

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

Date: 2nd February 2021
My Ref: 20/00461/FUL
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 Single Detached Dwelling, Pennine View, Snapewood Lane,
Cabus
Planning Application Number: 20/00461/FUL

I refer to the report entitled 'Phase 1 Desk Study Report for Pennine View, Cabus, October 2020'. The report has been prepared by Demeter Environmental Ltd on behalf of Ms Hannah Shaw. I also refer to the correspondence from this Section dated 12th January 2021, and the subsequent further information from the applicant, dated 14th January 2021.

It is the understanding of this Section that an application has been submitted in relation to the above site, but has not yet been determined. As such, there is no contaminated land condition currently attached to the application. Therefore, the following comments are aimed at providing an overview of the type of information which would be required by this Section in relation to contamination, should the contaminated land condition be attached. It does not pre-empt any planning decision, and must not be interpreted as such.

Based on the information provided, should permission be granted I would recommend that a Remediation Strategy & Verification Report be provided as part of a contaminated land condition, as well as a Watching Brief condition.

Desk Study

Historical maps have now been provided to support the desk study. This is welcomed. However, the correspondence from this Section dated 12th January 2021 requested the full desk study with all the appendices. Unfortunately, this is still outstanding. As such, this Section has not had access to the full report for review.

Based on the information now presented, it appears as though two of the former three clay pits to the east of the site have not been infilled. The status of the third clay pit (to the north east) is unclear.

Preliminary Conceptual Site Model (CSM)

Section 7 of the report, including tables 11-14, presents the preliminary CSM for the site. Overall, the site is assessed as a relatively low risk. This appears reasonable. However, the report also notes that there are some areas which are a slightly higher risk on site and off site, including made ground on site and potential off site ground gas risk. These have been assessed as moderate to low in the report. As such, a number of recommendations have been made.

Further Work

The report recommends some further work in table 15, or alternatively some remediation in table 16. It is now been clarified that all the made ground has been removed from the site, and a gas resistant membrane has been installed at the site, in lieu of site investigation.

In order for this Section to agree with this approach, the full remedial proposals should be presented for agreement. For example, table 16 of the report recommends gas protection equivalent to CS2. As such, the membrane referred to in the additional information would form part of the system, but would not be the complete protection system.

- Please present remedial proposals for agreement, including the gas protection measures equivalent to CS2 as recommended in the report. This should include the architects cross sections of the gas protection.

In addition, it will be necessary to provide validation of the remedial measures.

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