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Wrexham County Borough Council,
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10/08/2020

Dear Madam,

**PROPOSAL: VARIATION OF CONDITIONS 6 AND 26 OF PLANNING PERMISSION
P/2015/0337 - SITE WORKING PLAN AND VEHICULAR MOVEMENT RESTRICTIONS**

LOCATION: Bersham Bank Colliery, Y Plas Gorno Road, Rhostyllen, Wrexham

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 23 July 2020.

We have no objection to the proposed variation of conditions as submitted and provide the following advice.

Contaminated Land

We have no adverse comments with regard to the variation of Condition 6 and 26 of P/2015/0337.

It is noted that Condition 7 of P/2015/0337 requires assessment with regard to contamination prior to commencement of stages of development.

In addressing Condition 7 Natural Resources Wales recommends that developers 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 the Environment Agency's '[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.
3. Refer to our [groundwater protection](#) advice on www.gov.uk

Pollution Control

From the information available there may be a risk of pollution arising from the construction phase. Glanyrafon Brook follows the northern boundary of the colliery site. The brook should be protected from any development work on the site that may cause pollution or impact on the long term habitat and water quality, in particular, silt entering the watercourse. As such, all works at the site must be carried out in accordance with GPP5 and PPG6: 'Works in, near or over watercourses' and 'Working at construction and demolition sites' which are available on the following website: <http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

Flood Risk

The red line boundary has a small proportion of flood risk associated with it. The site is therefore shown to be located partially within Zone C2 along the northern boundary, according to the Development Advice Map (DAM) referred to in Technical Advice Note (TAN 15).

The current application seeks to vary conditions which would include the erection of a building along the southern boundary which is shown to be within Zone A (land considered to be at little or no risk of flooding).

On the understanding that the current application will have no impact or workings within the Zone C extent, then we have no comments to make with regards to flood risk. You are advised to consult with your colleagues acting as the Lead Local Flood Authority to ensure that there are no issues associated with surface water drainage arrangements or local flooding issues.

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our [website](#) for further details.

If you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully

Meryl Read

Meryl Read

Cynghorydd - Cynllunio Datblygu / Advisor - Development Planning
Cyfoeth Naturiol Cymru / Natural Resources Wales