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07/12/2021

Annwyl Syr/Madam / Dear Sir/Madam,

BWRIAD / PROPOSAL: Construction of 4 storage units

LLEOLIAD / LOCATION: The Willows Abercanaid Industrial Estate, Abercanaid

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 22 November 2021.

We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following condition to any planning permission granted:

Condition – Unsuspected Contamination – to prevent pollution of the water environment

Please note, without the inclusion of this condition we would object to this planning application. Further details are provided below.

Land Potentially affected by Contamination

Information reviewed:

1. Site Investigation Report: Land at Louwis Yard, Abercanaid, Merthyr Tydfil. Blandford Consulting, Report No.: BC/MB/07.21.03, October 2021.

We previously requested a technical note on the specific area of the site (i.e. redline boundary). This was due to the development area being part of a large site that had undergone a wider remediation programme of works. The submitted report listed above has completed its own site investigation at the site.

We note from the report that there are residual low levels of soil contamination (particularly in the high-end hydrocarbon chains) present on site. No leachability test was completed on these soil samples. However, the risk to controlled waters has been assessed as low. Based on this conclusion and our understanding that ground disturbance will be minimal, and the site covered by concrete, we request the following condition and informative be imposed on any planning permission granted.

Condition

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 a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Justification: To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks.

Informative/ advice to applicant:

The treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an environmental permit.

Excavated materials that are recovered via a treatment operation can be re-used on-site under the [CL:AIRE Definition of Waste: Development Industry Code of Practice](#). This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, Natural Resources Wales should be contacted for advice at an early stage to avoid any delays.

Our advice on flood risk management remains as set out in our letter of 13 May 2021, reference CA-146662-B4J4.

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

Mrs Claire McCorkindale

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