

CONTAMINATED LAND

These comments have been prepared by EPS, on behalf of West Suffolk Council.

Submissions Reviewed:

None (with application)

The proposed development is commercial in nature and also limited to specific areas of the site, which indicate that it is not particularly sensitive to risks posed by contaminated land. However, the Council do hold records of historical contamination at this site which need to be assessed to ensure compliance with the planning process and safe redevelopment.

The report the Council holds is from 2004 (Arcadis GMI, 'Groundwater Risk Assessment and Remedial Strategy- Former Borden Chemical Site'), and refers to additional reports undertaken between 1999-2002. The contaminants of concern identified in groundwater under the site included acetone, 1,1-dichloroethane, Xylenes and Di-n-Butylphthalate. These contaminants pose a risk to controlled waters as well as site users, including through volatilisation and ingress of organic vapours into buildings. A Remedial Strategy based around Monitored Natural Attenuation was recommended, and it is understood that this was agreed in principle with the Environment Agency. This involved 6-monthly sampling of all monitoring wells for a specified range of groundwater parameters and compounds. Obviously this report covers data from 20+ years ago and required monitoring every 6 months, but no subsequent sampling data is held on file.

It is recommended that an updated position is presented taking account of the existing contamination, current site conditions and any conceptual changes the new development will introduce. A revised Phase I Desk Study with an up to date Conceptual Site Model would be required. This would take account of the current groundwater conditions based on recent data (assuming the monitoring wells are still serviceable). It is likely the Environment Agency would need to be consulted.

In addition, it should be acknowledged that the area regulated by the planning system is the 'redline boundary'. If that encompasses the whole facility, then that is the area which should be assessed. Equally if the planning boundary is limited to only the buildings being redeveloped, a smaller area could be covered.

To cover the above aspects, the following conditions must be applied.

CONDITIONS

Standard conditions 04G, 04H and 04I

1. No development approved by this planning permission shall commence until the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:
 - i) A site investigation scheme,

- ii) The results of a site investigation based on i) and a detailed risk assessment, including a revised Conceptual Site Model (CSM),
 - iii) Based on the risk assessment in ii), a remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions.
2. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works as set out in the remediation strategy is submitted to and approved, in writing, by the Local Planning Authority.
 3. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason (for all three conditions)

To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 174, 183, 184, Environment Agency Groundwater Protection: Principles and Practice (GP3), Policy CS2 (Sustainable Development) of the Core Strategy and Policy DM14 of the Joint Development Management Policy. This condition requires matters to be agreed prior to commencement since it relates to consideration of below ground matters that require resolution prior to further development taking place, to ensure any contaminated material is satisfactorily dealt with.

AIR QUALITY

These comments were prepared by West Suffolk Council.

We have no comments on air quality as the application does not propose any new vehicle parking.