

Kevin Hughes
Planning Control Department
Wrexham County Borough Council
16 Lord Street
Wrexham
LL11 1LG

Date: 9th May 2016

Dear Mr Hughes,

EXTENSION TO HOUSE A NEW MELAMINE FACING (MF) PRESS, FOLLOWING THE DEMOLITION / RELOCATION OF THE EXISTING MF DEPARTMENT'S VENTILATION SYSTEM, HYDRAULIC OIL AND DIESEL STORAGE TANKS, A VEHICLE FILLING STATION, GARAGE SERVICE BUILDING AND OTHER ASSOCIATED INFRASTRUCTURE KRONOSPAN LTD, HOLYHEAD ROAD, CHIRK, LL14 5NT

Thank you for consulting us on the above application, which we received on the 12th April 2016.

We request that any approval includes the following formal conditions:-

Groundwater and Contaminated Land

The site sits on sands and gravels that are designated as a Secondary A aquifer. These in turn overlie siltstones, mudstones and sandstones that area also designated as a Secondary A aquifer. The Llangollen canal flows in close proximity to the site - to the west of the western site perimeter. The application site has been subject to potentially contaminative uses, including diesel and oil storage, vehicle filling station and garage service area.

Therefore, we advise that planning permission should only be granted to the proposed development as submitted if the following planning conditions are imposed as set out below. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment.

Condition: Prior to the occupation of any part of the development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

1. A preliminary risk assessment which has identified:
 - ☐ all previous uses
 - ☐ potential contaminants associated with those uses
 - ☐ a conceptual model of the site indicating sources, pathways and receptors

- potentially unacceptable risks arising from contamination at the site.
- 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: Natural Resources Wales considers that the controlled waters at this site are of high environmental sensitivity as the site sits on a Secondary A superficial aquifer and Secondary A bedrock aquifer and the Llangollen canal flows close to the site. The site has been subject to potentially contaminative uses which could present a risk of contamination to controlled waters.

This condition has been recommended as Natural Resources Wales is satisfied that there are generic remedial options available to deal with the risks to controlled waters posed by contamination at this site. However, further details will be required in order to ensure that risks are appropriately addressed prior to development commencing.

In line with the advice given in Planning Policy Wales we understand that the Authority must decide whether to obtain such information prior to determining the application or as a condition of the permission. Should the LPA decide to obtain the necessary information under condition we would request that this condition is applied.

Condition: Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: To demonstrate that the remediation criteria relating to controlled waters have been met, and (if necessary) to secure longer-term monitoring of groundwater quality. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site.

Condition: Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the Local Planning Authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that longer term remediation criteria relating to controlled waters have been met. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site.

Condition: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: It is difficult for any site investigation to fully characterise a site. It is possible that there may be unidentified areas of contamination at the site resulting from the past industrial uses of the site that could pose a risk to controlled waters if they are not remediated.

Additional note to planners - development under General Permitted Development Rights

We note that the construction and relocation of the diesel and oil storage, the vehicle filling station and garage service area are to fall under permitted development rights. Please draw the applicants attention to the Environment Agency's "Groundwater protection: Principles and practice (GP3), August 2013 version 1.1"; in particular Position Statements D1, D2 and D3 regarding below ground storage of substances are important.

We also advise that the developer should:

1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
2. Refer to Environment Agency document 'Guiding Principles for Land Contamination' for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.

Environmental Permitting

The existing Wrexham County Borough Council's (WCBC) Environmental Permit should be varied to include the changes (building extension to house a new melamine facing press, following the demolition / relocation of the existing Melamine Facing Department's ventilation system, hydraulic oil and diesel storage tanks, a vehicle filling station, garage service building and other associated infrastructure) to ensure the permit accurately reflects all the processes and procedures being undertaken by Kronospan. We therefore recommend that you consult your Environmental Health/Public Protection Department on the proposal.

Pollution Prevention and Waste Management

The site is within the Dee Protection Zone. We refer the applicants to the following:

<https://www.gov.uk/government/publications/consent-for-a-controlled-activity-within-the-river-dee-water-protection-zone>

The applicant should refer to the relevant Pollution Prevention Guidance Notes in order to ensure pollution is minimised as a result of the works.

The applicant refers to demolition of its existing facilities. If waste be produced, this should be disposed of at a licensed waste facility and all waste transfer notes (WTNs) kept for minimum period of time.

Landscape

The proposal is within or may affect the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty. We remind you of your Authority's duty under Section 85 of the Countryside and

Rights of Way Act 2000 which requires public bodies to have regard to the purposes of conserving and enhancing the natural beauty of the AONB. The statutory purposes of Areas of Outstanding Natural Beauty are conservation and enhancement of natural beauty.

Where a condition has been imposed which has been suggested by NRW or which meets NRW's objective, the Local Planning Authority should consult with NRW to secure compliance with the condition prior to its discharge. A copy of the subsequent decision notice would be appreciated.

Yn gywir / Yours' faithfully,



Mr. GARETH THOMAS

Swyddog Cyswilt Cynllunio / Planning Liaison Officer

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Deialu uniongyrchol/Direct dial: (0300) 065 3786 **Siaradwr Cymraeg / Welsh Speaker** 

cc: Axis PED Ltd.