

Wrexham County Borough Council
The Guildhall,
Wrexham
LL11 1AY

29/01/2020

FAO Mared Rees-Jones

Dear Mared,

**BWRIAD / PROPOSAL: Demolition of Existing Structure and Outline Planning
Permission for residential development (9 No. Dwellings)
LLEOLIAD / LOCATION: Mg Garage, Wrexham Road, Rhostyllen, Wrexham**

Thank you for consulting Natural Resources Wales (NRW) about the above, which was received on 10/01/2020.

We have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if you attach the following condition to the permission. Otherwise, we would object to this planning application.

Condition 1: No development shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.

Land Contamination

The proposed development site is located on a medium-high groundwater vulnerability area. A review of maps and addresses has not provided any information on the previous activities that occurred at the proposed development site. Aerial photographs show a number of buildings with numerous cars present located behind historic buildings. The current site condition appears to largely consist of a car park so the buildings previously associated with the site appear to have been demolished. It is noted that the proposed development site is designated as 'MG' and 'Garage' which would suggest that automotive related activities may have taken place at the site. Some of these activities and associated chemical storage practices may have been related to the use of a number of chemicals

such as cleaning agents/solvents and petroleum related products such as fuels and oils. How these chemicals were stored or used at the site is currently unknown. These chemicals may have acted as sources of contamination that could have impacted upon the ground underlying the proposed development site. Possible historic chemical storage and work-related activities include:

- Fuel and oil storage tanks (above and/or over ground)
- Fuel dispensing and automotive oil changing and disposal activities
- Other chemicals stored, managed and used on site

In light of the above, the following condition should be attached to any planning permission. The review will determine if conditions are needed and if they are needed, which specific planning conditions NRW considers appropriate for the proposed development site.

Condition 1: No development shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been 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 results of the site investigation and the detailed risk assessment referred to in (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 the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Justification: To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination.

[Planning Policy Wales](#) should be consulted as it highlights what is required in the production of a robust PRA. A preliminary risk assessment is defined in CLR11 (Model Procedures for the Management of Land Contamination).

Depending on the findings of the PRA, i.e. the PRA has concluded that the proposed development site is contaminated, then we would expect to see the following types of reports which highlight how the proposed development site was investigated, the nature and extent of contamination encountered and the nature of remedial works that were enacted to return the land to an acceptable condition.

- Site investigation reports – these typically present information on the ground conditions associated with the proposed development site and the nature and extent of contamination, if any, encountered via the excavation of trial pits, and/or the advancement of boreholes and/or the installation of groundwater monitoring wells to assess local groundwater quality.
- Remedial Works Report – (assumes remediation works were undertaken at the site which is currently unknown). Remedial works may have included the decommissioning and removal of chemical storage tanks and soil remediation.

Protected Species

We note that there is no information about protected species with the application and, therefore, are assuming that your Authority has screened the application and concluded that there is not a reasonable likelihood of protected species being present.

Foul Drainage

No information has been provided regarding the disposal of foul waters from the proposed development. We refer you to WG Circular 008/2018 on the use of private sewerage in new developments, and specifically paragraphs 2.3-2.5, which stress the first presumption must be to provide a system of foul drainage discharging into a public sewer. We advise you the proposed development is in a publicly sewered area.

Please consult us again if foul sewage from the proposed development is to be disposed of by a private sewerage system.

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, including environmental interests of local importance.

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.

Advice to Developer

Pollution Prevention

All works at the site must be carried out in accordance with PPG6: '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/>

Waste produced during construction

Waste produced during the construction phase of your development must be dealt with appropriately and be in line with all relevant waste legislation including Duty of Care Regulations and Hazardous Waste Regulations. As part of your waste duty of care you must classify the waste produced:

- before it is collected, disposed of or recovered
- to identify the controls that apply to the movement of the waste
- to complete waste documents and records
- to identify suitably authorised waste management options
- to prevent harm to people and the environment.

Any waste removed from site will be subject to waste management controls. The links below provide information on how to classify waste and register as a waste carrier or hazardous waste producer:

<https://naturalresources.wales/permits-and-permissions/waste/?lang=en>

<https://naturalresources.wales/permits-and-permissions/waste/waste-permits/?lang=en>

Further guidance can be found on the GOV website here:

<https://www.gov.uk/managing-your-waste-an-overview/duty-of-care>

Yn gywir / Yours sincerely,

Daniel Davies

Daniel Davies

Cynghorydd Cynllunio Datblygu / Development Planning Advisor

Cyfoeth Naturiol Cymru / Natural Resources Wales