



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-36311-F5S0
Eich cyf/Your ref: P/2017/0607

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Philip Forster
Planning Officer
Wrexham County Borough Council
Guildhall
Wrexham
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Date: 7th August 2017

Dear Mr Forster,

**DEMOLITION OF FORMER AGRICULTURAL BUILDINGS AND ERECTION OF
REPLACEMENT BUILDING FOR PRIVATE (HOBBY) USE WITH ASSOCIATED CHANGE OF
USE
LLANYPWLL FARM, HOLT ROAD, WREXHAM, LL13 9SD**

Thank you for consulting us on the above application, which we received on the 20th July 2017.

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 and you attach the conditions listed below. Otherwise, we would object to this planning application:

Requirement - The applicant submits a Flood Consequences Assessment in support of the application that demonstrates that the proposed development complies with TAN15.

Condition - 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, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Flood Risk

The application site lies entirely in Zone C2 as defined by the Development Advice Map (DAM) referred to under TAN15: Development & Flood Risk. Our Flood Map information confirms that the site lies within the extreme flood risk outline. In the absence of a Flood Consequences Assessment (FCA), we object to this application.

Requirement – The applicant submits a Flood Consequences Assessment in support of the application that demonstrates that the proposed development complies with 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 the application should be refused in accordance with the requirements of TAN15.

Section 6 of TAN15 requires your Authority to determine whether the development at this location is justified. As part of this justification, the Applicant must undertake and submit a Flood Consequences Assessment (FCA) prior to the determination of the application. This will ensure that all parties are aware of the risks to and from the development, and ensure that if practicable, appropriate conditions can be incorporated in a planning permission.

The criteria for the FCA, which should normally be undertaken by a suitably qualified person carrying an appropriate professional indemnity, are given under Section 7 and Appendix 1 of TAN15.

Land Contamination

The site lies on a principal aquifer and within a Source Protection Zone and is therefore considered sensitive with respect to controlled waters. Source Protection Zones are designated by Natural Resources Wales to identify those areas close to drinking water sources where the risk associated with groundwater contamination is greatest.

Condition - 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, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason - 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.

Natural Resources Wales recommends that developers should:

1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
2. Refer to the Environment Agency's '[Guiding Principles for Land Contamination](#)' for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
3. Refer to the [Environment Agency's \(2017\) 'Approach to Groundwater Protection'](#)

Environmental Management

Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

The applicants must minimise discolouration to the watercourse from the construction works. Silty water should be treated, either through the use of settlement lagoons, or tanks, or discharged across a grassed area. For work in river channels the use of coffer dams is recommended, to keep

river water out of the working area. River crossings must be kept free from mud or dust deposits. Oil and chemical storage must be kept away from the watercourse, on an impervious base, within a bund, and secured. Absorbents or a suitable spill kit must be kept on site for use in the event of an emergency. NRW should be notified immediately of such an occurrence. The mixing, use and washing of machinery and shuttering of wet concrete and cement must be carefully controlled to minimise the risk of any material entering the watercourse. The applicant is advised to follow the guidance within Guidance for Pollution Prevention 5 "Works and maintenance in or near water", and Pollution Prevention Guidance Note 6 "Working at construction and demolition sites":

<http://www.netregs.org.uk/media/1415/gpp-5-works-and-maintenance-in-or-near-water.pdf>

<https://www.sepa.org.uk/media/60125/ppg-6-working-at-construction-and-demolition-sites.pdf>

Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily in accordance with duty of care requirements under section 34 of the Environmental Protection Act 1990. The waste shall be transported using registered waste carriers to suitably permitted or exempt sites. Transfer notes shall be kept for each load for a minimum of 2 years.

The importing of inert waste onto the site for storage or use in construction, maintenance or improvement works, for example hardcore, soils, must be registered with Natural Resources Wales under The Environmental Permitting (England and Wales) Regulations 2007 and comply with the conditions of the relevant permit. It should be noted that the registration of some exempt activities for the use of waste material for relevant works require a 25-working day consultation period. This is to allow assessment, determination and authorisation prior to commencement of any activity authorised under the relevant permit from The Environmental Permitting (England and Wales) Regulations 2007.

Protected Species

You may wish to consult your ecologist to determine whether a protected species survey may be required in support of the application. Where such a survey is requested, and subsequently received, please reconsult us.

Our comments 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/media/5271/150302-natural-resources-wales-and-planning-consultations-final-eng.pdf>). 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. Any site owner/developer 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.

We advise that in addition to planning permission, it is the applicant's responsibility to ensure that they secure all other permits/consents relevant to their development.

If you have any queries concerning the above, please contact me on the details below.

Yn gywir / Yours' faithfully,



Mr. GARETH THOMAS

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