

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

Date: 8th June 2020
My Ref: 19/00677/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 Two Detached Dwellings, Land at Long Meadow, Bilsborrow Lane, Bilsborrow
Planning Application Number: 19/00677/DIS

I refer to the report entitled 'Phase 1 Desk Study Report for land off Bilsborrow Lane, Bilsborrow, April 2020'. The report has been prepared by Demeter Environmental Ltd on behalf of Mr J Thompson.

Unfortunately the information contained within the reports is insufficient to allow this Section to recommend the full discharge of condition(s) 6, the standard contaminated land condition used by this authority. However, sufficient information has been provided in order to address the desk study and site investigation parts of the condition. In order to address the remedial strategy, the architects cross section of the proposed gas protection should be provided.

Information specific to this site, required in order to expedite the discharge of condition 6, 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).

In particular at this site, it is unfortunate that the site condition was not recorded prior to the earthworks beginning on site. The aerial photographs suggest that there was storage on site, but the nature of the storage etc. is unclear from the photographs. A site walkover at this time would have been useful. Without this information, there is some uncertainty in the assessment.

In addition, the executive summary refers to hydrocarbon staining at the site, whereas the site walkover notes that no visual or olfactory evidence of contamination was noted. The site walkover photographs do not appear to indicate hydrocarbon staining. I would, however, direct the contractor to the current best practice guidance and regulations regarding above ground fuel storage.

Preliminary Conceptual Site Model (CSM)

The preliminary CSM appears reasonable for the site, assuming that there was no hydrocarbon staining on site.

As such, the proposed gas protection should be presented for approval. This should be in the form of the architect's cross sections for the site.

- Please present the architects cross section showing the proposed gas protection.

A watching brief has also been proposed at the site. Again, this appears reasonable, given the uncertainties identified in the report. This should be provided as part of the validation for the site.

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