Ein cyf/Our ref: CAS-271458-Z5P1
Eich cyf/Your ref: P/2024/1126

Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Date: 31 January 2025

Dear Sir/Madam,

PROPOSAL: RHYDDHAU AMOD 4 (ECOLEG), 5 (DRAENIO), 7 (HALOGIAD), 8 (ADRODDIAD DILYSU), 9 (CYNLLUN MONITRO), 11 (BIODDIOGELWCH) A 12 (CYNLLUN RHEOLI TRAFFIG ADEILADU) CANIATÂD CYNLLUNIO P/2023/0400 / DISCHARGE OF CONDITIONS 4 (ECOLOGY), 5 (DRAINAGE), 7 (CONTAMINATION), 8 (VALIDATION REPORT), 9 (MONITORING PLAN), 11 (BIOSECURITY) AND 12 (CONSTRUCTION TRAFFIC MANAGEMENT PLAN) OF PLANNING PERMISSION P/2023/0400

LOCATION: WAREHOUSE, RHOSDDU INDUSTRIAL ESTATE, OLD RHOSROBIN, WREXHAM, LL11 4YL

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the additional information for the above, which we received on 02 January 2025.

We continue to have concerns with the application as submitted. We do not recommend that your Authority discharges Conditions 7, 8, and 9 for the following reasons. We also advise that further consideration is required regarding Condition 5 in relation to foul drainage. Further details are provided below.

We have no objection to the discharge of Conditions 4 and 11. We have no comment to make in relation to the discharge of Condition 12.

Condition 4 (Ecology)

We have reviewed the updated ecological report (MacKenzie, R, 2024, Great Crested Newt Non-Licence Mitigation Plan: Rhosddu Industrial Estate, Main Road, Old Rhosrobin, Gwersyllt, Wrexham, LL11 4YL. Arbtech).

The updated ecological report addresses the concerns raised in our letter dated 20/08/2024 (our reference: CAS-261665-C5N9) and we therefore have no objection to the discharge of Condition 4.

Condition 5 (Drainage)

The proposed development could potentially lead to an increase of phosphorus load from the receiving wastewater treatment works into the River Dee and Bala Lake Special Area of Conservation. The majority of the River Dee catchment in Wales is currently failing to meet water quality targets for phosphorus. The nutrient impacts of new connections need to be considered on a case-by-case basis within the Habitats Regulations Assessment process. Whilst NRW permitting service has completed a Review of Water Company Discharge Permits we are currently undertaking further data analysis for the River Dee following a number of enquiries and questions from stakeholders and several ongoing Appeals. We will be able to provide further advice to your Authority once we have concluded the review.

Conditions 7, 8 and 9 (Land Contamination)

We have read the recently submitted letter report titled 'SOIL CONTAMINATION ASSESSMENT FOR LVW WREXHAM (CCG-C-24-15116)', dated 20 December 2024 and have the following comments.

The report contains the chemical analysis results of four soil samples. However, it is unknown where exactly the samples were taken from and at what depths.

In order to determine any risks to controlled waters, an appropriate decommissioning and tank removal report would be required. This should present, as a minimum, details of the tank (structure, contents, size, condition) and underground pipelines, as well as visual inspection and photographs of surrounding soils, plus appropriate verification samples from the base and sides. Should any contamination associated with the fuel tank be identified, it will need to be dealt with appropriately, in line with Land Contamination Risk Management (LCRM).

We also previously reviewed the following additional information submitted in support of this discharge of conditions application:

- Tank Removal Method Statement (by JSM Developments)
- Cover Email from the Agent to the LPA, dated 23 September 2024

However, these documents only related to the removal of the fuel tank and did not address the potential for land contamination at the site and associated risks.

The previously submitted Phase 1 Geo-Environmental Assessment Report (Brownfield Solutions Ltd, May 2024) recommended that an intrusive investigation was undertaken, yet this has not been completed. The tiered approach to risk assessment in line with Land Contamination Risk Management (LCRM) should be followed.

The submitted method statements did not make any reference to verification sampling and associated reporting of this following tank removal (including any pipelines). This is required to confirm that any contamination associated with the fuel tank has been appropriately dealt with. Tank decommissioning and removal should be undertaken in line with best practice guidance, for example the APEA Blue Book.

We therefore do not recommend the discharge of Conditions 7, 8 or 9 until the above information has been submitted to the satisfaction of your Authority.

Condition 11 (Biosecurity)

We have reviewed the Biosecurity Risk Assessment (Hall, D. (2024). Rhosddu Industrial Estate: Biosecurity Risk Assessment. RML) and concur with the proposed approach. We therefore have no objection to the discharge of Condition 11.

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.

Yours faithfully,

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

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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.