

FAO Matthew Phillips

29/01/2018

Dear Matthew,

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

**BWRIAD / PROPOSAL:
Conversion and change of use to a single dwelling
LLEOLIAD / LOCATION:
Disused Mill, Bradley Mill, Bradley, Wrexham**

Thank you for re- consulting Natural Resources Wales (NRW) about the above, which was received on 09/01/2019 with the Initial Appraisal of Flood Risk report (Weetwood Services Limited, 09 January 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: The Applicant to demonstrate that the development (i.e. all buildings, garden areas, and residential parking areas) will be designed to remain flood free in compliance with TAN15.

Flood Risk

As your Authority is aware the site lies partially in Zone C2 as defined by the Development Advice Map (DAM) referred to within TAN15: Development & Flood Risk. TAN15 states that Highly Vulnerable Development (e.g. residential development) should not be permitted in Zone C2.

As you are aware we are currently running a pilot project under the Joint Improvement Programme, and we have previously referred you to the agreed standing advice (our letter dated 11/06/2018). Under the pilot scheme NRW will not review FCAs for highly vulnerable and emergency-services developments in Zone C2, unless written confirmation has been provided by the LPA that they believe there are overriding reasons for the local planning authority to consider granting the application contrary to TAN15 Policy, despite its location within Zone C2. Following the proposal being taken to planning committee, members of the committee indicated that they wanted flood risk advice from NRW as they were minded

to grant planning permission. Therefore, in this instance, we have agreed to provide bespoke flood risk advice in spite of having not received a specific overriding reason as to why the planning committee are minded to approve the scheme. In future, as per the pilot project, we will require this prior to providing bespoke flood risk advice.

We have reviewed the Applicant's "Initial Appraisal of Flood Risk" report (Weetwood Services Limited, 09 January 2019). The Appraisal has been supported by flood risk information/data that has been derived from a third party detailed hydraulic and hydrological model carried out by the Applicant's flood risk consultant. Given the Zone C2 designation at this site, and because of the limited scale of this development, NRW has not undertaken a comprehensive nor technical review of the modelling work, and we are unable to confirm that the assessment forms a suitable basis in informing the FCA.

Notwithstanding the above, we can advise that the Flood Risk Appraisal has shown:

- Land within the application boundary could be subject to maximum flood depths of approximately 1.16 metres during the 1% Annual Exceedance Probability (AEP) flood event (including allowance for climate change). Maximum flood depths on the site are shown to increase to 1.48 metres during the extreme 0.1% AEP event. When a 25% blockage of the nearby highway bridge is considered, maximum flooding depths within the site boundary are shown to increase to 1.56 metres during the 1% AEP (climate change) event, and to 1.83 metres during the modelled extreme 0.1% blockage event. Such flooding depths are likely to pose a significant flood hazard to users of the development.
- The building which is subject to conversion (partly in retrospect) is shown to remain "flood free" during the 1% AEP event (including allowance for climate change and 25% blockage of the highway structure). Internal flooding of 0.12 metres is anticipated during the extreme 0.1% AEP event. In addition, there has been no consideration of incorporating a "freeboard" allowance onto the property of the Finished Floor Level to allow for uncertainties in the hydraulic modelling process and changes in water levels (e.g. waves) caused by vehicles driving through flood water etc.

We note that the Flood Risk Appraisal has shown that the building that will be subject to conversion is likely to remain flood free during the design flood event i.e. 1% AEP flood event (including allowance for climate change and a 25% blockage of the bridge structure), however some internal flooding is anticipated during the extreme 0.1% AEP events considered in the Appraisal. Given this, we consider that the proposed residential unit complies with Table A1.14 of TAN as it has been shown to remain "flood free" during the design flood event. However, we can advise that the wider site (including garden areas, residential parking areas and potentially the detached garage building), have not been shown to comply with Table A1.14 of TAN15 as they remain at flood risk during the design flood event. In order to fully comply with Table A1.14 of TAN15 we consider that as a minimum, all properties and/or buildings, residential parking areas and adjacent garden areas should be shown to be flood free during the design flood event (1% AEP climate change with 25% blockage). As compliance with Table A1.14 has not been fully demonstrated, we maintain our significant concerns with these proposals. If the Applicant is unable to demonstrate that the development (i.e. all buildings, garden areas, and

residential parking areas) will be designed to remain flood free then we would object to these development proposals.

Requirement 1: The Applicant to demonstrate that the development (i.e. all buildings, garden areas, and residential parking areas) will be designed to remain flood free in compliance with TAN15.

Given the nature of this development, we would recommend that you seek the advice of your Emergency Planning Team and/or Local Resilience Forum on matters relating to Emergency Access and Egress to and from the site in times of flood.

Protected Species

We would re-iterate our comments from our letter dated 11/06/2018 regarding protected species. The original protected species survey was carried out in January 2012. No emergence surveys were carried out. We therefore advise that updated surveys are carried out that accord with published guidelines.

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.

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