

Roger Lee Planning Ltd
18 Leeds Road
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LS26 9EQ

AJK/46202/002

For the attention of Mr R Lee

16 May 2023

Dear Roger,

Land off Bethania Road, Acrefair

We write further to comments provided by the contaminated land officer at Wrexham County Borough Council regarding the proposed residential development at Bethania Road, Acrefair.

The comments, dated 21 October 2022, follow a review of our Phase 1 site investigation report (Ref: 46202/001, dated 8 July 2021). The comments are as follows., with our response to each provided in *italic text*:

- Section 2.2 – we stated that we have no knowledge of any previous site investigations having been undertaken on the site. The EHO states that investigations were previously undertaken in 2010 (Parsons Brinkerhoff – Phase 1 report), and in 2011 (WSP, Phase 2 intrusive investigation and gas risk assessment). The 2011 report by WSP also refers to earlier investigations by others in 1994 and 1992.

Our response is that we have not seen copies of any of these reports. Our client does not have copies of them, and we have not been able to access copies via the WCBC planning portal. It would be beneficial to all parties if ECE could be provided with copies of these report (especially the WSP 2011 Phase 2 and gas risk assessment reports) for review, and would request that, if possible, the EHO can release copies of the reports, provided that they are within the public realm. We can then offer to undertake a full

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review of the information, which would allow us to refine our own Phase 1 report further, taking into account the additional information provided by the historical investigations.

- Section 3.7 – “Appropriate authoritative guidance should be referred to when establishing the proposed gas monitoring regime required for this site based on the nature of the development. 6 rounds may not be sufficient and not in accordance with current guidance”.

It should be noted that gas monitoring was specified to be undertaken on the site prior to development as a result of recorded landfill sites both on site and in the immediate vicinity. A minimum of six rounds was recommended, with scope for additional rounds to be undertaken if the initial results deem this necessary. Gas monitoring works would be planned and undertaken in accordance with the guidance given in CIRIA C665. The release and subsequent review of the previous site investigation reports, as discussed above, would also assist in planning a suitable monitoring programme. The duration and number of visits could be agreed with WCBC if required, prior undertaking any works on site. This could be linked to a suitably worded planning condition to make liaison with the planning authority a requirement prior to undertaking works on site.

- Section 7.0 – The EHO concurs with the findings (of our phase 1 report) and recommendations that a phased investigation, including intrusive works is required, and considered that automotive guidance is followed when designing and undertaking these works. The work should be undertaken by a suitably experienced company.

These comments are noted.

The comments conclude that the EHO considered that the risk associated with the site being a former landfill are sufficient enough to recommend that a decision on whether to grant planning permission is postponed until intrusive ground investigation works (especially gas monitoring) is completed, to demonstrate that the development can be completed safely and in a way that is protective of the health of future site users for the lifetime of the development.

We concur that appropriate investigations and risk assessment must be completed before development is commenced, but would note that the current application is for outline permission

only, to agree that residential development is permissible in principle subject to further detailed design. The necessary investigations, risk assessments and remediation of the site can be controlled and implemented using planning conditions that would be placed on the development to be discharged at detailed application stage.

Our risk assessment to date indicates that there are likely to be some risk from contamination within the ground and also from gas generation from on site, as well as offsite sources. However, these risks are likely to be able to be mitigated through remedial works to the ground or within the proposed dwellings.

The gas risk is expected to be able to be mitigated through use of standard construction techniques, which may include vented sub-floor voids and the installation of gas resistant membranes. The on-site landfill is recorded as taking inert and industrial wastes, which may not generate significant levels of gas. Past investigation of the adjacent works site, which operated this former landfill, recorded mainly mien and ironworks waste materials to be present, which included some elevated concentrations of contaminants, but not to levels where development would be precluded. Standard remedial measures were recommended to be implemented ahead of a proposed residential development.

The nearby recorded landfills accepted some higher risk materials such as household wastes. However, the proposed gas monitoring on site would measure the risk presented by these off-site sources, as well as the on-site material. It should be born in mind that the nearby household waste landfills were operational in relatively modern times (1970s to late 1980s) after the time in which many of the existing dwellings in this area had been constructed and were occupied. The granting of licenses to accept biodegradable wastes should have taken into account the risk of gas generation, and presumably deemed it to be low enough not to affect surrounding properties.

Contamination within the spoils can be dealt with by a number of remedial options, depending on the severity of the contamination. This may include simple capping layers, or the removal of impacted soils from site. Again, the range of options available should not preclude development of the site.

The release and review of the previous site investigation reports would allow further preliminary risk assessment to demonstrate the level of risk likely to affect this development, and therefore we would again request that copies of any previous reports are made available, if possible.

We hope that the above commentary is helpful.

Yours sincerely

A black rectangular box redacting the signature of Andrew Kerslake.

Andrew Kerslake
Technical Director