

TO: ENVIRONMENTAL HEALTH AND TRADING STANDARDS
FROM: DEVELOPMENT MANAGEMENT- PLANNING AND
TRANSPORTATION



APPLICATION NO & SITE ADDRESS: Planning Consultation - 193978 - Masons Potato Yard, Dadnor, Ross on Wye, Herefordshire, HR9 6QN
DESCRIPTION: Proposed 4 no. dwellings.
APPLICATION TYPE: Planning Permission
PARISH: Peterstow
GRID REF: OS 356414, 226096
CASE OFFICER: Miss Emily Reed
WEBSITE: <http://www.herefordshire.gov.uk/searchplanningapplications>

I have received the above application on which I would be grateful for your advice.

The application form and plans for the above development can be viewed on the Internet, normally within 24 hours, using the link above:

I would be grateful for your advice in respect of the following specific matters: -

	Odour	Industrial Pollution
	Air Quality	Minerals and Waste
X	Contaminated Land	Petroleum/Explosives
	Landfill	Gypsies and Travellers
	Noise	Lighting
	Other nuisances	Water Supply
	Licensing Issues	Foul Drainage
		Biomass Boilers
	Additional Info	Amended Plans

Please can you respond by 02/03/2020 to emily.reed@herefordshire.gov.uk

Comments

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

Our pre app comments are copied below for reference.

"I've taken a look at our records and have forwarded a memo to accompany this consultation. This should be self explanatory in outlining our current understanding of the investigations carried out at site to date and to our knowledge. On this basis, I'd recommend the reports be revisited and uncertainties addressed.

This will also allow for the revised proposal to be considered by the technical specialist and enable confirmation that the change of proposal does not alter any conclusions or recommendations of the previous submitted reports.

Notwithstanding the above, we'd likely be content to recommend a condition be appended to any approval to recognise the additional information required." - 191689

The contents of our memo have not been formally addressed in the latest technical submission and as such the following condition should be appended to any approval with a recognition that the desk study element has been satisfied.

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.

Signed: N James

Date: 4th March 2020

MEMORANDUM

To : **SIMON WITHERS – PLANNING – DEVELOPMENT CONTROL**

From : **NICK JAMES - SENIOR TECHNICAL OFFICER (AIR, LAND & WATER PROTECTION)**

Tel : **01432 261684** My Ref : **NJMBP1/2/180407/143204**

Date : **26th February 2018** Your Ref : **180407**

180407 – MASONS POTATOES, THE PACKHUOSE, DADNOR, ROSS ON WYE.

APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITIONS 3 AND 8 ATTACHED TO PLANNING PERMISSION 143204.

“STAGE 1 DESK STUDY AND CONTAMINATION ASSESSMENT, DEVELOPMENT AT PACK HOUSE, DADNOR, ROSS ON WYE, HEREFORDSHIRE.” PREPARED BY SUTTON SURVEYS, DATED OCTOBER 2014, REF:SS-14-1792-1

AND

“STAGE 2 CONTAMINATION REPORT. THE PACKHOUSE AT DADNOR, ROSS ON WYE.” DATED AUGUST 2016, REF:SS-16-2533

The reports above have identified that further works are considered necessary following demolition. This should include additional investigation of both fuel tanks identified in the Desk Study together with the noted interceptor. The footprint of each should be thoroughly assessed and demonstrated as being free from hydrocarbon impact in the soils. That included in the Stage 2 report mentioned above is useful in indicating significant and widespread contamination isn't evident but more investigation is required to confirm this is the case. My understanding is that the mitigation strategy recognises this work is to be carried out post demolition when access is less constrained. The additional phase(s) of investigation will inform the need for remediation/mitigation and as such suitable reporting should be submitted in due course.

Finally, it is noted that dates and depths of sampling were not available to laboratory analyses. It is important additional work includes all details required to reduce uncertainty in the data.

With the above in mind, pre-commencement condition 8(a) may be discharged with elements (b) and (c) to follow after the further investigation noted in the reports and above.

NICK JAMES