

12/03/2019

For the attention of Philip Forster:

Dear Philip,

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

**PROPOSAL:
CHANGE OF USE FROM OFFICE TO 2 NO. BEDROOM DWELLING
OFFICES
LOCATION:
15-16 DEE COURT, BANGOR ON DEE, WREXHAM**

Thank you for consulting Natural Resources Wales (NRW) about the above, which was received on 27/02/2019.

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 requirement. We would object if the scheme does not meet this requirement.

Summary of Requirement

Requirement 1: FCA is submitted which demonstrates compliance with the requirements of TAN15.

Flood Risk

The planning application proposes highly vulnerable residential development (see Figure 2 of TAN15: Development & Flood Risk). Our flood risk information, which is updated on a quarterly basis, confirms the site to be within Zone C1 of the Development Advice Map (DAM) contained in TAN15 and the 1% (1 in 100 year) annual probability fluvial outline of the River Dee. Our records also show that this site has been affected by flooding during an historic flood event.

Section 6 of TAN15 requires the Local Planning Authority to determine whether the development at this location is justified. Therefore, we refer you to the tests set out in section 6.2 of TAN15. If you consider the proposal meets the tests set out in criteria (i) to (iii), then the final test (iv) is for the applicant to demonstrate, through the submission of an FCA, that the potential consequences of flooding can be managed to an acceptable level.

We are unable to give you technical advice on the acceptability of flooding consequences, as no FCA has been submitted. Therefore, if the development can be justified, the above requirement should be met prior to the determination of the application. We can advise you whether the FCA is in accordance with the technical criteria in Appendix 1 of TAN15.

Requirement 1: FCA is submitted which demonstrates compliance with the requirements of TAN15.

If an FCA is not submitted or any subsequent FCA fails to demonstrate that the consequences of flooding can be acceptably managed over the lifetime of the development, then we **object** to the application. The criteria for the FCA, which should normally be undertaken by a suitably qualified person carrying an appropriate professional indemnity, are given in Section 7 and Appendix 1 of TAN15. To help prepare an FCA, we have developed which contains technical advice and recommendations:

<https://naturalresources.wales/guidance-and-advice/business-sectors/planning-and-development/advice-for-developers/development-and-flood-risk>

Welsh Government has also provided guidance on what TAN15 requires for residential development to be considered acceptable:

<https://gov.wales/topics/planning/policy/dear-cpo-letters/flood-risk-and-insurance-changes>

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.

Yn gywir / Yours sincerely,

Advice to Applicant

Pollution Prevention

All works at the site must be carried out in accordance with '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

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>

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

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.

Daniel Davies

Daniel Davies

Cynghorydd Cynllunio Datblygu / Development Planning Advisor

Cyfoeth Naturiol Cymru / Natural Resources Wales