



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-40856-C4M0
Eich cyf/Your ref P/2017/0772:

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04/10/2017

Er sylw / For the attention of: Sharon Holman

Annwyl / Dear Ms Holman,

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

**BWRIAD / PROPOSAL: OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT
AND ASSOCIATED VEHICULAR AND PEDESTRIAN ACCESS
LLEOLIAD /LOCATION: LAND SOUTH OF BERSE ROAD, CAEGO,
WREXHAM LL11 6TP**

Thank you for consulting Natural Resources Wales (NRW) on the proposed development above, which was received on the 14th of September 2017.

NRW does not object to the proposed development. Please find our detailed comments below.

Flood Risk

We note that following our pre-application advice dated 5th of September 2017, which requested an updated Flood Consequence Assessment (FCA), the applicant has withdrawn their previous FCA. Due to the recent changes in our flood map, the proposed development site is now in a Flood Risk Zone A, which is generally considered to be low risk. On this basis the applicant has argued that they do not need to provide an FCA.

Whilst the change in position means we will not object to the application without an FCA, we nonetheless strongly advise that Wrexham Council Planning Authority require one for the reasons explained below.

The Development Advice Map was updated to reflect our latest understanding of flood risk, and as noted by the applicant, the site now lies entirely in Zone A as defined by Welsh Government's Development Advice Map (DAM) referred to in TAN15: Development & Flood Risk. Our Flood Map information was updated following the Flood Risk Mapping Study which

was completed by Wrexham County Borough Council, which suggested that the site no longer lies within the extreme flood risk outline.

According to Section 4.2 (Figure 1) of the TAN, Zone A is “used to indicate that [the] justification test is not applicable and [that there is] no need to consider flood risk further”. As such, we would not normally request that an FCA be produced to justify development at this location.

However, it is important to recognise that the Flood Map information does not show the potential flood risk impacts associated with climate change. Nor does it show how flood risk could change if there were to be a blockage of key hydraulic structures that span the River Gwenfro. It is therefore possible that the flood map information for this area may be underestimating the flood risks at this site.

The applicant’s previously submitted FCA (application ref: P/2016/0080), showed the site to be at an increased risk due to potential increases in peak rivers flows associated with climate change and the danger from the potential blockage of the Bersham Road Bridge (NGR: SJ 30898 51108). Therefore, only considering the Flood Map, with its limitations noted above, may not be sufficient.

It should be noted that the letter from the Welsh Government to the Chief Planning Officers stated that proposed development “must provide a safe and secure living environment throughout its lifetime”. It goes on to state that it is “necessary to take account of the potential impact of climate change over the lifetime of development including a flood event which has a 0.1% probability of occurrence”. <http://gov.wales/topics/planning/policy/dear-cpo-letters/flood-risk-and-insurance-changes/?lang=en>

Furthermore, section 11.1 of TAN15 indicates that a FCA would be required “in all other zones where flooding is identified as a material consideration”.

With the above in mind, we strongly advise that a revised FCA be undertaken to assess the flood risk to the development over its lifetime. However, as TAN15 provides conflicting advice on the acceptability of such a development, we would suggest that it is up to the Local Planning Authority to determine whether to insist on a compliant FCA before determining the application.

European Protected Species

We reviewed the ecological submission during the statutory pre-application consultation. We note that the submission plans remain the same and therefore so does our response. We have no objection to the proposals from a protected species perspective. We advise that the recommendations of the eco-scope, BAT, Badger & Reptile Survey Report, July 2017, Ref: ECO 82 are followed, in particular the implementation of a carefully designed, wildlife-friendly external lighting scheme.

Land Contamination

As noted in our response to the statutory pre-application dated 5th of September 2017, our records show that the proposed development site is located near to land that is, or has been, used for the deposition of waste material (Berse Dreincourt, WMBC L/34). We therefore advise the applicant to consult with the local authority's Environmental Health and Building Control Departments, as they may hold detailed records, and may wish to make appropriate recommendations in respect of landfill gas investigation/remedial work. The developers should be made aware of the existence of the landfill site(s) so that they can decide whether to make their own investigations into the presence of landfill gas. They should also be informed that Waste Management Paper 27 states "It has been found that many sites which have taken only supposedly 'inert' waste have produced gas".

Pollution prevention

Works should be carried out in accordance with Guidance for Pollution Prevention 6: Working at Construction and Demolition sites. Care should be taken to prevent any pollution entering the River Ceiriog. Natural Resources Wales must be notified if any pollution enters the River by phoning the incident hotline on 03000 65 3000

Construction

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.

Please do not hesitate to contact us if we can be of any further assistance to you or if you wish clarification on the above.

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.

Yn gywir / Yours sincerely,

Holly Tomlinson

Holly Tomlinson

Cynghorydd Cynllunio Datblygu / Development Planning Advisor

Cyfoeth Naturiol Cymru / Natural Resources Wales