



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-85902-T4N1

Eich cyf/Your ref: P/2018/0898

Ebost/Email: northplanning@cyfoethnaturiolcymru.gov.uk

Ffôn/Phone: 03000 65 4099

For the attention of Matthew Phillips

14/05/2019

Dear Matthew,

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

PROPOSAL:

**ERECTION OF AFFORDABLE HOUSING UNITS COMPRISING 1 DETACHED
DWELLING, 18 SEMI-DETACHED DWELLINGS AND 6 FLATS AND ASSOCIATED
WORKS**

LOCATION:

Land off Jacques Way, Wrexham

Thank you for re-consulting Natural Resources Wales (NRW) about the above, which was received on 02/05/2019.

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.

Summary of Conditions

Condition 1: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Land Contamination

We note that a desk study and site investigation were carried out in 2004 and 2007 covering the redline boundary of this site and concluded that the risk to controlled waters (groundwater) was low. The Contaminated Land Office for Wrexham County Borough Council requested conditions to undertake further site investigation. We request the following condition to be imposed on any planning permission granted.

Condition 1: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason: Given the size/complexity of the site it is considered possible that there may be unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remediated.

Flood risk

We note the additional information submitted to NRW (referenced 2019-04-23 3972 Proposed development platform, the river Gwenfro 2016 blockages plan, flood risk elsewhere plan for 0.1% annual event probability (AEP) and final site plan and cross sections revision N) provided on 19th April 2019.

The proposed development platform set at 83.04m AOD as shown in yellow on the proposed development platform plan, would remain dry during the key flooding events with an allowance of blockage and climate change. This development platform excludes the southernmost area of the red line application site, immediately south of the footprints to plots 22 and 23 and annotated as a reptile mitigation area, which is potentially at risk of fluvial flooding depths of between 0.6-1.2metres (m).

The modelling outputs for the potential worst case scenario of a 95% blockage 0.1% annual exceedance probability (AEP) (2019-04-23 3972 WS_005-004_3972_Gwen_Q1000_d.jpg) extreme event, shows there would be no flood risk to the development platform or increased flood risk elsewhere, but this specifically excludes the southern area of the site.

The site and cross section plans, shows no retaining wall to the south of the residential plots 22-23 (Final site plan Rev N 08-04-19 04 Cross sections as proposed 3) and no private garden areas or alterations to the existing ground levels.

The Local Planning Authority (LPA) will therefore need to be satisfied the proposed site layout of these two residential plots can be achieved and secured by relevant planning conditions. As the creation of garden areas to these two plots within the southern end of the site from significant changes to ground levels, could potentially displace flood depths, increasing flood risk elsewhere towards railway infrastructure and the Wrexham Maelor hospital site.

The additional information as referenced above, the revised site layout/cross sections and FCA Final version v1.1 produced by Weetwood and referenced 3972/FCA/Final/v1.1/2019-03-11 demonstrates, indicates that the development platform and finished floor levels (FFL) of the dwellings would remain flood free in accordance with A1.14 of TAN 15. This does not relate to the whole site (as shown on the location plan dated July 2018) and it will be important for the LPA to secure these details by planning condition(s), to ensure the

development does not increase flood risk elsewhere and meets the requirements of our letter dated 27th March 2019 (CAS-81873-Q5H6) and TAN 15: Development and flood risk.

In addition to the above, we recommend that the Lead Local Flood Authority (LLFA) is consulted in respect to whether the proposals would impact access to the Afon Gwenfro (an ordinary watercourse) and the nearby culvert, as this could have implications for maintenance of the watercourse and culvert. The LLFA will also provide advice in relation to how the developer intends on managing surface water runoff generated by the development, as NRW no longer provides flood risk advice in this regard. The contact details for the LLFA are as follows:

Neil Taunt
Flood and Water Management Resilience Officer
Emergency Planning

Tel: 01978 298827
Email: flooding@wrexham.gov.uk

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 the recommended action in Japanese Knotweed Survey Report (27/03/2018) be carried out to the satisfaction of the LPA.

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 PPG5 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-andreplacement-series/guidance-for-pollution-prevention-gpps-full-list/>

Any work which is to take place should be done so with pollution prevention in mind. Pollution

prevention advice and guidance can be found via this link:

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

Should any pollution occur during the construction or operational phase, Natural Resources Wales should be notified via the incident hotline – 03000 65 3000.

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.

If you have any queries on the above please do not hesitate to contact us.

Yn gywir / Yours sincerely,

Daniel Davies

Daniel Davies

Cynghorydd Cynllunio Datblygu / Development Planning Advisor

