



To: Sukhvinder Dhadwar  
From: Jack Dearman  
Date: 07<sup>th</sup> May 2019  
Your ref: EPF/0617/19  
File ref:

## Epping Forest District Council

**Address: Utopia, Pecks Hill, Nazeing, Waltham Abbey, EN9 2NX**  
**Proposal: Demolition of existing dwelling & outbuilding and erection of x2 no. detached dwellings. (Ref: Revised application to EPF/3382/18)**

Updated memo

The phase 1 desk study submitted on behalf of this application has now been reviewed by the council's external consultants and the information provided in the report suggests that an appropriate level of assessment has been undertaken to evaluate the land quality.

The report has identified offsite above ground tanks and nearby landfilling that may impact human health and buildings as part of the development. The report therefore proposes the use of barrier water pipes and CS2 compliant gas protection measures, which are considered suitable.

However, the site is shown to be at the eastern fringe and part of a horticultural nursery complex from at least 1939 to 1980. The use of the land while it was part of the nursery is not known and therefore it is recommended that a basic site investigation is undertaken to evaluate the shallow soils and potential thicknesses of made ground. It is acknowledged that the site investigation performed should be commensurate with the perceived risk and is predominantly required to confirm the absence of made ground and material that might be unsuitable for use in a residential garden. This may be achievable by a series of hand excavated pits if the London clay Formation is found at shallow depth and limited thickness of made ground is found. If made ground is found then chemical testing will be required to determine the suitability of the soils for residential with garden use.

It is recommended that the contaminated land conditions SCN57, SCN58 & SCN59 remain attached to the application. Conditions may be considered for discharge going forward in line with the recommended site investigation and any necessary remediation.

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*2<sup>nd</sup> April 2019 memo*

*It is noted that this is a revised application from EPF/3382/18 but the proposal is similar in that the land remains intended for domestic use for 2 new dwellings. The phase 1 desk study investigation submitted in December 2018 will be sent for review by the council's external consultants in line with this revised application. Once feedback has been received, this will be passed back to the applicant.*

*Due to the sensitive nature of the proposed residential use, I recommend that the land contamination conditions **SCN57, SCN58, SCN59** remain attached to any approval. Once*

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the phase 1 contaminated land assessment documents have been reviewed the attached conditions may be considered for discharge.

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## **EPF/3382/18 Memo**

### **Update to memo EPF/1806/18**

It has been noted a Phase 1 Desk Study Investigation has been submitted in support of this application in December 2018 by Demeter Environmental Ltd. This report is due to be sent for review by consultants on the Council's behalf with a review turnaround of 10-14 days. Once the document has been reviewed then the attached conditions may be considered for discharge. However, after a quick summary of the Phase 1 report Demeter Environmental Ltd have recommended an intrusive Phase 2 investigation is undertaken. This will be confirmed once the document has been reviewed.

Epping Forest District Council's standard land contamination conditions have been updated since the previous memo. Therefore, the conditions that currently remain in place with regard to this application are **SCN57, SCN58, SCN59**.

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With reference to the above:

I have screened readily available council records regarding former land uses and can see the site is shown as having been subject to the potentially contaminating land use as a former **Nursery/Pit**

The answers to Question 14 on the application form regarding land where contamination is suspected over part of the site and to be sensitive use that is particularly vulnerable to the presence of contamination were answered no. Due to the former land use and the sensitive land use as residential use, these should have been answered yes.

There is the potential for:

- **asbestos fibres** present in on site Made Ground (asbestos is commonly found in hardcore on horticultural nursery sites) to present **acute** exposure inhalation risks to occupants when hardstanding is removed or the hard standing degrades over time in the proposed garden area (asbestos does not degrade over time and is a potential acute exposure contaminant meaning that exposure to only a very small area over a very short time can have severe latent consequences);
- **ground gases** from the degradation of onsite and offsite historic crop wastes and heating oil spills/leaks and the adjacent infilled land to accumulate in the proposed less well ventilated dwelling to present **acute** asphyxiant/explosive/toxic risk to proposed occupiers.
- **organics** (persistent organic pesticides and hydrocarbons from leaks/spills from heating oil) to permeate plastic potable water supply pipes and present ingestion risks to proposed occupiers; and for
- **Metals / Polycyclic Hydrocarbons / Petroleum Hydrocarbons** (from ash & clinker, metal pesticides and persistent organic pesticides) to present chronic inhalation / dermal contact / ingestion risks from exposed outdoor soils.

There will therefore the potential for the site to be determined as Contaminated Land under Part IIA of the Environmental Protection Act 1990 under its new sensitive proposed use.

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*I would therefore recommend that the standard land contamination conditions **SCN87, 87A, 87B, 87C and 87D** are added to the approval.*

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