

05/12/2019

For the attention of Philip Forster:

Dear Philip,

**PROPOSAL: CHANGE OF USE OF IMPLEMENT / TRACTOR STORE TO A
RESEARCH AND DEVELOPMENT OFFICE / WORKSHOP (B1 USE) INCLUDING
EXTENSION TO EXISTING BUILDING
LOCATION: Darland Croft, Darland Lane, Rossett, Wrexham**

Thank you for consulting Natural Resources Wales (NRW) about the above, which was received on 09/09/2019.

We recommend that you should only grant planning permission if you attach the following conditions. These conditions would address significant concerns that we have identified and we would not object provided you attach them to the planning permission.

Condition 1: No development, with the potential to impact on invasive species, shall commence until a site wide Biosecurity Risk Assessment has been submitted to and approved in writing by the Local Planning Authority. The risk assessment shall include measures to control, remove or for the long-term management of invasive species both during construction and operation.

We recommend you should only grant planning permission if you include the following document within the condition identifying approved plans and documents on the decision notice:

- GCN Survey Land to the North of the Elms, Darland Lane, Amenity Tree Care, 23/07/18;

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.

Condition 1: No development, with the potential to impact on invasive species, shall commence until a site wide Biosecurity Risk Assessment has been submitted to and approved in writing by the Local Planning Authority. The risk assessment shall include measures to control, remove or for the long-term management of invasive species both during construction and operation.

This condition is required to ensure that an approved Biosecurity Risk Assessment is implemented to secure measures to control the spread and effective management of any invasive non-native species at the site.

Protected Species

We note the following:

- Extended Phase 1 Habitat Survey, Land to the North of the Elms, Darland Lane, Amenity Tree Care, No date,
- GCN Survey Land to the North of the Elms, Darland Lane, Amenity Tree Care, 23/07/18;
- Bat Emergence Report, Land to the North of the Elms, Darland Lane, Amenity Tree Care, 20/07/18.

These reports have considered the potential impact of the development on bats and Great Crested Newts (GCN). We consider that the development is not likely to be detrimental to the maintenance of the population of the species' concerned at a favourable conservation status in its natural range. However, we note the Reasonable Avoidance Measures (RAMs) outlined in the GCN Survey Land to the North of the Elms, Darland Lane, Amenity Tree Care, 23/07/18, with regards to GCN. We recommend you should only grant planning permission if you include the following document within the condition identifying approved plans and documents on the decision notice:

- GCN Survey Land to the North of the Elms, Darland Lane, Amenity Tree Care, 23/07/18

Flood Risk

The site lies entirely within Zone C2 as defined by the Development Advice Map (DAM) referred to under Technical Advice Note (TAN) 15 Development and Flood Risk (July 2004). Our Flood Map, which is updated on a quarterly basis, confirms the site to be located entirely within the 0.1% (1 in 1,000) annual exceedance probability (AEP) event flood outline.

The development proposal is for the change in use of the existing storage building to a research and development office/workshop. The proposal also includes a small extension to the building, measuring approximately 148 m². The proposal would not change the land use vulnerability at the site (i.e. the site would retain its existing less vulnerable land use).

A Flood Consequences Assessment (FCA) has been prepared by JNM (ref: J01941, dated August 2019). The FCA identifies that the primary source of flood risk at the site is fluvial flood risk from the River Dee/Pulford Brook. The FCA has calculated an indicative flood

level of 9.15 m AOD for the 0.1% AEP event, based on an interrogation of the indicative flood outlines and topographic survey. Based on this qualitative assessment, some flooding of the site would be expected, with depths in the region of 0.27 m. The FCA concludes that the building itself would not be expected to flood, as its finished floor level is set at 9.17 m AOD. The FCA does not comment on the potential impact of climate change at the site. Based on this, the FCA fails to comply with A1.14 of TAN15, as it has not demonstrated that the development would be flood free in the 1% AEP event with an allowance for climate change. The FCA does not recommend any mitigation measures; given the uncertainty with the approach taken to derive an indicative flood level for the site, we would expect the FCA to recommend some options for flood risk betterment; for instance, flood resilient/resistant measures and preparation of a business flood plan.

The FCA also does not comment on the flood risk posed to the access/egress route, thereby failing to comply with A1.15 of TAN15. We suggest that the North Wales Councils Regional Emergency Planning Service (NWCREPS) is consulted in order to get their views on the proposal.

However, we do acknowledge that the proposal is a change in use of an existing building, and a small extension. On this basis, we do object to the application, but recommend that flood resilient/resistant measures are considered as part of the redevelopment, and the site owners prepare a business flood plan.

The site lies within a Flood Alert area only (as opposed to a specific flood warning area); we recommend that the Applicant signs up to receive flood alerts. Further information about our Warning Service can be accessed on our website at:
<https://naturalresources.wales/flooding/sign-up-to-receive-flood-warnings/?lang=en>.

Other Matters

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

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 Developer

Pollution Prevention

All works at the site must be carried out in accordance with PPG6: '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/>

Waste produced during construction

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 provide information on how to classify waste and register as a waste carrier or hazardous waste producer:

<https://naturalresources.wales/permits-and-permissions/waste/?lang=en>

<https://naturalresources.wales/permits-and-permissions/waste/waste-permits/?lang=en>

Further guidance can be found on the GOV website here:

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

Foul Drainage

With respect to the discharge of effluent to ground or surface water, the Applicant will need to apply for an environmental permit or register an exemption with us. Septic tanks and small sewage treatment works may be registered as exempt from the requirement to obtain an environmental permit if certain criteria are met. Please note, should a permit be required, further information may be required as part of that application and the Applicant is therefore advised to hold pre-application discussions with our Permitting Team on 0300 065 3000, at the earliest opportunity, to try to ensure that there is no conflict between any planning permission granted and the permit requirements. It is important to note that a grant of planning permission does not guarantee that a permit will be granted, should a proposal be deemed to be unacceptable (either because of environmental risk or because upon further investigation, a connection to mains sewer was feasible). The Applicant should ensure that they have all the required permissions, consents, permits and any other approvals in place prior to commencement of works on the site.

More information, including a step by step guide to registering and the relevant application forms are available on our [website](#). Where private sewage treatment/disposal facilities are utilised, they must be installed and maintained in accordance with British Standards 6297 and Approved Document H of the Building Regulations. We also refer the Applicant to the Guidance for Pollution Prevention 4 on the [NetRegs website](#), which provides further information.

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