

MEMORANDUM



From: Angela Guy
Contaminated Land Officer

To: Simon Greenland
Planning Officer

Our Ref: P/2021/0149

Your Ref: P/2021/0149

Date: 12 May 2021

**No. of
Pages:** 2

TOWN AND COUNTRY PLANNING ACT 1990

P/2021/0149 – DISCHARGE OF CONDITION 5 (CONTAMINATION VERIFICATION) OF PLANNING PERMISSION P/2020/0598 94 REGENT STREET WREXHAM

Further to my Memo dated 09 March 2021 and subsequent discussions during two online meetings my overall view is that limited investigation of the contamination has been undertaken and the extent of the impacted ground and groundwater remains unclear. To date Core Geotechnics have undertaken a ground investigation and following this 3 groundwater monitoring wells have been installed by Mott McDonald and monitored on 3 occasions however no interpretative report has been prepared. It is also understood further assessment of vapour risks have been conducted but these have also not yet been submitted for review, although it was stated during an online meeting however that no risks to the new development had been identified.

Due to the limited investigation and risk assessment works agreement on the scope of the proposed remediation works discussed is difficult at this time i.e. removal of impacted soils identified to date, removal of the underground fuel tanks and dual/multi-phase extraction (DPE/MPE) of the groundwater/vapour. Notwithstanding this, it was discussed and agreed in principle, jointly with Natural Resources Wales, that a way forward would be to supplement the monitoring data with further monitoring works from the remediation extraction wells yet to be installed. The monitoring would be carried out concurrently with the remediation works, including further analysis of soil and water samples, although some sampling would be completed prior to active pumping of groundwater commencing. This would establish a better baseline dataset and should also help to delineate the plume and devise remediation criteria. This work would be detailed within the Remediation Strategy.

The Remediation Action Plan dated May 2021 prepared by Remedx outlines the proposed works which were subject to discussion during the meeting, although it is noted that Monitored Natural Attenuation (MNA) which was previously discounted based on insufficient

data and understanding of site conditions and contamination is now being re-considered, alongside DPE/MPE.

Whilst Phase 1 and 2 detailed in the Report are broadly in line with past discussions, Phase 3 does not provide sufficient commitment to the level of remediation expected from the discussions to date. I would not wish to discount MNA entirely but at this time it is not appropriate for me to recommend the discharge of Condition 5 given the current Phase 3 proposals in view of the limited understanding on the contamination present at the site. The use of MNA can perhaps be considered further down the line once Phase 1 and 2 is complete and active remediation (DPE/MPE) is underway. Furthermore to recommend the discharge of Condition 5 more detail on the actual Phase 3 works that will take place will be required.

As you are aware the Contaminated Land Team will have due consideration to any advice provided by Natural Resources Wales (NRW).

Please note, in section 4.3 it is stated 'Upon validation of the UST excavation, the site will have met pre-commencement planning conditions' - it should be noted that to meet the pre-commencement condition it is just necessary to provide a sufficient land contamination investigation and risk assessment and remediation strategy (where remedial works are identified). The completion and validation of any remediation works is not required to satisfy condition 5.

A detailed record of the remediation works undertaken should be provided within a Validation Report along with evidence of the works, this can comprise, but not limited to, photos, drawings, statements on inspections undertaken, lab results of verification samples collected.

As you will be aware the site will require remediation to be carried out to a satisfactory standard and on completion of the work it will be reported on in a Validation Report which is required under Condition 6 of the planning permission. The discharge of condition 6 should not occur until a satisfactory Validation Report has been submitted and approved by the Council.

In conclusion, at this time I cannot recommend the discharge of Condition 5.

Should you have any queries regarding the above then please contact me on Ext. 8771.

A handwritten signature in black ink, appearing to read 'Angela Guy', with a stylized flourish at the end.

Angela Guy
Contaminated Land Officer