

Wrexham County Borough Council

Ebost/Email: Northplanning@cyfoethnaturiolcymru.gov.uk
Ffôn/Phone: (0300) 065 3787

Date: 29th January 2018

Dear Sir/Madam,

**ERECTION OF STABLE BUILDING, CHANGE OF USE OF AGRICULTURAL LAND TO FORM HORSE MENAGE WITH ASSOCIATED ACCESS TRACK, PARKING AND HARDSTANDING AREA (PARTLY IN RETROSPECT)
LITTLE DONGREY FARM, DONGRAY LANE, BANGOR ON DEE**

Thank you for referring the above planning application received at our office 9th January 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. We would object if the scheme does not meet these requirements.

Requirement – The applicant revises the FCA as specified below to address deficiencies in the submitted FCA.

Flood Risk

The location of the development is within the Development Advice Map (DAM) C2. The site is within the fluvial outlines of Flood Zone 2 and 3 and historic flood map of the Farndon to Bangor on Dee 1964 event. The location of the site is 523 metres (m) South East of the River Dee and 117m East of the Dongrey Brook and 117m South of Dol- Enion Brook. It is not within an area benefitting from flood defences.

Whilst agricultural or equestrian uses are not categorised in TAN 15: Development and Flood Risk. The flood risk management guidance from Office of Public Works (OPW) Ireland and England Planning Practice Guidance lists these two uses within a less vulnerable use category.

The development and details of flood consequences raises significant concerns due to various deficiencies.

Requirement – The applicant revises the FCA as specified below to address deficiencies in the submitted FCA:

The FCA by Weetwood Services Ltd (January 2018) Final report v1.1 identifies site levels across the site vary between 12.1-16.4m AOD together with flood depths with greater flood water depths towards Eastern side of the site where the ground levels are at the lowest.

The potential flood depths of 1.2m for the stable block during 1 in 100 plus CC AEP and 1.2-1.8m for the 1 in 1000year event show that the site/development would not be flood free and could not be managed on site by the proposed 0.15m increase to FFL.

The FCA does not relate the proposed FFL to the freeboard analysis from breach analysis and raised flood defences analysis within the JBA Consulting 2012 Bangor on Dee flood modelling study.

It is unclear what FFL of stable block slab installed on site has been set and what the reprofiling of the site would involve.

Alterations to the existing ground levels and installation of a new hedge, stables and ménage could potentially displace flood water towards the East and North to other people and property. Given the rising ground levels to the South of the Little Dongray Farm towards Bangor Road and West towards the private access track.

The use of post and rail fencing in the boundaries should be maintained to allow flood flow routes across the site

The proposed development/FCA do not demonstrate compliance with section 7.2 and Appendix 1 (A1.14 and A1.15) of TAN 15.

Re-configuration of the development may prove beneficial in flood risk terms.

Protected Species

Certain species including Bats and Great Crested Newts are protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended).

NRW is satisfied that the Extended Phase 1 Ecological Survey (Wildbanks Conservation Limited.) has been carried out to an acceptable standard. The report states that there was no evidence of protected species using the site. NRW considers the ecological submission to be satisfactory for informing the planning decision making process. In our view the proposal is not likely to be detrimental to the maintenance of the favourable conservation status of any local populations of European protected species; and not likely to adversely affect any local populations of fully protected species.

We would nonetheless welcome the implementation of the report's proposed recommendations.

The applicant should be advised that should protected species be discovered at any stage during the works, all work should stop immediately and NRW contacted for further advice.

Environmental Management: manure

The proposed development lies mainly within the Worthenbury Lower waterbody (GB111067052090), which is not achieving good Water Framework Directive status due to phosphate failures. In order to prevent the development exacerbating this, we recommend that all manures and muck, including waste from the stables, are stored in manner which does not cause pollution. Manure and muck should be spread as a fertilizer to maximise grass production, in accordance to good practice. This is 250kg/Ha of Nitrogen. Please visit the following link for guidance on horse manure and other types of waste <https://www.gov.uk/guidance/keeping-horses-on-farms#horse-manure-and-other-types-ofwaste>. For further advice please contact NRW's Customer Contact Centre. www.naturalresourceswales.gov.uk

Construction Waste

If the developer plans to use waste in the construction, they should be aware that the activity of importing waste into the site for use as, for example hardcore, must be registered with Natural Resources Wales as an exempt/permittable activity under Environmental Permitting Regulations 2010. The developer should contact Natural Resources Wales to discuss the necessity for an exemption/permit for any material imported to and exported from the site. For further information please visit the website

<https://www.gov.uk/government/collections/waste-exemptions-using-waste> and contact our Customer Centre on 0300 065 3000 (Mon-Fri, 9am-5pm).

If during construction/excavation works any contaminated material is revealed, then the movement of such material either on or off site should be done in consultation with Natural Resources Wales.

Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 34 of the Environmental Protection Act 1990. Carriers transporting waste from the site must be registered waste carriers and movement of any Hazardous Waste from the site must be accompanied by Hazardous waste consignment notes. These notes must be kept for at least two years.

Pollution Prevention

During the works, the developer should take precautions 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 check "Working at construction and Demolition Sites, Pollution Prevention Guidance 6":

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

Our comments above only relate specifically to matters that are included on our checklist "Natural Resources Wales and Planning Consultations" (March 2015) which is published on our website: (<https://naturalresources.wales/planning-and-development/planning-and-development/?lang=en>). 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*. 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.

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

Yn gywir / Yours' faithfully,



Ruth Prichard

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Deialu uniongyrchol/Direct dial: (0300) 065 3787 **Siaradwr Cymraeg / Welsh Speaker**



cc: