

Ref:18-034-NMA

## Justification statement

### **Non-material amendment to alter the wording of condition 3 of P2022/0226 to allow demolition of the existing office structure prior to submission of an assessment of the nature and extent of contamination affecting the application site area**

Version 1

14.07.22

Planning ref: P2022/0226

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#### 1. Supporting Information

This statement is submitted along with the following drawing and data sheets (latest revisions to the drawing register):

- 18-034-A100 – Location Plan
- Ian Farmer Associates (1998) Limited Ground Investigation Report ref: 70515
- 18-034-A108– demolition
- Demolition contractor's Method statement
- Appendix to the above indicating the change to the demolition process to prevent the breaking of the ground prior to the approval of test results

#### 2. Condition 3

No development shall commence on site until an assessment of the nature and extent of contamination affecting the application site area has been submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person in accordance with BS10175 (2011) 'Investigation of Potentially Contaminated Sites Code of Practice' and shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall include:

- (i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters.
- (ii) The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;

- (iii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;
- (iv) an assessment of the potential risks to:
  - human health,
  - groundwater and surface waters
  - adjoining land,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,- ecological systems,
  - archaeological sites and ancient monuments; and
  - any other receptors identified at (i)
- (v) an appraisal of remedial options, and justification for the preferred remedial option(s).

**Request to re word to:**

*No development shall commence on site, other than the demolition works to office building as described in the Demolition Contractors method statement and appendix to prevent the breaking of ground, until an assessment of the nature and extent of contamination affecting the application site area has been submitted to and approved in writing by the Local Planning Authority.* This assessment must be carried out by or under the direction of a suitably qualified competent person in accordance with BS10175 (2011) 'Investigation of Potentially Contaminated Sites Code of Practice' and shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall include:

- (vi) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters.
- (vii) The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;
- (viii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;
- (ix) an assessment of the potential risks to:
  - human health,
  - groundwater and surface waters
  - adjoining land,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,- ecological systems,
  - archaeological sites and ancient monuments; and
  - any other receptors identified at (i)
- (x) an appraisal of remedial options, and justification for the preferred remedial option(s).

**Justification for the rewording:**

**The appointed Civil and Structural Engineers (Vale Consultancy) have advised the following:**

*“The location of the testing in the current site investigation is on our site where the portal frame building was constructed in 2019.*

*No significant contaminants were found in this location and the report states, no remediation is required for this extension.*

***Risk Assessment- Controlled waters:***

***Clause 8.6.4*** it does state

*“Given the industrial nature of the current site use, further investigation and assessment is likely to be required for any significant redevelopment of the site in the future.*

***Desk top study findings state***

***Clause 3.2***

*The site appears to have been an open field up until between 1964 and 1973 when the industrial unit was constructed. The site became the car park/storage area for the industrial unit and remained so to the present.*

*I would say the rear of the site would have been more at risk, compared to the current offices, if they were built at the same time as the units noted above.*

*If the planners accept this report for the offices at the front of the site, then this should cover these conditions.”*

**Further justification:**

1. As stated by the engineer, though the tested area was not the current application site, the above the information already available gives a strong indication that new tests in the affected area will be the same.
2. The current SI wasn't processed that long ago and desktop searches are likely to produce identical results
3. The Engineer has requested a further ground investigation when the existing building is demolished to confirm foundation design. Therefore, there would be a period of time where further design works will be required prior to the start of foundation works. This period could be used to the benefit of both elements, attaining results that are of the affected area not just adjacent to it and has already been factored into the works schedule.
4. For the welfare of their neighbours, employees and themselves the applicants would prefer to test the affected area to attain the most accurate results