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12/11/2020

Annwyl Syr/Madam / Dear Sir/Madam,

BWRIAD / PROPOSAL: Construction of 4 storage units

LLEOLIAD / LOCATION: The Willows Abercanaid Industrial Estate, Abercanaid

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 20 October 2020.

We have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if the following requirements are met. Otherwise, we would object to this planning application.

Requirements

Requirement 1: Flood Risk Management - A revised Flood Consequences Assessment (FCA) is required to demonstrate the risks and consequences of flooding can be managed to an acceptable level.

Requirement 2: Land Potentially affected by Contamination – Details of site remediation

Requirement 1: Flood risk Management

The planning application proposes less vulnerable development (storage units). Our Flood Risk Map confirms the site to be within Zone C2 of the Development Advice Map (DAM) contained in TAN15 and the 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability fluvial flood outlines of the River Taff.

Section 6 of TAN15 requires the Local Planning Authority to determine whether the development at this location is justified. Therefore, we refer you to the tests set out in section 6.2 of TAN15. If you consider the proposal meets the tests set out in criteria (i) to (iii), then the final test (iv) is for the applicant to demonstrate through the submission of an FCA that the potential consequences of flooding can be managed to an acceptable level.

We have reviewed the FCA undertaken by WHS, dated October 2020, reference WHS1800. Our advice to you is that the FCA fails to demonstrate that the risks and consequences of flooding can be managed to an acceptable level for the reasons explained below.

The FCA states that the levels across the site range from 158.3m AOD in the middle of the site, to 158.7m AOD in the south west and the proposed units will be set at 158.64m AOD. The predicted 1% (1 in 100 year) plus an allowance for climate change (CCA) (25%) flood level is 158.34m AOD. Although the proposed units will be set above this level and therefore, predicted to be flood free during this event, the remainder of the site is predicted to flood to a depth of 40mm. This is contrary to A1.14 of TAN15 which advises that development should be flood free in the 1% (1 in 100 year) + CCA event.

In addition, the FCA has failed to demonstrate, in accordance with A1.12 of TAN15, that the proposed development will not have an impact on flood risk elsewhere.

It shows an increase in flood risk to the access road of up to 8mm, averaging 3-4mm across the affected area. There is also a localized increase in flooding, 25m west of the site, of up to 35mm. In accordance with A1.12 of TAN15, to be acceptable, new development should not cause any increase in flood risk elsewhere up to and including the 0.1% (1 in 1000 year) flood event.

Additional comments on flood risk management

Based on the predicted 1% (1 in 1000 year) flood level of 158.49m AOD the site is predicted to flood to a depth of 190mm during this event. However, this is within the indicative tolerable conditions (i.e.<600mm) set out at A1.15 of TAN15. The proposed units are predicted to be flood free during this event.

Section 4.6 of the FCA, shows that access and egress routes are subject to flood depths of 80mm and 300mm for the 1% (1 in 100 year) plus CCA and the 0.1% (1 in 1000 year) events.

TAN15 advises that access routes should be shown to be operational under all conditions. It is for your authority to determine whether you consider this risk to be acceptable. Please note, we do not comment on whether safe access and egress can be achieved to and from a site as this is a matter for emergency services to determine.

In summary, the proposed development does not comply with the requirements of A1.14 or A1.12 of TAN15.

If no further information is submitted, or a revised FCA fails to demonstrate that the consequences of flooding can be acceptably managed over the lifetime of the development, then we object to this application.

Please inform us, in accordance with paragraph 11.7 of TAN15, if you are minded to grant permission for the application contrary to our advice.

As it is for your Authority to determine whether the risks and consequences of flooding can be managed in accordance with TAN15, we recommend you consider consulting other professional advisors on matters such as emergency plans, procedures and measures to address structural damage that may result from flooding. Please note, we do not normally comment on the adequacy of flood emergency response plans and procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement during a flood emergency would be limited to delivering flood warnings to occupants/users.

Requirement 2 : Land Potentially affected by Contamination

The site is located in a sensitive area, adjacent to the river Taff.

We note that this proposed development site is part of a larger application site, dealt with under reference P/12/0314, which contained a former gas works and gas storage compound. Within documents submitted in support of P/12/0314 we note that this site appears to be identified as “Area C limited product removal” with underground storage tanks, other underground structures and a CWG (carburetted water gas) plant. We are aware that some remediation has occurred within the wider site, but it is not clear what remediation occurred (if any) at this site. Therefore, to establish if there remains any risk of contamination which could affect the water environment, we require that details of the remediation of this site (remediation within the redline boundary) are submitted in support of this application.

We also note it is proposed to dispose of surface water to soakaway. We advise against the use of soakaways if the ground is contaminated. If contamination is suspected an alternative method of drainage should be investigated.

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our [website](#) for further details.

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

Yn gywir / Yours faithfully

Mrs Claire McCorkindale

Cynghorydd - Cynllunio Datblygu / Advisor - Development Planning
Cyfoeth Naturiol Cymru / Natural Resources Wales