DAM) contained in Technical Advice Note 15 Development and Flood Risk (TAN15). As your Authority is aware, planning policy set out in paragraph 6.2 of TAN15 advises that "highly vulnerable development and emergency services should not be permitted". A planning decision to permit development would therefore be contrary to planning policy advice.

As agreed as part of the pilot under the Joint Improvement Programme, we would refer you to the agreed standing advice. This Standing Advice explains that your Authority should, in the first instance, make a planning policy decision on the development proposal. Until we receive written confirmation from your Authority that you believe there is sufficient justification to consider granting the application despite its location within Zone C2 and we would advise that your Authority should refuse the planning application on planning policy grounds.

The decision as to whether a development is justified is entirely a matter for your Authority; if you consider that the development can be justified, despite its location within Zone C2, we would ask to be re-consulted and granted sufficient time to provide technical advice and comments on the flood risks and consequences.

Please inform us, in accordance with advice in paragraph 11.7 of TAN15, if you are minded to grant permission for the above application contrary to our advice and allow sufficient time for further representations to be made before any consent is granted

Notwithstanding the above, the following requirements and condition listed below will need be addressed:

Requirement 1 – Submit details of the known contamination at the site to include details on the type and extent of the contamination.

Requirement 2 – Submit details on the proposed remediation for the contamination known on site

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

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

Requirement 2 – 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: