

FAO: Wyre Council Planning Department,
Civic Centre,
Breck Road,
Poulton-le-Fylde,
Lancashire,
FY6 7PU

Date: 9th November 2020
My Ref: 15/00727/DIS
Please Ask for: Corinne Mason
Direct dial: 01253 887207
Email: Corinne.mason@wyre.gov.uk

Dear Sirs,

Town and Country Planning Act 1990 (as amended)
Proposal for Erection of Erection of Three Dwellings, Land to Rear of Ash Croft,
Market Street, Hambleton
Planning Application Number: 15/00727/DIS

I refer to the report entitled 'Phase 1 Desk Study Report for Land Rear of Ash Croft, Market Street, Hambleton, October 2020'. The report has been prepared by Demeter Environmental on behalf of Mr & Mrs Rutherford.

Unfortunately the information contained within the reports is insufficient to allow this Section to recommend the full discharge of condition(s) 3, the standard contaminated land condition used by this authority. However, sufficient information has been provided to recommend that the desk study part of the condition has been satisfied. Further information regarding the proposed site investigation and/or remediation should be provided in order to address the next part of the condition.

Information specific to this site, required in order to expedite the discharge of condition 3, is requested in the form of bulleted points. All other comments provided are general, and are aimed at informing the format and/or content of any future reports submitted to this Section, and/or informing the requests for further information. Comments have been divided into separate headings for ease of reference.

Desk Study

The desk study has been based, in the main, on a Groundsure report. This Section would always encourage as wide a consultation as possible when compiling the desk study, as per BS10175:2011 (as amended).

Nevertheless, the information presented suggests that the site has a relatively limited potential contaminative history. As such, the desk study report is considered sufficient for the purposes of the risk assessment, and no further desk study information is required.

Preliminary Conceptual Site Model (CSM)

The preliminary CSM presented in table 14 identifies a moderate risk from made ground to future end users and trespassers at the site. The remaining identified potential pollutant linkages are identified as either a moderate/low risk, or low risk. This seems reasonable based on the information presented in the report.

The report concludes by presenting both proposals for further site investigation in table 15, and also by suggesting proposed remediation in lieu of site investigation in table 16. As such, it is not clear which option is being proposed by the consultant. This should be clarified in order that this Section can consider the final proposals and provide comments based on them.

- Please clarify whether site investigation is proposed at the site or whether remediation is being proposed in lieu of site investigation

I would take this opportunity to reiterate that the responsibility for the safe development of the site rests with the developer. Actions or omissions on their part may lead to liability being incurred under Part IIA of the Environmental Protection Act 1990. Those providing expert advice to developers should be aware of the future reliance that may be placed on it.

All parties involved with waste and soil movement at the site should be aware that materials illegally deposited or deposited at inappropriate sites may be subject to relevant landfill taxes, payable by all parties. Only robust due diligence is a defence against joint liability. Illegal deposits can include moving waste soil material on sites, or between sites, without the appropriate permits, exemptions or duty of care.

I trust this clarifies this Departments position. Should you require any further information, I can be contacted at the above number, or alternatively email Corinne.mason@wyre.gov.uk.

Yours faithfully,

Environmental Protection