Cyfoeth Naturiol Cymru
Natural Resources Wales

Ein cyf/Our ref: CAS-262830-N1B2
Eich cyf/Your ref: P/2024/1272

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Date: 05 September 2024

Dear Emma Bailey,

BWRIAD/PROPOSAL: Extension to existing industrial unit to create office space

LLEOLIAD/LOCATION: Engineering Workshop, Coed Aben Road, Wrexham Industrial Estate, LL13 9UH

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 19 August 2024.

We have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following condition to any planning permission granted, and further consideration is required regarding foul drainage. Further details are provided below:

Condition - Unidentified Contamination

Please note, without the inclusion of this condition, and without further consideration given to foul drainage, we would object to this planning application. Further details are provided below.

Land Contamination

We note that the extension to the existing building has a small footprint. We are aware the larger industrial estate has been built on historical land contamination. We assume that remediation of the wider site has already occurred for the initial construction of the industrial estate. Based on this assumption, we advise the following condition is attached to any planning permission granted:

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 a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Reason - To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks.

Foul Drainage

We note the application site is within the catchment of the River dee and Bala Lake Special Area of Conservation (SAC). In line with our *Advice to Planning Authorities for Planning Applications Affecting Nutrient Sensitive River Special Areas of Conservation* (28 June 2024), under the Habitats Regulations, Planning Authorities must consider the impact of proposed developments on water quality within SAC river catchments.

This application for the extension to an existing industrial unit to create office space proposes connection of foul water to the mains sewer. Ultimately, the suitability of foul drainage arrangements for the proposed development is a matter for your Authority to determine. However, we are satisfied that our concerns can be overcome by your Authority following our Advice specifically the section titled '*What does this mean for development proposals involving connection to public wastewater treatment works?*'

We therefore advise you to take the above into account in your determination of whether the development is likely to have a significant effect on the SAC. Should you determine that an Appropriate Assessment is required, the Applicant will then need to submit whatever evidence they deem appropriate (seeking advice from consultants as may be necessary) to demonstrate no adverse effect on site integrity.

Protected Species

No ecological information has been submitted in support of this application. We recommend you seek the advice of your Authority's ecologist about the requirement for further information to be submitted in support of the application, and to scope the need for bespoke surveys, where required.

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.

Advice for the Developer

Waste Management:

In addition to the above planning condition, Environmental Permits from NRW may be required (during construction and operation) and we recommend early consultation with the relevant NRW permitting teams to ensure all permits are in place prior to commencement of development.

The treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an environmental permit.

Excavated materials that are recovered via a treatment operation can be re-used on-site under the *CL:AIRE Definition of Waste: Development Industry Code of Practice*. This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, Natural Resources Wales should be contacted for advice at an early stage to avoid any delays.

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

Yours faithfully,

Gareth Thomas
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Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi./Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.