

For the attention of Matthew Phillips

10/07/2019

Dear Matthew,

**PROPOSAL:
DEMOLITION OF EXISTING PROPERTY AND REDEVELOPMENT TO FORM 4 NO.
NEW DWELLINGS AND ACCESS**

**LOCATION:
Nantcol, 57 Bryn Glas, Rhosllanerchrugog, Wrexham**

Thank you for re-consulting Natural Resources Wales (NRW) about the above, which was received on 18/06/2019.

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.

Summary of Requirements and Conditions

Requirement 1: Amendment to the Flood Consequence Assessment to demonstrate that the consequences of flooding can be acceptably managed in accordance with TAN15 over the development lifetime.

Condition 1 – Prior to commencement, the applicant shall submit a Biosecurity Risk Assessment to the satisfaction of the LPA.

Flood Risk

We write further in response to our letter (dated 23/01/2019 and referenced CAS-74057-G0H9) which raised significant concerns following the submission of revised proposals to one new dwelling and flood consequences assessment (FCA) and note there are no changes or amendments to the red line boundary of the application site which covers a larger area than the area covered by the dwelling and its curtilage.

The FCA (Weetwood, June 2019, referenced 3494/FCA/Final/v1.0/2019-06-12) confirms the site is within Development Advice Map (DAM) Zone A and this will be because national scale mapping has not historically included smaller hydraulic catchments of less than 3km².

The FCA confirms the LIDAR site levels vary from West to East, from 158.8-170 and that flood depths across the site would be in excess of 1 metre in depth.

In terms of the 1 in 100 annual event probability (AEP) with climate change and blockage, flood depths are predicted to be 166.54 m AOD and 166.59m AOD during an extreme 1 in 1000 AEP event.

The Appendices of the FCA include the flood modelling report and plans of expected flood depths across the site for key scenarios. These show a very small North East corner of the site remaining dry, with flooding depths shown to affect the development platform and garden amenity area.

Appendix A1.14 of TAN 15 requires the whole red line site to remain dry during the 1 in 100 year with an allowance for climate change and blockage. Flooding depths of 166.54m for this event would only be 200mm below the proposed finished floor level. It should be noted that NRW have not reviewed the modelling work or report completed in support of this FCA. There are likely to be limitations to note in the modelling study.

The FCA and plans within the appendices would suggest the majority of the site would be affected by flood extents, and whilst there are some very exceptional circumstances where minimal flood depths/flow routes within the site can be potentially be acceptable, these are exceptional and associated with ancillary areas within a site and usually involve flood depths of less than 300mm. The access beyond the site boundary is detailed to remain dry during key flood events.

Our concerns remain valid, as the proposed development and FCA are unable to show how the proposed development would acceptably manage flood risks over the lifetime of the development. The development does not comply with the requirements of TAN 15.

Flood depths across the site would exceed 1 metre in depth and whilst there is no hazard, data, these depths are significant and likely to cause hazard to most people and property. Analysis of flood risk elsewhere is limited. All increases and decreases in flood risks should be shown and the decreases in post development scenarios should be explained. To help understand what the impacts and consequences of flood risk elsewhere.

Requirement 1: Amendment to the Flood Consequence Assessment to demonstrate that the consequences of flooding can be acceptably managed in accordance with TAN15 over the development lifetime.

This development is within Zone A and is known to have historically flooded and we would strongly advise the LPA seeks the advice of the Wrexham LLFA on the details of the FCA and amended proposals.

It is noted that the area proposed for development covers a relatively small part of the overall site shown in the red line plan. The applicant may wish to review this. It would also be beneficial for the FCA to include a plan showing the proposed development superimposed on the Annex E: Model Results – Sensitivity, to aid clarity.

We would request in accordance para 11.2 that if the LPA are minded to grant planning permission Natural Resources Wales be re-consulted and provided sufficient time to make any further representations necessary.

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.

Condition 1 – Prior to commencement, the applicant shall submit 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

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

Protected Species

We note the bat activity survey prepared in support of this application (August/ September 2018).

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

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.

Advice to Applicant

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/>

During the construction phase you should take any precaution to prevent contamination of surface water drains and local watercourses. Oils and chemicals should be stored in bunded areas and spill kits should be readily available in case of accidental spillages.

For further guidance please refer to GPP 5 and PPG 6 at the following link:

<http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

Waste

Waste produced during the construction phase of your development must be dealt with appropriately and be in line with all relevant waste legislation including Duty of Care Regulations and Hazardous Waste Regulations. As part of your waste duty of care you must classify the waste produced:

- before it is collected, disposed of or recovered
- to identify the controls that apply to the movement of the waste
- to complete waste documents and records
- to identify suitably authorised waste management options
- to prevent harm to people and the environment.

Any waste removed from site will be subject to waste management controls. The links below provided information on how to classify waste and register as a waste carrier or hazardous waste producer:

<http://naturalresources.wales/waste/how-to-classify-and-assess-waste/?lang=en>

<http://naturalresources.wales/apply-for-a-permit/waste/?lang=en>

Further guidance can be found on the GOV website here:

<https://www.gov.uk/managing-your-waste-an-overview/duty-of-care>

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.

Yn gywir / Yours sincerely,

Daniel Davies

Daniel Davies

Cynghorydd Cynllunio Datblygu / Development Planning Advisor

Cyfoeth Naturiol Cymru / Natural Resources Wales