

Kevin Hughes
Planning Control Department
Wrexham County Borough Council
16 Lord Street
Wrexham
LL11 1LG

Date: 21st October 2015

Dear Mr Hughes,

**Erection of Two Storey Office Block
Wrexham Recycling Centre, Redwither Road, Wrexham Industrial Estate, LL13 9RD**

Thank you for consulting us on the above application, which we received on the 18th September 2015.

We **OBJECT** to the proposed development as submitted because there is insufficient information to demonstrate that the risk of pollution to controlled waters is acceptable:

Land Contamination

There are three strands to this objection. These are that:

1. We consider the level of risk posed by this proposal to be unacceptable.
2. The application fails to provide assurance that the risks of pollution are understood, as a preliminary risk assessment (including a desk study, conceptual model and initial assessment of risk) has not been provided. Planning Policy Wales takes a precautionary approach. It requires a proper assessment whenever there might be a risk, not only where the risk is known.
3. Under Planning Policy Wales, the application should not be determined until information is provided to the satisfaction of the Local Planning Authority that the risk to controlled waters has been fully understood and can be addressed through appropriate measures. This is not currently the case.

Reason: Natural Resources Wales considers that the controlled waters at this site are of high environmental sensitivity as the site sits on a Secondary aquifer and is less than 30m from the Redwither Brook.

The site is currently used as a recycling centre. No information has been provided on the site's previous use.

We would require submission of at least a Preliminary Risk Assessment to overcome the above objection.

The applicants have not indicated the method of foul drainage within the application. Foul drainage is a material planning consideration. In line with Planning Policy Wales, we would **object** to any private foul drainage method, as the site is within a mains sewerage area. We therefore request that the applicants confirm the method of foul drainage.

Although the proposed development is located at a permitted waste facility, the development itself does not currently infringe upon the designated permitted area therefore not impacting upon permitted operations.

Flood Risk

The submitted Flood Consequences Assessment (FCA) is inadequate and incomplete and fails to demonstrate compliance with TAN 15 Development & Flood Risk (2004).

The FCA refers to depth data produced using JFLOW in 2006 which NRW has made clear to the report's authors is not suitable for use in site specific flood risk assessments. The FCA's discussion on flood levels expected on the site is invalid as it is based on insufficiently accurate Ordnance Survey map contours/spot heights, and assumes that ground levels have been raised since the flood extents associated with Redwither Brook were modelled but presents no evidence to support this assumption. We would expect an FCA to deliver a robust analysis which is evidence-based.

Where the best available evidence for a site is JFLOW extents, we would normally expect that detailed ground-level survey is used to establish the maximum level at the extent of the 0.1% AEP flood outline, and would then accept this as a proxy for the design event, i.e. the 1% AEP flood level with an allowance for climate change for the lifetime of the development. We would then expect a freeboard to be added to this level to allow for uncertainty (usually 600mm) in determining a finished floor level in compliance with A1.14 of TAN 15. Therefore, we would strongly suggest that further investigation is undertaken to determine whether the floor levels proposed are adequate to ensure the building remains dry in the design event.

In order to demonstrate compliance with A1.15 of TAN 15, we would also expect an FCA to comment on how each of the four criteria are met. Should your Authority be minded to approve this application, we recommend you consult your Emergency Planners to determine whether safe access and egress can be achieved in an extreme event.

In addition, any FCA should consider the impact of the development on flood risk elsewhere. The Design & Access statement indicates that the site is currently used for storage of skips and associated equipment, and we would expect some discussion of the displacement of floodwaters in the current use of the site compared with the displacement caused by the proposed development.

However, due to the scale and nature of the proposed development (with a footprint of approximately 133m²), in this instance, we would not object to the proposal on flood risk grounds, providing that a condition or obligation is attached to any permission (if the above objection is overcome) which ensures that the building shall only be used for the benefit of the applicant and shall not be occupied by any other business independent of the main business at the Alans Skip Hire/ASH Waste Services site. This is to ensure that no additional businesses are introduced to the

floodplain and to limit any intensification in the use of the site. Should your authority be unable place such a restriction on the site use, we would ask to be re-consulted on this application.

Ecology

The applicant has submitted an ecological survey and assessment (Document Reference Williamson, K and Hall, C. (2015). Ecology Report: Redwither Road, Wrexham Industrial Estate, Wrexham, LL13 9RD. Cambrian Ecology. Unpublished Ecological Report) for the purposes of informing the public decision making process.

The applicant's ecological submission considered the presence of protected species. It concludes that nesting birds are the only species that have the potential to be affected by this proposal. We concur with this assessment and conclusion

Further information and guidance in respect of nesting birds should be obtained from the LPA's own ecological advisors.

Please note that we have not considered possible effects on all local or regional interests, including those relating to the upkeep, management and creation of habitat for wild birds. Therefore, you should not rule out the possibility of adverse effects on such interests, which would be relevant to your Authority's general duty to have regard to conserving biodiversity, as set out in section 40 of the Natural Environment and Rural Communities (NERC) Act (2006). This advice includes any consideration of the planned provision of "linear" and "stepping stone" habitats.

To comply with your Authority's duty under section 40 of the NERC Act, to have regard to conserving biodiversity, your decision should take account of possible adverse effects on such interests. We recommend that you seek further advice from your authority's internal ecological adviser and/or third sector nature conservation organisations such as the local wildlife trust, RSPB, etc. The Wales Biodiversity Partnership's web site has guidance for assessing proposals that have implications for section 42 habitats and species (www.biodiversitywales.org.uk).

Yn gywir / Yours' faithfully,



Mr. GARETH THOMAS

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cc: MTP Town Planning