

Matthew Phillips
Planning Control Department
Wrexham County Borough Council
16 Lord Street
Wrexham
LL11 1LG

Date: 28th July 2016

**DEMOLITION OF EXISTING PROPERTY AND REDEVELOPMENT TO FORM 7 NO NEW DWELLINGS
NANTCOL, 57 BRYN GLAS, RHOSLLANERCHRUGOG, LL14 2EA**

Thank you for consulting us on the above application, which we received on the 8th July 2016.

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.

Requirements

Requirement 1 – That a Flood Consequences Assessment is submitted to the satisfaction of the Local Planning Authority, and that any mitigation measures are included as conditions within any permission

Requirement 2 – That a test of likely significant effects under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) is completed, with any necessary mitigation measures included as conditions within any permission

Requirement 3 – That the submission of a Biosecurity Risk Assessment is included as a condition within any permission

Flood Risk

The site lies within Zone A as defined in TAN 15 Development & Flood Risk (2004) and shown on Welsh Government's Development Advice Map (DAM). However, this designation may not reflect the true flood risks to the site, because Natural Resources Wales' flood map, on which the DAM is based, does not consider watercourses with catchments less than 3km². Therefore, the flood risks associated with the watercourse which flows along the western boundary of the site are unknown. Natural Resources Wales' Flood Map for Surface Water indicates that substantial areas of the site are at risk of surface water flooding. We understand from the submitted information that the site benefits from planning permission for demolition of the existing bungalow and erection of three residential dwellings under application reference P/2011/0779. However, the proposed

development would introduce a further four residential dwellings to the site, which would represent a significant intensification of use.

Given the above, in line with TAN 15, a flood consequences assessment (FCA) should be produced, so that the risks and consequences of flooding to and from the development can be understood, and appropriate conditions attached to any planning permission. The criteria for the FCA, which should normally be undertaken by a suitably qualified person carrying an appropriate professional indemnity, are given under Section 7 and Appendix 1 of TAN 15.

The FCA should consider the risks associated with the unnamed watercourse which flows along the western boundary of the site. This watercourse arises some distance to the north west of the site, is culverted as it comes into Rhosllanerchrugog, flows as open channel along the western boundary of the site and is culverted as it leaves the southern end of the site (flowing under the disused railway and Pant Hill road). The FCA should include an assessment of the risk of flooding to the site in the event of blockage at each of these culverts. Natural Resources Wales' Good Practice Guide GPG 101, 'Producing flood risk hydraulic models and flood consequences assessments for development planning purposes', is available at:

<https://naturalresources.wales/media/5568/gpg-101-producing-flood-risk-hydraulic-models-and-flood-consequence-assessments-for-development-planning-purpose-english.pdf>

If an FCA is not submitted or any subsequent FCA fails to demonstrate that the consequences of flooding can be acceptably managed over the lifetime of the development, then the application should be refused in accordance with the requirements of TAN 15.

Ecology

The applicant has submitted an ecological survey and assessment

(Reference: Anon. (2016). 57 Bryn Glas, Rhosdallanerchrugog, Wrexham, LL14 2EA. Tyrer Ecological Consultants. Unpublished.

In my view, the submitted survey and assessment is satisfactory for the purpose of informing the public decision making process. We agree with the conclusions and recommendations.

Protected Sites

The application site is located within 600m of Johnstown Newt Sites Special Area of Conservation (SAC). This site support a nationally important population of great crested newt (*Triturus cristatus*).

We advise that the proposal may have implications for the SAC, SPA or Ramsar sites listed above and you should carry out a test of likely significant effects under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended).

Without prejudice to your assessment, we consider that the above submitted proposal, when considered in combination with other plans and projects in the environs of Johnstown, is likely to have a significant effect on the Deeside and Buckley Newt Sites SAC. Wrexham County Borough Council, as required by Regulation 61 of the Conservation of Habitats and Species Regulations 2010, must therefore make an appropriate assessment before deciding to approve the proposal, which is likely to have a significant effect on a European site in Great Britain.

We consider that mitigation proposals are likely to be required for the purposes of addressing direct and indirect impacts on the SAC, including those associated with potential in-combination increases in recreational pressures and disturbance/predation of wildlife. Planning conditions or obligations can be used to address the impacts of these identified effects.

We remind you that, as a competent authority for the purposes of the 2010 Regulations, your Authority must not normally agree to any plan or project unless you are sure beyond reasonable scientific doubt that it will not adversely affect the integrity of a SAC, SPA or Ramsar site.

Protected Species

Bats

In our view, the proposal is not likely to be detrimental to the maintenance of the favourable conservation status of local populations of bat.

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 any permission includes the imposition of a condition requiring 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 development and restoration

Where a condition has been imposed which has been suggested by NRW or which meets NRW's objective, the Local Planning Authority should consult with NRW to secure compliance with the condition prior to its discharge. A copy of the subsequent decision notice would be appreciated.

Yn gywir / Yours' faithfully,



Mr. GARETH THOMAS

Swydddog Cyswllt Cynllunio / Planning Liaison Officer

Ebost/Email: Gareth.Thomas@cyfoethnaturiolcymru.gov.uk

Deialu uniongyrchol/Direct dial: (0300) 065 3786 **Siaradwr Cymraeg / Welsh Speaker**



cc: Blueprint