

For the attention of Matthew Phillips

23/01/2019

Dear Matthew,

TOWN AND COUNTRY PLANNING ACT 1990
DEDDF CYNLLUNIO GWLAD A THREF 1990

**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 consulting Natural Resources Wales (NRW) about the above, which was received on 11/12/2018.

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: The submission of a 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 note the planning history relating to this site, but would advise that it is not clear if the principle of residential development has been established for this site because the P/2011/0779 for 3 dwellings was never supported by a flood consequences assessment which demonstrated compliance with TAN 15.

The planning application P/2016/0651 submission for 7 dwellings raised significant flood risk concerns by Wrexham Flood Officer and Natural Resources Wales and was subsequently withdrawn. Planning application P/2017/0537 for 5 dwellings, dismissed (Appeal reference 3200230) at appeal, did not examine flood risk issues because flood risk did not form a reason for refusal by the LPA. However, NRW and the Wrexham Flood Officer did raise concerns in relation to the reliance on modelling methodology statement produced by Weetwood dated May 2017, the requirements for certain planning conditions and need for further details to be provided/assessed by a flood consequences assessment.

Whilst we note this site is located within Zone A, the watercourses across and adjacent to this site are not currently represented in the flood map or the Development Advice Map. There is a history of flooding associated to the site and a complex nature of watercourses and culverted structures makes it susceptible to significant flood risks from blockage and impacts of climate change.

This development has not assessed the flood risks to the site, in the form of a flood consequences assessment and on this basis we raise significant concerns.

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

The hydraulic modelling methodology dated May 2017 is an advice note to the scope of a potential study. No modelling studies for this site have been completed or verified by Natural Resources Wales.

If the Local Planning Authority is minded to grant permission contrary to our advice, we would ask to be re-consulted on all matters that influence this decision and allow sufficient time for representations to be made and consider it against the Call In requirements.

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).

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.

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