

For the attention of Matthew Phillips

27/03/2019

Dear Matthew,

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

PROPOSAL:

**ERECTION OF AFFORDABLE HOUSING UNITS COMPRISING 1 DETACHED
DWELLING, 18 SEMI-DETACHED DWELLINGS AND 6 FLATS AND ASSOCIATED
WORKS**

LOCATION:

Land off Jacques Way, Wrexham

Thank you for re-consulting Natural Resources Wales (NRW) about the above, which was received on 11/03/2019.

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

Summary of Requirement and Conditions

Requirement 1: A revised FCA is submitted to fully demonstrate that the development would remain "flood free" in accordance with Table A1.14 of TAN15.

Condition 1: 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, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Flood risk

The amended FCA dated 11th March 2019 Final Report v1.1 (referenced 3972/FCA/Final/v1.1/2018-03-11) has completed some assessment from the potential

risks to the existing site and assesses some of the impacts of blockages and climate change from the latest 2016 study for the River Gwenfro.

The conclusions of the amended FCA suggests, the development platform should be set no lower than 83.04 metres Above Ordnance Datum (m AOD) and finished floor levels should be 83.19 m AOD.

These would be lower than existing site levels detailed in the topographical survey in Appendix B. The amended FCA only identifies the predicted blockage outlines for the 1 in 100 year event with climate change and 1 in 1000 year event for one blockage location, and existing (baseline) scenario. The amended FCA does not assess the impacts of the proposed development and any changes to the levels (potential exporting of material) and it's not clear what the finished floor levels on the revised layout or site are proposed.

The revised FCA does not fully meet the requirement of our previous consultation response and our significant concerns are maintained.

In addition to the above, we recommend that the Lead Local Flood Authority (LLFA) is consulted in respect to whether the proposals would impact access to the Afon Gwenfro (an ordinary watercourse) and the nearby culvert, as this could have implications for maintenance of the watercourse and culvert. The LLFA will also provide advice in relation to how the developer intends on managing surface water runoff generated by the development, as NRW no longer provides flood risk advice in this regard. The contact details for the LLFA are as follows:

Neil Taunt
Flood and Water Management Resilience Officer
Emergency Planning

Tel: 01978 298827
Email: flooding@wrexham.gov.uk

Land Contamination

We note that a desk study and site investigation were carried out in 2004 and 2007 covering the redline boundary of this site and concluded that the risk to controlled waters (groundwater) was low. The Contaminated Land Office for Wrexham County Borough Council requested conditions to undertake further site investigation. We request the following condition to be imposed on any planning permission granted.

Condition 1: 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, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason: Given the size/complexity of the site 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.

Biosecurity

We consider biosecurity to be a material consideration owing to the nature and location of the proposal. In this case, biosecurity issues concern invasive non-native species (INNS) and diseases. We therefore advise that the recommended action in Japanese Knotweed Survey Report (27/03/2018) be carried out to the satisfaction of the LPA.

Please do not hesitate to contact us if you require further information or clarification of 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 PPG5 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/>

Any work which is to take place should be done so with pollution prevention in mind. Pollution prevention advice and guidance can be found via this link:

<http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

Should any pollution occur during the construction or operational phase, Natural Resources Wales should be notified via the incident hotline – 03000 65 3000.

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.

If you have any queries on the above please do not hesitate to contact us.

Yn gywir / Yours sincerely,

Daniel Davies

Daniel Davies

Cynghorydd Cynllunio Datblygu / Development Planning Advisor

Cyfoeth Naturiol Cymru / Natural Resources Wales