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Sent on: 30 March 2023 11:47:03
To: [SNC Planning - Development Management \(PlanningDevelopmentControl.snc@westnorthants.gov.uk\)](mailto:PlanningDevelopmentControl.snc@westnorthants.gov.uk)
CC: [Forrest Childs \(forrest.childs@westnorthants.gov.uk\)](mailto:forrest.childs@westnorthants.gov.uk)
Subject: WNS/2023/0365/COND - Astrop Park Farm, Astrop Park, Kings Sutton: Approval of details pursuant to Condition 5 of WNS/2022/0100/FUL

Good morning Forrest,

Thank you for consulting the Environmental Protection Team regarding this application:

WNS/2023/0365/COND - Astrop Park Farm, Astrop Park, Kings Sutton, OX17 3QN: Application for approval of details submitted pursuant to Condition 5 of planning permission WNS/2022/0100/FUL [Change of use of agricultural buildings to B8 storage use to include demolition of further building and moving of existing bridleway.]

Condition 5 reads:

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 must not commence until parts A to D below in relation to land contamination and surface water drainage 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 condition D has been complied with in relation to that contamination.

A. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must 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, - archaeological 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 'Land Contamination Risk Management (LCRM)'

B. Submission of 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 must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and 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.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme must 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. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

D. 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. An investigation and risk assessment must be undertaken in accordance with the requirements of condition A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition B, 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 must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition C.

I have reviewed the Submitted Phase 1 Desk Study prepared by Demeter Environmental Ltd., dated January 2023, ref:22-12-03.

The report is a useful preliminary report, and offers two possible ways to progress:

1. Site Investigation
2. Remedial works as an alternative to Site Investigation (which include a range of options)

It therefore largely fulfills part A (only) of the condition, other than the aspect highlighted in yellow (above).

The applicant will now need to decide which of the two options (in green) will be chosen, and submit the details for approval.

Regards

Tracy

Tracy Farrell
Environmental Protection Officer
Regulatory Services

(Working days: Tuesday to Thursday).

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