

South Gloucestershire Council

Memorandum to: David Stockdale Development Control
From: Environmental Protection Environmental Services
 Contaminated Land Officer
Date: 27th May 2021
Your Reference: P21/03344/F
Our Reference: DWA/EH21/002706/EHCONP
Tel: 01454 868001
Email: environmental.protection@southglos.gov.uk

PLANNING CONSULTATION

Location: Land South Of Badminton Road Old Sodbury South Gloucestershire
BS37 6LU

Description: Erection of 35 no. dwellings with garages and associated works

With reference to the above planning application, I would make the following observations:

- | | | |
|----|--|-------------------------------------|
| 1) | No adverse comments. | <input type="checkbox"/> |
| 2) | I have no objections in principle, but would recommend that you consider the information-outlined below. | <input checked="" type="checkbox"/> |
| 3) | Prior to commenting, I would like further information as detailed below. Without this information, I cannot make an informed decision on this application. | <input type="checkbox"/> |

ECO5B - Developments with the potential to be affected by land contamination

Although former use of the land is understood to have mainly been agricultural, there is a potential for unrecorded filled ground on site. In addition the Design and Access Statement reports that some of the land has been used as a site compound for near-by railway works. It is therefore prudent to undertake a minimum of a desk study and limited site investigation to ensure there are no unacceptable risks of contamination to the proposed development.

In order to ensure that the site is suitable for its proposed use and in accordance with the National Planning Policy Framework, the following conditions are recommended for inclusion on any permission granted.

- A) **Desk Study** - Previous historic uses(s) of the site and/or land within 250m of the site may have given rise to contamination. No development shall commence until an assessment of the risks posed by any contamination has been carried out and submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175 Investigation of potentially contaminated sites and the Environment Agency's guidance - Land Contamination Risk Management (LCRM)*, and shall assess any contamination on the site, whether or not it originates on the site.
- B) **Intrusive Investigation/Remediation Strategy** - Where following the risk assessment referred to in (A), land affected by contamination is found which could pose unacceptable

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risks, no development shall take place until detailed site investigations of the areas affected have been carried out. The investigation shall include surveys/sampling and/or monitoring, to identify the extent, scale and nature of contamination. A report shall be submitted for the written approval of the local planning authority and include a conceptual model of the potential risks to human health; property/buildings and service pipes; adjoining land; ground waters and surface waters; and ecological systems.

Where unacceptable risks are identified, the report submitted shall include an appraisal of available remediation options; the proposed remediation objectives or criteria and identification of the preferred remediation option(s). The programme of the works to be undertaken should be described in detail and the methodology that will be applied to verify the works have been satisfactorily completed.

The approved remediation scheme shall be carried out before the development (or relevant phase of development) is occupied.

- C) **Verification Report** - Prior to first occupation, where works have been required to mitigate contaminants (under condition B) a report providing details of the verification undertaken, demonstrating that all necessary remediation works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.
- D) Any contamination found during the course of construction of the development that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found additional remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

***Note: Replacement of CLR11 with LCRM (Land contamination Risk Management)**

Guidance document CLR11 was replaced by LCRM (Land contamination Risk Management) in October 2020. LCRM can be found at <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm> For Planning purposes a competent person is expected to follow this guidance when managing risks from land contamination. A competent person must meet the definition given in the National Planning Policy Framework at Annex 2 - <https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary> The relevant British Standards expected to be referenced are given in the LCRM document.