

FAO Matthew Phillips

15/07/2018

Dear Matthew,

PROPOSAL: Proposed residential redevelopment comprising conversion of first and second floors of Central Buildings to provide 10 no. apartments (with related external alterations at ground floor level), and the construction of 32 no. apartments and associated parking etc on the adjacent vacant land

LOCATION: Central Buildings and adjacent land, Brook Street and Bridge Street, Wrexham

Thank you for re-consulting us on the planning application, which we received on 14/06/2019.

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. We would object if the scheme does not meet these requirements.

Requirement 1: A revised Flood Consequences Assessment (FCA) is required to demonstrate the risks and consequences of flooding can be managed to an acceptable level.

Flood Risk

We write further to your letter dated 14th June 2019 regarding the “over-riding reasons” and your request to provide more detailed advice on the proposals and the flood consequences assessment (FCA) which has been provided in support of the application. Noting that this proposal falls within the HVD C2 pilot and all previous responses have reiterated the TAN 15 policy stance that highly vulnerable development (HVD) and emergency services development should not be permitted in Development Advice Map (DAM) Zone C2, and also that the justification tests within section 6 of TAN 15 should not apply.

The planning application is supported by a FCA produced by Weetwood (FCA 4183/FCA/Final/v1.2/2018-08-02 August 2018) which has used or modified the latest modelling results from the River Gwenfro flood modelling study 2016. We provide you with site specific advice on these residential proposals in relation to the acceptability of flood consequences for this site within central Wrexham and immediately adjacent to the River Gwenfro. As you will be aware, the application site lies partially in Zone C2, with the building subject to conversion lying almost wholly in Zone C2. The area of new development (i.e.

Apartment block and car park) shows the car park is located partially in the C2 outline. The development, which is considered to be everything within the redline boundary, constitutes new highly vulnerable development within Zone C2 and would be contrary to national policy.

Within the FCA consideration is given to the effects of climate change (increases in peak river flows) and the effects of blockages within the channel of the River Gwenfro. When climate change and blockages are considered, the flood risks at the site are shown to increase and the extent of flooding on the site is greater than those shown on the published flood map. Our flood map and the Development Advice Map do not currently show the effects of climate change and assume rivers and structures are free flowing i.e. without blockage.

Notwithstanding the Zone C2 policy position and recognising the formal request from your Authority for us to provide bespoke flood risk advice, we have now reviewed the FCA so that we provide you with technical advice on the acceptability of flooding consequences in accordance with Appendix 1 of TAN15. Having reviewed the report, our advice is that the FCA has failed to demonstrate that the risks and consequences of flooding can be managed to an acceptable level in line with TAN15 – as set out below:

Matters Relating to Table A1.14

In order to comply with table A1.14 of TAN15, the FCA must demonstrate that the proposed new development (including the proposed apartment block and the associated residential car parking area), can be designed to be “flood free” during the 1% annual probability flood event (including allowance for climate change and culvert blockage). The FCA shows that portions of the proposed car parking area will remain at flood risk even after other proposed mitigation measures are incorporated into the development. Whilst we acknowledge that the FCA shows that the finished floor level of the new build apartment block will be set above anticipated flood levels, it should be recognised that the proposed car parking area will remain at flood risk. Residential car parking should be treated as new Highly Vulnerable development and forms an intrinsic part of the residential development, and therefore should also be designed to remain flood free as per the new residential building. As the FCA shows that the proposed residential parking area will remain at flood risk, we consider that the proposals currently fail to comply with TAN15.

We also note, that the FCA has focussed on blockage risks solely from the Island Green Culvert, but we are aware that the site could also be at flood risk in the event of the Town Centre Culvert and the St. Giles Way culvert becoming blocked. We consider that the FCA needs to properly examine the risks to the site, and the development, for all 3 blockage locations in order to fully demonstrate that the proposed flood risk mitigation measures have been designed using the “worst-case” blockage location.

With regards to the conversion of the existing building (4 Brook Street), the FCA confirms that the ground floor level and basement of the property could be subject to internal flooding and flood depths are shown to range between 0.21 and 0.47 metres. We note from drawing 8821-L10 that ground floor and basement layouts are presented. For the purposes of clarity, and to avoid any potential ambiguity, we would request that this drawing be amended to confirm that the existing basement and ground floor of the building will not be subject to any conversion that could introduce a highly vulnerable use to those parts of the building.

Matters Relating to A1.2 – Flood Risk Elsewhere

The FCA has shown that the site will be reprofiled to facilitate access from Bridge Street (see section 5.1.2), and that some areas of the site will be lowered to achieve this. The FCA also assumes a minimum ground level of 76.20m above Ordnance Datum (AOD). The FCA shows that the land lowering operations will increase flood depths within the site boundary and that areas of the proposed car park will experience greater flooding depths when compared with current conditions (see outputs in Appendix F). The FCA also explains that the development proposal could result in increased flooding depths offsite and observes a general increase in depths of approximately 6mm. TAN15 is clear that new development proposals must not increase flood risk elsewhere. We also note that the outputs presented in Appendix F show a limited area located to the north of the site that could experience greater increases in flood risks (i.e. near the post office off Town Hill). Clarification is required as to the cause of this, and whether it can be attributed to modelling anomalies.

In addition, the FCA should consider the potential offsite impacts arising from the development in the event of the St. Giles and Town Centre culverts becoming blocked and not solely focus on the Island Green Culvert blockage scenario.

Should development plans change to deal with the flood risks to the car parking areas, and in the event of further land raising being required, then the FCA will need to be updated to assess how those additional operations could affect flood risk elsewhere. Further mitigation is likely to be required to offset any observed adverse flood risk impacts, and this should be fully explored within a revised FCA.

Matters Relating to Table A1.15 – Emergency Access and Egress

The FCA fails to consider the 4 tests set out in table A1.15 of TAN15 and there is little information about the potential flood hazards that users of the development could be exposed to. The FCA is therefore deficient as it does not provide your Authority with all the information required to make an informed decision. The lack of flood hazard information is particularly noticeable. The emergency access and egress issues associated with the proposed conversion of the existing building are likely to be particularly challenging especially if there remains a risk that users of the development could be left marooned within the building in times of flood without appropriate access and egress being available. We would strongly recommend that you seek the views of your Emergency Planning Team on this issue and they should advise more on the emergency plans and procedures that may be required to support these proposals.

In summary, and based on the flood risk information presented to us we consider the following:

- Compliance with A1.14 of TAN15 has not been demonstrated as sections of the site e.g. car parking area are shown to flood during the 1% annual probability (climate change and blockage event). The residential car parking should be treated as Highly Vulnerable development and should be designed to remain flood free.
- There is some uncertainty as to whether blockage of the Island Green culvert would pose greatest flood risks to the site.
- Offsite flood risks have been identified within the FCA and these could further increase should additional land raising be required on the site.

- There is a lack of information within the FCA as to the flood hazards (flood depths and flood velocities) that future users of the development could be exposed to, so the decision maker does not have the necessary information to make an informed decision.

Should your Authority be minded to grant planning permission contrary to C2 policy, the applicant should be required to submit a revised FCA prior to determination of the application as we believe that you do not have an adequate evidence base to conclude your planning decision. We can advise you whether the revised FCA is in accordance with the technical criteria in Appendix 1 of TAN15. If no further information is submitted, or the revised FCA fails to demonstrate that the consequences of flooding can be acceptably managed over the lifetime of the development, then we **object** to this application and recommend that the application be refused.

Please inform us, in accordance with paragraph 11.7 of TAN15, if you are minded to grant permission for the application contrary to our advice.

Protected Species

We note that the bat reports submitted in support of the above application (Bat Survey – Preliminary Bat Roost – 4 Brook Street, Wrexham 02 July 2018 and Bat Activity Report – 4 Brook Street, Wrexham 02 October 2018) have identified that bats were not using the application site. We note the precautionary reasonable avoidance measures identified in the Bat Activity Report. The report must be included in the ‘approved list of plans / documents’ condition within the decision notice should consent for the project be granted.

Please do not hesitate to contact us if you require further information or clarification of 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 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-ppgs-full-list/>

Ordinary Water Course

Ordinary Water Course Consent may be required from the lead local flood authority for work to an ordinary watercourse.

Landfill

According to our records the proposed development site is located near to land that is, or has been, used for the deposition of waste material. We would therefore advise you to consult with the local authority's Environmental Health and Building Control Departments, as they may hold detailed records, and may wish to make appropriate recommendations in respect of landfill gas investigation/remedial work. The developers should be made aware of the existence of the landfill site(s) so that they can decide whether or not to make their own investigations into the presence of landfill gas. It should also be noted that Waste Management Paper 27 states "It has been found that many sites which have taken only supposedly 'inert' waste have produced gas".

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 faithfully,

Daniel Davies

Daniel Davies

Ymgynghorydd Cynllunio Datblygu / Development Planning Advisor

Cyfoeth Naturiol Cymru / Natural Resources Wales