



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Ein cyf/Our ref: CAS-29351
Eich cyf/Your ref: P/2017/0105

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Head of Environment and Planning
Wrexham County Borough Council
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3 March 2017

Er sylw / For the attention of: Matthew Phillips

Annwyl / Dear Mr Phillips

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

BWRIAD / PROPOSAL: New Primary School

LLEOLIAD / LOCATION: Phoenix Drive, Brymbo, Wrexham

Thank you for consulting Natural Resources Wales (NRW) about the above, which was received on 8 February 2017.

We recommend that that you should only grant planning permission if the scheme can meet the following requirements and you attach the conditions listed below. These would address significant concerns that we have identified. Therefore, we would not object provided the requirements are met and you attach the conditions to the planning permission.

Requirement 1: Foul drainage must connect to the public sewerage system

Condition 1:: Pollution prevention measures

Condition 2: Consideration of land contamination through site investigation

Condition 3: Submission of a verification report in relation to a contaminated land remediation strategy

Condition 4: Submission of a long term monitoring and maintenance plan in relation to contaminated land

Condition 5: Consideration of previously unidentified contaminated land

Foul Drainage

Requirement 1:

The site lies within a publicly sewered area and the proposal must discharge foul drainage to the public sewer. It is acknowledged that consultation has taken place with the sewerage undertaker and confirmation has been received from Dwr Cymru/Welsh Water that connection is available.

Should the proposed method of foul drainage be revised, you should be aware that the installation of private sewage treatment facilities within publicly sewered areas is not considered environmentally acceptable. We would therefore be opposed to such facilities unless it can be demonstrated that it is not reasonable to connect the public system. Lack of capacity or plans to improve capacity in the sewer is not a valid reason for a sewerage undertaker to refuse connection under Section 106 of the Water Industry Act 1991 and we may refuse to issue an Environmental Permit or exemption for private treatment facilities in such circumstances.

Surface Water Drainage and Pollution Prevention

Condition 1

The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul and surface water has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

A pollution prevention method statement should be prepared and submitted to the local planning authority for approval. The statement should include pollution prevention measures during the construction stage, such as bunding for oil or chemical storage to prevent pollution from spillage.

If there is a need for dewatering of the open trenches, prior to discharging the water to land (with the permission of the land owner) a method statement ensuring prevention of pollution of any nearby surface waters should be submitted. It is advised that land for dewatering is identified before the works begin.

Waste produced on site should be disposed of to an appropriate site with an Environmental Permit.

With respect to the car parking area associated with the school, we would advise that, prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from impermeable parking areas and hard standings shall be passed through trapped gullies with an overall capacity compatible with the site being drained. To achieve any attenuation of surface waters on site, the Agency advocates the use of Sustainable Urban Drainage Systems (SuDS), further information about which can be found in CIRIA publications C522 SuDS - Design manual for England and Wales & C523 SuDS - Best practice Manual.

We recommend that you consult with the local authority's Drainage Department to determine whether the proposed surface water discharge to soakaway is acceptable and that the applicants refer to the following guidance which will assist them in developing an appropriate SUDS scheme for the site:

- Recommended non-statutory standards for sustainable drainage (SuDS) in Wales:
<http://gov.wales/topics/environmentcountryside/epq/flooding/drainage/?lang=en>
- CIRIA SUDS Manual
http://www.ciria.org/Resources/Free_publications/SuDS_manual_C753.aspx

Potentially Contaminated Land

We note that your local authority has identified that the site benefits from a previous contaminated land report. Extracts of the report issued on your website include that Para.11.8 states that surface water should not be discharged to soakaway.

Our view is that land contamination is not necessarily a barrier to the use of SUDS or some other form of infiltration system, although full details of the foul and surface water generated from the site would need to be considered and submitted for consideration.

In view of the above we recommend that if works have not been undertaken to investigate and remediate potential land contamination, the following conditions are included within any planning approval:

Condition 2

Prior to the commencement of 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.

Condition 3

Prior to commencement of 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.

Condition 4

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.

Condition 5

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.

Protected Sites

Coedwig Ffossil Brymbo Fossil Forest SSSI is in close proximity to the site. The proposals will not have any adverse effect on this feature, nor on any other protected site.

Protected Species

It is noted that an ecology report has been completed in order to inform the proposals. We consider the proposals are unlikely to affect known populations of European or fully protected British species

Please do not hesitate to contact me if you require clarification on the above.

Our comments above only relate specifically to matters that are included on our checklist “Natural Resources Wales and Planning Consultations” (March 2015) which is published on our website: (<https://naturalresources.wales/planning-and-development/planning-and-development/?lang=en>). 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. The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

Yn gywir / Yours sincerely

Meryl Read

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