

From: James, Nick <Nick.James@herefordshire.gov.uk>

Sent: 30 July 2020 09:48

To: Jenman, Rebecca <Rebecca.Jenman@herefordshire.gov.uk>

Subject: FW: Add info for planning - CIVICA 388863. NJA. Planning Re-consultation - 192795 - Land adjacent A4137 and A40 junction to Burnthouse Green, Marstow, Herefordshire

Hi Rebecca,

Please see attached.

Kind Regards

Nick

Economy and Place Directorate

Director: Richard Ball

EH Commercial
ehsPlanningAdm@herefordshire.gov.uk

Our Ref: 192795
Please ask for: Ms Rebecca Jenman
Direct Line / Extension: 01432 261961
E-mail: rjenman@herefordshire.gov.uk

8 July 2020

Dear Sir or Madam

APPLICATION NO & SITE ADDRESS: Planning Re-consultation - 192795 - Land adjacent A4137 and A40 junction to Burnthouse Green, Marstow, Herefordshire,
DESCRIPTION: Proposed installation of ground mounted solar PV panels to include ancillary equipment, inverters, substation, perimeter fencing, CCTV cameras, access track, and associated landscaping

APPLICANT(S): Mr Antony Lowther
GRID REF: OS 355750, 218454
APPLICATION TYPE: Planning Permission
WEBSITE LINK: <http://www.herefordshire.gov.uk/searchplanningapplications>

FAO Nick James – Additional Document – Contamination Report

Amended ☐ Additional ☒ Amended and Additional ☐ New or Re-Consultation ☒

Plans or documents have been received for the proposal described above. The relevant plans/documents can be viewed by entering the application number on:-

<http://www.herefordshire.gov.uk/searchplanningapplications>

If you have any comments to make please let me have them by 15 July 2020. If you do not respond by this date it will be assumed that you have no further comments to make.

Any comments should be forwarded to rjenman@herefordshire.gov.uk

If you require any further information please contact the Case Officer, Ms Rebecca Jenman.

Yours faithfully,
TECHNICAL SUPPORT OFFICER

All personal data held is processed in accordance with data protection law. For further information please see our website

https://www.herefordshire.gov.uk/info/200142/planning_services/62/apply_for_planning_permission/3

I refer to the above application and would make the following comments in relation to contaminated land and human health issues.

“Solar Farm, Junction A40 and A4137, Herefordshire.” Prepared by H Fraser Consulting Contaminated Land and Hydrogeology. Dated 8th January 2020, ref:30317 A Watton 002.2

Further to our representation of 10th September 2019, the applicant has submitted the above report. This addresses the uncertainty identified previously and has reached conclusions and recommendations which will need some further work in due course. The majority of recommendations are for H&S matters where the HSE would be the primary regulator and these should be considered through other regulatory frameworks and guidance such as CDM regs.

Nevertheless there is some overlap with regard to risk mitigation and human health in the design of structures and as such, the conditions below should be appended to any approval –with a recognition part 1(a) has been satisfied. Elements that follow will depend on the approach adopted by the applicant.

1. No development shall take place until the following has been submitted to and approved in writing by the local planning authority:
 - a) a 'desk study' report including previous site and adjacent site uses, potential contaminants arising from those uses, possible sources, pathways, and receptors, a conceptual model and a risk assessment in accordance with current best practice
 - b) if the risk assessment in (a) confirms the possibility of a significant pollutant linkage(s), a site investigation should be undertaken to characterise fully the nature and extent and severity of contamination, incorporating a conceptual model of all the potential pollutant linkages and an assessment of risk to identified receptors
 - c) if the risk assessment in (b) identifies unacceptable risk(s) a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants/or gases when the site is developed shall be submitted in writing. The Remediation Scheme shall include consideration of and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination encountered shall be fully assessed and an appropriate remediation scheme submitted to the local planning authority for written approval.

Reason: In the interests of human health.

2. The Remediation Scheme, as approved pursuant to condition no. (1) above, shall be fully implemented before the development is first occupied. On completion of the remediation scheme the developer shall provide a validation report to confirm that all works were completed in accordance with the agreed details, which must be submitted and agreed in writing before the development is first occupied. Any variation to the scheme including the validation reporting shall be agreed in writing with the Local Planning Authority in advance of works being undertaken.

Reason: In the interests of human health.

3. 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 Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: In the interests of human health.

Technical notes about the condition

1. I would also mention that the assessment is required to be undertaken in accordance with good practice guidance and needs to be carried out by a suitably competent person as defined within the National Planning Policy Framework 2019.
2. And as a final technical point, we require all investigations of potentially contaminated sites to undertake asbestos sampling and analysis as a matter of routine and this should be included with any submission.

1.