



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: 2664
Eich cyf/Your ref: P/2015/0561

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Sharon Holman
Planning Control Department
Wrexham County Borough Council
16 Lord Street
Wrexham
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Date: 20th August 2015

Dear Ms Holman,

**DEMOLITION OF GARAGE AND OUTLINE PLANNING PERMISSION FOR RESIDENTIAL
DEVELOPMENT (9 DWELLINGS) WITH ALL DETAILED MATTERS RESERVED FOR
FURTHER APPROVAL
SITE OF WRIGHTS GARAGE AND ADJOINING LAND, HALL STREET, PENYCAE, LL14 2RU**

Thank you for referring us to the above planning application which we received on 30th July 2015.

We **object** to the application for the following potential land contamination reason:

Potential Land Contamination

NRW objects to the proposal due to the lack of technical information to support the planning application. The current use of part of the site is noted as garage, although we note it is not a petrol filling station, we need further information on the type of activities (e.g. vehicle maintenance) that operated at the garage. Also within the Design and Access Statement (section 7.4) there is mention of the site being partially a brownfield site – please explain the previous uses of the site. It would be advisable to submit a Preliminary Risk Assessment to support the application. Once the previous uses of the site have been explained we may continue with conditions as required.

There is also no information on the foul water disposal from the site. Foul drainage is a material planning consideration, and although this is an outline application, the applicant should confirm the method of foul drainage at this stage. As the site is within a mains sewered area, we would object to any form of private foul drainage system.

In the event that further information and/or revised details are received which allow NRW to remove its objection then the following additional information and advice is also relevant.

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 Guiding principles for land contamination for the type of information required in order to assess risks to controlled waters from the site. The local authority can advise on risk to other receptors, e.g. human health.

3. Refer to our website at www.environment-agency.gov.uk for more information.

Flood Risk

The site, as shown by the red line boundary plan, lies partially within Zone C2 as defined by Welsh Government's Development Advice Map referred to under TAN15: Development & Flood Risk. Our Flood Map information confirms the site to lie partially within the extreme flood risk outline.

Whilst we recognise that the submitted outline planning application seeks to approve the development layouts at the reserved matters stages, the submitted "Proposed Site Plan" (dwg: W093/007) shows that all residential development and associated infrastructure is to be located outside of Zone C2 and directed entirely to Zone A. This strategy is to be welcomed and is in line with the overarching aim of TAN15, which seeks to direct new development away from those areas which are at high risk of flooding. Based on the information presented on the "Proposed Site Plan" and in particular, as all development appears to be located outside of the flood risk area, Natural Resources Wales would have no overall flood risk objections to the development proposals. However, should in the future, Natural Resources Wales be consulted on any planning applications that involve development within the Zone C2 part of the site, we would expect that a full Flood Consequences Assessment be produced to justify and inform any new development proposals in this location as set out in TAN15.

The "Proposed Site Plan" shows that large areas of the site (as defined by the red line boundary) will remain undeveloped. These undeveloped portions are shown to fall within Zone C2. In order to ensure that any developers of the site do not undertake engineering works e.g. land level modifications within the flood risk area, (which could subsequently result in the displacement of flood water and hence increase flood risk elsewhere), we would recommend that if our above land contamination objection may be overcome, the following condition be included within any permission:

Condition: There shall be no raising of ground levels within the Zone C2 Flood Zone area.

Reason: To avoid the loss of floodplain storage and an increased flood risk elsewhere.

Surface Water Management

The applicant has indicated that they propose to dispose of surface water via "soakaway/ SuDS". Whilst from a flood risk perspective, we welcome this method of dealing with surface water, we are not aware that the applicant has provided any evidence to confirm that ground conditions are suitable for soakaway techniques. We would strongly recommend that you discuss this matter further with your drainage department – they may request that suitable infiltration tests are undertaken to demonstrate that these options are feasible, can be adopted and properly maintained, and would not lead to any other environmental problems. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Protected Species

The site has been subject to ecological survey and assessment in respect of statutory protected species. We consider that this assessment to be satisfactory for the purposes of informing the public decision making process.

Otter

We concur with observations and comments in respect of otter. The otter is listed as a feature of the River Dee and Bala Lake Special Area of Conservation. This population of otter will use the Afon Eitha for breeding foraging and dispersal purposes. In our view, the proposal:

- (i) will not cause a significant effect on the conservation objectives of the above SAC feature (either alone or in combination with other plans or projects) and/or
- (ii) will not be detrimental to the maintenance of the favourable conservation status of the Dee Otter population. However, we would welcome the inclusion of any measures within any subsequent planning obligation to manage land between the application site and the Afon Eitha specifically for long term nature conservation purposes.

Bats

The application site has been subject to survey and assessment in respect of bats. No evidence of bats was found at the application site. We concur that bats will not be affected by the implementation of the submitted scheme.

Great Crested Newts

We agree with the conclusion that the proposal will not affect any populations of the great crested newt.

British Protected Species

We agreed with the conclusion that the proposal is not likely to affect the water vole.

We consider the assessment in respect of nesting birds to be satisfactory for the purposes of informing the public decision making process. Further advice and guidance in respect of birds should be obtained from your ecological advisors.

We consider the survey and assessment in respect of badgers to be satisfactory for the purposes of informing the public decision making process. Based on information supplied by the applicant, badgers and their setts will not be affected by the proposed scheme.

No detailed survey for reptiles appears to have been carried out. The ecological submission highlights the potential for reptile species to be present. We therefore advise that you seek further advice in respect of reptiles from your own ecological advisors.

Biosecurity

We consider biosecurity to be a material consideration owing to the nature and location of the proposal. Ecological surveys identified the presence of Japanese Knotweed. In this case, biosecurity issues concern invasive non-native invasive species (INNS) and diseases.

We therefore advise that any future permission (if our objection may be overcome) includes the imposition of a **condition** requiring the submission and implementation of a Biosecurity Risk Assessment to the satisfaction of the LPA.

We consider that this assessment must include:

- (i) appropriate measures to control any INNS on site; and
- (ii) measures or actions that aim to prevent INNS being introduced to the site for the duration of development and restoration.

Waste Management

We recommend that a Site Waste Management Plan (SWMP) is drawn up prior to scheme's commencement in order to ensure full duty of care is complied with. Waste should be reused on site where possible. The SWMP should incorporate a monitoring system for wastes removed from site for reuse or disposal.

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.

Yn gywir / Yours' faithfully,



Mr. GARETH THOMAS

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Deialu uniongyrchol/Direct dial: (0300) 065 3786 **Siaradwr Cymraeg / Welsh Speaker**



cc: Blueprint Architectural