

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

Date: 19th August 2016

Dear Mr Phillips,

**CONVERSION OF OUTBUILDING TO FORM 1 NO ONE BEDROOM ANNEX
DEE FARM, NEWBRIDGE ROAD, NEWBRIDGE, WREXHAM, LL14 3JF**

Thank you for consulting us on the above application, which we received on the 2nd August 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. We would object if the scheme does not meet these requirements.

Requirement 1 – That a Flood Consequences Assessment is submitted in support of the application which demonstrates that flood risk to and from the development can be acceptably managed

Requirement 2 – That an assessment under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) is carried out.

Flood Risk

The application site lies entirely within Zone C2 as defined in TAN 15 Development & Flood Risk (2004) and shown on Welsh Government's Development Advice Map. This is confirmed by Natural Resources Wales' flood map, which shows that the site lies within the present-day 0.1% AEP (1 in 1000 annual chance) outline.

We welcome clarification from your Authority that, while the proposal is described on the application form as an 'annexe', given that the proposed unit of accommodation would be considered to lie outside the domestic curtilage of Dee Farm farmhouse and has its own parking and garden areas, it would be difficult to prevent future separate occupation even if a condition were imposed requiring the redeveloped building to be used as an annexe to the farmhouse. On this basis, the proposed change of use of the farm outbuilding would effectively permit an increase in the number of 'highly vulnerable' residential units within the floodplain, and so a flood consequences assessment (FCA) should be produced demonstrating that the flood risks to the development can be managed over its lifetime (consistent with the previous applications which were for conversion to a single dwelling).

Our most recent advice regarding this proposal was provided to Richard Broun Associates in September 2015 as pre-application advice (following refusal of applications P/2014/0229 in June 2014 and P/2015/0335 in July 2015). We highlighted that the Welsh Government has emphasised that new residential developments in zone C2 should not be permitted (as per Section 6.2 of TAN 15), and suggested that this constraint was discussed further with your Authority. We made clear that while the site is outside the present-day 1% AEP outline, it may be at risk during the same event once the impacts of climate change are taken into account, and that it is for the developer to provide site-specific information to demonstrate that their proposal satisfies the tests in TAN 15.

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

Protected Sites

The site is approximately 90 metres from the River Dee and Bala Lake / Afon Dyfrdwy a Llyn Tegid Special Area of Conservation (SAC), and also the River Dee SSSI.

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). We can help you reach a conclusion on likely significant effects. If that assessment concludes there is likely to be a significant effect, we can also advise on the further, appropriate assessment that would be required under the Regulations.

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

The application has been supported by an ecological submission. (Reference: Wuster, C. (2016). Outbuilding at Dee Farm, Newbridge, Wrexham. Greenman Ecology. Unpublished. Report Reference GME419.)

We consider the assessment to have been completed to a satisfactory standard, and with the conclusions. No evidence of bats was identified.

In our view the proposal is:

- (1) Not likely to be detrimental to the maintenance of the favourable conservation status of any local populations of European protected species; and
- (2) Not likely to adversely affect any local populations of British fully protected species.

Yn gywir / Yours' faithfully,



Mr. GARETH THOMAS

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

cc: Sylfaen Associates