

MEMORANDUM



From: Stacey Inglis
Contaminated Land Officer

To: Sharon Holman
Planning Officer

Our Ref: P/2022/1034

Your Ref: P/2022/1034

Date: 03 March 2023

**No. of
Pages:** 2

TOWN AND COUNTRY PLANNING ACT 1990

RE: P/2022/1034 – DISCHARGE OF CONDITIONS 3, 4, AND 5 (HIGHWAYS), 6 (WORKING PLAN), 7 (CONTAMINATION), 11 (WHEELWASH FACILITY), 16 (ECOLOGY) AND 22 (DRAINAGE) OF PLANNING PERMISSION P/2015/0337

BERSHAM BANK COLLIERY TIP PLAS GRONO ROAD RHOSTYLLLEN WREXHAM

The following information has been submitted for the discharge of condition 7 of planning permission p/2015/0337.

- Discovery CE, Phase 1 – Factual Report Bersham Colliery, Rhostyllen, Report No 09001J-Phase 1. Dated November 2010.
- Phasing Plan, Dated 02 October 2006.
- Bersham (Glenside) Limited, Method Statement For Reclamation Works Proposed Development, Former Bersham Colliery Tip, Rhostyllen, Wrexham. Dated January 2007.
- Letter from Contaminated Land Officer to Bersham Glenside Ltd, The Former Bersham Colliery Tip. Dated 01 April 2011

The following reports have previously been submitted for this Scheme:

- ADCL, Desk Top Study for Contamination, ADCL. Dated November 2010.
- ACDL, Site Investigation for Risk Assessment and Method Statement to Deal with Risks. Dated December 2010.

Having considered the information that has been submitted to date, I can provide the following comments and I trust that they will be forwarded to the appropriate person(s).

Where Natural Resources Wales (NRW) and the Contaminated Land Team both recommend conditions with respect to potential contamination, only one set are put on the decision notice to avoid duplication. For condition 7 to be discharged both the NRW and the Contaminated

Land Team need to be satisfied, the Contaminated Land Team takes the lead with respect to risks to Human Health.

For ease of reference I have included the wording of Condition 7 below:

Prior to commencement of the various stages of the development hereby approved, a detailed scheme to deal with the risks associated with contamination at the site shall be submitted to and approved in writing by the Minerals Planning Authority. The scheme shall include the following elements unless specifically excluded in writing by the Minerals Planning Authority:

- *A desk study identifying all previous uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors, and identification of any potentially unacceptable risks arising from contamination at the site;*
- *A phased site investigation scheme based on the results of the desk study to provide information for an assessment of the risk to all receptors that may be affected, including those off site;*
- *The results of site investigations and risk assessments and a method statement based on those results giving full details of the remediation measures required and how they are to be undertaken; and*
- *A verification report on completion of the works set out for each phase, confirming the carrying out of the remediation measures in accordance with the method statement and setting out measures for maintenance, further monitoring and reporting.*

The correspondence submitted between myself and Bersham Glenside Ltd dated 01 April 2011, sets out my response to the reports that were provided prior to April 2011. You will note that I am in agreement with the proposed works for phase 1A of the development, and it was my understanding that a site investigation is going to be undertaken prior to each Phase commencing. I requested a schedule of works detailing the various Phases of works and at what point the site investigations are going to take place. This information is still outstanding.

As stated we require the site investigation report, proposed remediation and validation to be submitted prior to each Phase commencing. For the final phase of works it will be necessary for you to submit details of what the residual contamination status of the site is, including a remediation strategy for its intended end use.

Based on the above I can only recommend to the Planning Department that the desk study section of the condition has been met, however the remainder of the condition has only been met for Phase1A of the development, this part of the condition cannot be discharged until all phases of the site have been considered.

Should you have any queries regarding the above then please contact me on Ext. 8773.



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Stacey Inglis
Contaminated Land Officer