

MEMORANDUM



From: Angela Guy
Contaminated Land Officer

To: Sharon Holman
Planning Officer

Our Ref: P/2023/0793

Your Ref: P/2023/0793

Date: 07 February 2024

**No. of
Pages:** 3

TOWN AND COUNTRY PLANNING ACT 1990

P/2023/0793 Site Of Wynnstay Technology Park, Llangollen Road, Ruabon, Wrexham, LL14 6EN

DISCHARGE OF CONDITIONS 3 (MATERIALS), 4 AND 6 (DRAINAGE), 7 (CONTAMINATION), 9 (DUST MANAGEMENT) AND 10 (NOISE SURVEY) OF PLANNING PERMISSION P/2019/0805

Further to my Memo dated 04 January 2024 two further reports have been submitted for this planning application:

- GroundSolve Ltd 'Phase 1 Preliminary Risk Assessment: Ruabon Business Park, Wrexham' GSL2949 Version 2, 25 August 2023, prepared for Wales and West Housing
- GroundSolve Ltd 'Phase 2 Ground Investigation', GSL2949 Version 2, 20 September 2023, prepared for Wales and West Housing

I have reviewed the reports and have the following comments to make.

It should be noted that geotechnical and drainage matters are not within the remit of the contaminated land team therefore no comments on these have been provided, although there is a matter which I feel it is appropriate to highlight so as to ensure it is considered sufficiently, possibly by the Coal Authority and also perhaps via Building Regulations (there may be other issues to consider but this is something that particularly stood out). In the 2023 phase 2 report the shaft, ventilation shaft and culvert are discussed in sections 7.2 and 9.11. As mentioned this Team is unable to give opinions on geotechnical or mining matters as it is not within our expertise and remit but in regard to 7.2 the potential geotechnical related risks with these features should be fully considered, and in regard to 9.11 where it is stated "There

are risks involved with the placement of this pond next to the treated shaft. Water would be able to flow into the shaft despite it being grouted and could potentially lead to shaft in stability. Therefore, it is recommended that any such pond be lined to prevent infiltration into the shaft" then I feel this requires careful consideration from a long term perspective (lifetime of the development) in particular. In addition, whilst this is not applicable to the land contamination assessment, it is noted that the Drainage Strategy Report provided in the Appendix of the Phase 2 report uses a different development proposal plan to that given planning permission.

It is noted that the Phase 2 report is prepared based on ground levels not changing significantly from those detailed in the report or on the proposed development drawings, the comments below are provided on that basis, therefore should ground levels be amended then the comments below may also require amending.

1. In my Memo dated 04 January 2024 I queried whether the fly tipped waste was a potential contamination concern. There is no mention of the fly tipping in the 2023 Phase 1 report, although I note there is a photo (5) in the 2023 Phase 2 report which refers to fly tipping. Is this a potential contamination concern?
2. Also in my Memo dated 04 January 2024, I mentioned that the planning permission boundary includes the embankments on the north and west areas of the site however these have not been assessed, the investigation detailed in the 2023 Phase 2 report also doesn't cover this area.
3. Also in my Memo dated 04 January 2024 I noted that the plan showing the investigation locations covered a larger area than the planning application, the area furthest south is not included, i.e. the commercial units which are referred to in section 4.0 of the report. Consequently trial pits 8, 9 and 10 and window samples WS01 and WS02 were not within the area of the proposed housing development. In regard to the 2023 Phase 2 investigation additional sampling has been undertaken and WS04 and WS05 are also in this southern area which is not part of the planning permission currently being considered (P/2019/0805). TT03 & TT04 are also located in this southern area. Consideration therefore needs to be given about the appropriateness or otherwise of using the lab results from those samples in evaluating risks for the proposed development.
4. Again in my earlier Memo I refer to the amount of sampling of the made ground undertaken, there were 6 samples from within the development area, all but one were at a depth of 0.5m, the other being 1.0m. The 2023 phase 2 investigation has the results from two further samples taken in the development area, WS01 was taken at 1.0m depth and WS03 at 0.5m depth.
No explanation has been provided of the sampling methodology, frequency, positioning of sample locations etc... For the scale of the development, the variable nature of the ground identified, along with the sensitive nature of the proposed end use, based on the reporting undertaken to date it is considered that the scope and detail of the investigation into potential land contamination is insufficient.
5. In regard to the 2023 Phase 2 investigation and section 7.3, and in regard to item 4 above, at this time I cannot agree with the conclusion that risks from metal, PAH and PHC concentrations to the proposed development is low because there is insufficient

sampling (3 samples were tested for contamination purposes, but only 2 of those are in the area of the development, WS05 is too far south). Furthermore the elevated arsenic concentration identified in the 2020 investigation has not been considered, and neither have the other results from that investigation. So whilst it is mentioned earlier in the 2023 report under previous investigations, it is not considered in the overall review of the site. Therefore it is recommended that the findings of the 2020 investigation be discussed in combination with the investigation of 2023 and conclusions prepared on whether potential land contamination risks for the proposed end use or present and if they are the mitigation measures required. Currently the 2023 report does not detail any conclusions and recommendations in regard to land contamination, in section 9.5 of the 2020 GroundSolve report there is discussion on the importation of topsoil for garden areas as none is present on site (not specifically as a remedial measure) however this is not detailed in the 2023 report (item 9 of my earlier memo).

6. It is noted that the gas risk assessment detailed in section 7.5 is incomplete, further details of the final two monitoring rounds should be provided. My previous comments on the gas risks detailed in my Memo dated 04 January 2023 also need consideration (item 7 in my memo). The sensitivity of the development is high and therefore it is assumed you believe the gas generation potential of the made ground to be very low, based on you undertaking 6 monitoring visits over 3 months, however no explanation of the design of the investigation is provided, including whether mines gas from the shaft has been considered. The use of any monitoring undertaken outside of the development area of this planning permission in the risk assessment should be identified and the relevance of it clearly discussed and justified. A further consideration would be if the pond did drain into the mine shaft at some time in the future would this impact on the gas generation potential of the mine workings?
7. My comments provided in items 5 and 8 of my Memo dated 04 January 2023 still stand.

As a result of the above comments my previous advice remains, I do not recommend the discharge of condition 7 at this time. Should you have any queries regarding the above then please contact me on Ext. 8771.



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Angela Guy
Contaminated Land Officer