

MEMORANDUM



From: Angela Guy
Contaminated Land Officer

To: Gwyn Humphreys
Planning Officer

Our Ref: P/2023/0763

Your Ref: P/2023/0763

Date: 05 January 2024

**No. of
Pages:** 4

TOWN AND COUNTRY PLANNING ACT 1990

P/2023/0763 LAND OFF MOLD ROAD GWERSYLLT WREXHAM

DISCHARGE OF CONDITIONS 7 (ACCESS SCHEME), 8 (ARBORICULTURAL METHOD STATEMENT), 9 (CONTAMINATION), 11 (VALIDATION REPORT), 12 (MAINTENANCE REPORT), 13 (METHOD STATEMENT), 14 (DRAINAGE), 15 (DRAINAGE), 16 (LIGHTING), 17 (ECOLOGY) AND 18 (MATERIALS) OF APPEAL DECISION APP/H6955/A/18/3207621 (P/2017/0927)

On the 05 January 2023 I reviewed two reports for the above proposed development and provided comments on those in a Memo. As far as I am aware no specific response has been provided to those comments so my queries still remain relevant.

This application is for the discharge of three land contamination related conditions, 9, 11 and 12 and the following report has been submitted for this.

- Bigfoot Geo, Phase III Remediation Strategy for J10 Planning at Gwersyllt, BFG1042 R01, June 2023.

It is noted that a covering letter prepared by J10 Planning also submitted with the planning application states: *"Conditions 9, 11 and 12: Contamination: a Phase 2 SI was submitted as part of the original approval and our engineers have been in consultation with your environmental protection colleagues and agreed the scope of the works necessary to discharge these conditions. The agreed approach and material now submitted for approval addresses site validation and remediation stages."* I can confirm that some limited correspondence did take place Bigfoot Geo in regard to past assessments having being completed (the two reports referred to in my memo dated 5th January) and in agreement with the Planning Officer I reviewed those reports and provided comments (the Memo of the 5th January 2023). The Memo detailed 8 queries (those referred to in the first paragraph of this

memo above) and also listed further works (a-f) as copied from sections 6.3 and 9.0 of the Geo-Environmental Appraisal Report prepared by Clancy's – I confirmed that the additional works required were sufficient in principle but stated the 8 queries be addressed when designing and undertaking the further works.

Having reviewed the Remediation Strategy prepared by Bigfoot Geo and submitted in regard to conditions 9, 11 and 12, I have the following comments to make:

- i. No reference has been made under the previous investigations section of the report (Section 1.5) to the Phase 1 assessment completed by Terraconsult. This is of particular relevance because the Terraconsult report detailed areas of potential concern for land contamination and identified them as very specific areas where targeted site investigation would be required, these were:
 - Area 1 – a bunded heating oil tank and the slope on the western boundary which could comprise colliery spoil;
 - Area 2 – a small substation, an area where a barrel containing a potentially contaminative substance was left;
 - Area 3 – a heating oil tank (pipework known to have been damaged), 2 large oil tanks within the eastern part of a shed within the large building and in the western part evidence of hydrocarbon staining on the concrete floor, a diesel tank on a brick plinth in SW corner and a new plastic bunded tank on top of old metal tank next to the last shed; and
 - Area 4 – a heating oil tank.
- ii. Section 2.1 – in table 2.2 it is mentioned that no ACMs were noted, however as per my comments on the phase 1 report in my 5th January Memo, asbestos had been found as part of the building construction materials. Furthermore item a) on the list of further works identifies the need for a watching brief for asbestos which should be detailed in the Remediation Strategy.
- iii. At this time I am not in agreement with the statement in section 3.2 that *“no risks relating to ground contamination were identified, other than the identification of the former underground storage tank”*. As detailed in my 5th January Memo the extent of the investigation undertaken was not considered sufficient. Whilst this report details further assessment works that have been undertaken the points (1-8) have not been addressed and consequently are still areas of concern.
- iv. Is the underground storage tank referred to the same as that mentioned in point 1 of my Memo of 5th January? The paragraph on tank validation samples under section 3.2 does not provide any details on the removal of the underground storage tank itself. Which tank is it? Validation of the removal of an underground storage tank would typically include details on the method of removal, evidence of the actual removal (e.g. photographs), testing of the base of the void and side walls to establish whether any leaks had occurred and if so the extent and significance of those leaks (also demonstrated by photographs and soil sample results with a plan showing the location of them and subsequently risk assessment details) and a statement on the outcome of the works as a whole. From the information provided it appears that a trial pit (TP01) has been excavated and 6 samples taken for analysis, there is no further detail on the design and implementation of those works or any detailed discussion on the findings other than there was no exceedance of the criteria. This is not sufficient, it does not

show the tank has been removed, the actual works undertaken are not clear and the evaluation is too brief.

- v. In regard to item f) of the list of further works in the memo dated 5th January, which was that additional trial pits were to be excavated beneath existing building footprints following demolition to confirm the ground conditions and depth of filled ground, it is noted in section 3.2 that 9 soil samples have been taken following the removal of buildings across the site. However there is no detailed discussion or interpretation of this additional work, such as an explanation on the location of samples, what type of ground was encountered, the sampling strategy and discussion of analysis results, with appropriate reference to assessment criteria used. Further detail is required. It is however, it is acknowledged that based on the findings i.e. the presence of made ground, remedial action in landscaped areas to ensure suitable ground cover is in place is recommended – this is considered appropriate.
- vi. What has happened about the other tanks referred to in the Terraconsult report in Areas 1, 3 and 4? As per point 2 of the 5th January Memo where exactly were the other tanks and what investigation has been done in regard to those (item b of the list of further works)?
- vii. The last bullet point in section 4.4 detailing the validation sampling frequency of soils refers to the sampling frequency for soils from greenfield/manufactured sources as 1 sample per 250m³, however as detailed in the WLGA '*Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems*', the frequency should be 4 per 250m³. Furthermore guidance on the potential use of brownfield/screened soils is also provided, this can be acceptable however a significant amount of checks will be required to ensure the material is suitable. A copy of this guidance has been provided with this response.
- viii. It is stated in section 4.2 that "*the natural in-situ material may represent the clean cover system subject to chemical testing confirmation*". Presumably this would require the removal of the made ground to expose the natural in-situ material which would then be excavated for placement in the required areas. Consideration of the CL:AIRE Definition of Waste Code of Practice (DOW CoP) will be required for the movement of waste soils within the site and re-use of excavated soils. Section 4.5 of the report discusses the re-use of soils and DOW CoP, also section 4.6 too, it is recommended care be taken on the excavation and movement of materials on site if deemed to be waste, the re-use of waste materials in soft landscaping areas which are deemed to be *waste* is not in accordance with DOW CoP.
- ix. Section 4.8 details the gas protection measures required, at this time I am unable to comment on the sufficiency of these details since as detailed in my Memo 5th January (item d) the gas risk assessment was incomplete and no further works have been undertaken and reported on as far as I am aware.
- x. Section 5.1 outlines the verification plan, in addition to the works detailed, there should also be appropriate verification of the removal of the tanks.
- xi. At the time of the validation works being undertaken, it should be checked that the assessment criteria (referred to in section 5.3) are up to date. The validation for the

post placement of soils and design of the remediation measures remains subject to the findings of any further investigation, at this time it is not possible to confirm that 300mm is an appropriate depth.

In regard to the discharge of conditions 9, 11 and 12 as detailed above, at this time I do not consider there to have been sufficient investigation of the site to recommend the discharge of condition 9. No validation report has been submitted in regard to condition 11 therefore I can't recommend this for discharge. Currently there is no monitoring, maintenance or contingency actions identified, however until sufficient investigation has been undertaken it can't be known if this situation may change, therefore the discharge of condition 12 is not recommended.

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', enclosed within a thin black rectangular border.

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Angela Guy
Contaminated Land Officer