

FAO Philip Forster

14/11/2018

Dear Philip,

TOWN AND COUNTRY PLANNING ACT 1990
DEDDF CYNLLUNIO GWLAD A THREF 1990

**BWRIAD / PROPOSAL: Discharge of Conditions 12, 13, and 31.
LLEOLIAD / LOCATION: RUABON BUSINESS PARK, SITE ADJACENT TO A483,
RUABON, WREXHAM**

Thank you for consulting Natural Resources Wales (NRW) about the above, which was received on 06/11/2018. NRW notes the information relating to the planning conditions.

We recommend that you should only grant discharge of Condition 13 if it can meet the following requirements, to address significant concerns that we have identified. We do not object to the discharge of Conditions 12 and 31.

Requirement: Additional information is required in relation to the ground investigations associated with the fuel storage tanks prior to the discharge of Condition 13.

Condition 13 - Fuel Storage Tanks

We are unable to discharge condition 13 as the underground fuel storage tanks are below the anticipated groundwater table and there is a lack of information regarding risk assessment.

Groundwater level across the site is shallow, shown to be between 2 – 3 metres below ground level (mbgl). The nearest borehole (WS2) shows groundwater 2.8 mgbgl. The approximate groundwater level is shown as 111.310 mAOD and the base of the proposed main forecourt tanks is 110.525 mAOD. It is unclear where the boreholes are in relation to the proposed location of the underground fuel tanks. It is also unclear whether seasonal variation in groundwater has been considered.

Further investigation that confirms the groundwater level in the location of the proposed tanks (taking into account seasonal variation) is below the base of the tanks is required. Alternatively, a risk assessment for storage of hazardous substances below the water table is required.

We refer the applicant to the Environment Agency's approach to groundwater protection, particularly the underground fuel storage pages available online and position statement D3.

D3 - Sub water table storage

For all storage of pollutants underground (hazardous substances and non-hazardous pollutants), operators are expected to adopt appropriate engineering standards and have effective management systems in place. These should take into account the nature and volume of the materials stored and the sensitivity of groundwater, including the location with respect to SPZs.

New sites

NRW will normally object to any proposed new storage and transmission of hazardous substances below the water table* in groundwater SPZ1. For all other proposed locations, a risk assessment must be conducted based on the nature and quantity of the hazardous substances and the physical nature of the location. Where this assessment demonstrates that there is a high risk of groundwater pollution, NRW will normally object to storage below the water table:

- in any strata where the groundwater provides an important contribution to drinking water supply, river flow or other sensitive surface waters or wetlands
- within SPZ2 or 3
- in a principal aquifer

Existing sites

For existing sites that store or transmit hazardous substances or non-hazardous pollutants below the water table, or where the water level subsequently rises, NRW will work with operators to mitigate the risks. The aim is eventually to change to above ground storage (notwithstanding the position statements above and in particular D2).

NRW will normally object to any redevelopment scheme involving retention of sub water table storage of hazardous substances unless it can be demonstrated that risks to groundwater can be adequately mitigated.

* For the purposes of this position statement this should include any laterally continuous groundwater in these aquifers including 'perched' groundwater. Operators should consider the lifetime of the storage in their assessment of the depth to groundwater.

Condition 12 – Drainage

We are satisfied with the drainage details as submitted and have no objection to discharge of condition 12.

We refer the applicant to the Environment Agency's approach to groundwater protection as adopted by NRW, in particular position statements G11 and G12.

G11 - Discharges from areas subject to contamination

Discharges of surface water run-off to ground at sites affected by land contamination, or from sites used for the storage of potential pollutants are likely to require an environmental permit.

This applies especially to sites where storage, handling or use of hazardous substances occurs (for example, garage forecourts, coach and lorry parks/turning areas and metal recycling/vehicle dismantling facilities). These sites will need to be subject to risk assessment with acceptable effluent treatment provided.

See also position statement C4.

G12 - Discharge of clean roof water to ground

The discharge of clean roof water to ground is acceptable both within and outside SPZ1, provided that all roof water down-pipes are sealed against pollutants entering the system from surface run-off, effluent disposal or other forms of discharge. The method of discharge must not create new pathways for pollutants to groundwater or mobilise contaminants already in the ground. No permit is required, if the above criteria can be met. See also position statement C4.

Condition 31 – Contamination Assessment

We have reviewed the following reports:

Carter Jonas, Ruabon Park, Wrexham, Phase 2 Preliminary Geoenvironmental Assessment Report. MLM International, November 2015. Ref: 773135-REP-ENV-002 Earth Environmental & Geotechnical. Geoenvironmental Investigation. Ruabon Park, Feb 2018. Report Ref: A2352/18

The site has had a predominantly greenfield previous land use and the results of groundwater testing did not reveal any contamination of controlled waters which would require further investigation and remediation. We therefore have no objection to the discharge of Condition 31.

Please do not hesitate to contact us if you require further information or clarification on any of the above.

Yn gywir / Yours sincerely,

Daniel Davies

Daniel Davies

Cynghorydd Cynllunio Datblygu / Development Planning Advisor

Cyfoeth Naturiol Cymru / Natural Resources Wales