

To: Development Control
From: David Carr
[REDACTED]
Date: 01/01/2023
Planning Ref: 3/23/1447/OUT
Subject: Land East of A10 – West of Buntingford

Notice is hereby given that the Environmental Health Department:

- a) does not wish to restrict the grant of permission
- b) recommends that permission be refused for reasons set out below.
- c) advises that any permission which the Planning Authority may give shall include the conditions below.

Thank you for consulting this Service regarding the above application.

Having reviewed the documents submitted in support of the above application, particularly the WSP Preliminary Risk Assessment Report dated May 2023, and having considered Environmental Health records I have the following advice and recommendations.

Please note that this advice relates only to land contamination considerations. A subsequent memo will provide advice and recommendations in respect of air quality considerations.

Contaminated Land:

The application is for housing, which will be introducing an end use that will be vulnerable to the presence of any ground contamination.

As such it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development will be investigated and that where it is present it will be remediated. Therefore, the following conditions should be included if planning permission is granted. This is consistent with the advice provided in relation to 3/22/1551/FUL.

Condition:

The development hereby permitted shall not begin until a scheme to deal with contamination of land/ground gas/controlled waters has been submitted to and approved in writing by the local planning authority. The scheme shall include all of the following measures, unless the local planning authority dispenses with any such requirement specifically in writing:

1. A Phase II intrusive investigation report detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites – Code of Practice. The report shall include a detailed quantitative human health and environmental risk assessment.

2. A remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end point of the remediation shall be stated, and how this will be validated. Any ongoing monitoring shall also be determined.
3. If during the works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed in an appropriate remediation scheme which shall be submitted to and approved in writing by the local planning authority.
4. A validation report detailing the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology shall be submitted prior to [first occupation of the development/the development being brought into use]. Details of any post-remedial sampling and analysis to demonstrate that the site has achieved the required clean-up criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.

Reason

To minimise and prevent pollution of the land and the water environment and in accordance with national planning policy guidance set out in section 11 of the National Planning Policy Framework, and in order to protect human health and the environment in accordance with policy EQ1 of the adopted East Herts District Plan 2018.

Please let me know if you have any questions about the above advice and recommendations.

Kind Regards,

David Carr
Contaminated Land Officer
Environmental Health

