

CONSULTATION RESPONSE

ISSUE DATE: 14.04.2021

FROM: Public Protection Service – Patrick Vawdrey-our ref 933258

RESPONSE DATE: 05/10/2021

APPLICATION NO: 21/01546/FUL

SITE: Land To Rear Of Dewi Sant Care Home Gleneagle Road Plymouth PL3 5HJ

DEVELOPMENT: Detached two-storey dwelling

Observations:

Contaminated Land:

The submitted Phase I has identified a moderate potential risk from made ground on the site and has recommended further investigation to quantify this risk and whether any remediation is required. Therefore conditions are recommended.

Summary of response:

Approval	
Approval subject to conditions/informatives	x
Refusal	

If 'object' on what grounds?

In the event that the application is recommended for approval what mitigation would you seek? (please complete regardless of whether or not you object to the application)

None

Planning conditions:
Pre Commencement Conditions – Land Quality

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation shall not commence until sections 1 to 3 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until section 4 of this condition has been complied with in relation to that contamination.

Section 1: Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

Section 2: Submission of Detailed Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme shall include all works to be

undertaken, proposed remediation objectives, remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Section 3: Implementation of Approved Detailed Remediation Scheme

The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme, a verification report must be produced that evidences the remediation and demonstrates the effectiveness of the scheme carried out, must be produced, and is subject to the approval in writing of the Local Planning Authority.

Section 4: Land Quality - Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified; it must be reported in writing immediately to the Local Planning Authority. Development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until this condition has been complied with in relation to that contamination.

An investigation and risk assessment shall be undertaken in accordance with the requirements of Section 1, and where remediation is necessary a remediation scheme shall be prepared in accordance with the requirements of Section 2 above, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report shall be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Section 3 above.

Reason (common to all): To ensure that risks from land contamination to the environment, future users of the land and neighbouring land are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors; and to avoid conflict with Policies DEVI (Protecting health and amenity) and DEV2 (Air, water, soil, noise, land and light) of the Plymouth and Southwest Devon Joint Local Plan 2014-2034.

Planning obligations:

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Name & post

Patrick Vawdrey
Environmental Health Officer