

General Environmental Health Planning Consultation Response

Planning Application Ref: P2023/0970

Address: Crymlyn Tip Coed Darcy

Planning Case Officer: Thomas Boothroyd

Comments provided by: Leah Morgan

Our Ref: 24863, 24864 and 24865

The General Environmental Health Planning Consultation response to the above application has considered the following relevant areas:

Noise	☒	Air Quality	☒	Contaminated Land	☒
Odour	☒	Housing	☐	Other (please specify)	☐

The Environmental Heath Team, in responding to the above application, provides the following substantive response:

No Comment	☐
No Objection subject to conditions (see the specified conditions below)	☐
Requires further information (see details below)	☒
Objection (on the grounds set out below)	☒

Overall Recommendation

We recommend refusal of the application until an Ecological Risk Assessment has been provided to demonstrate that there will not be an ongoing unacceptable impact on Crymlyn Bog SSSI from contaminated land.

Observations and Comments

Contaminated Land

The proposed works will clearly provide a substantial improvement to the site and we are not opposed to the work taking place. However, on granting of planning permission we should at least be satisfied that the site would not meet the definition of contaminated land under Part 2A of the Environmental Protection Act 1990. The documents that are provided with the application have assessed risks to human health and controlled waters but they have not demonstrated that risks to the SSSI at Crymlyn Bog will be addressed. For the purposes of Part 2A ecological receptors must also be considered, which is mentioned in the beginning of the report but the risk assessment has

not been undertaken.

For some time, we have been asking St Modwens and their consultants PJA for an Ecological Risk Assessment for the site as a whole, however, we particularly consider the risks from the tip to be significant enough that we object to the application until such time that an ecological risk assessment is provided. It should be carried out in accordance with the relevant guidance namely, *“An ecological risk assessment framework for contaminants in soil”* published by the Environment Agency on behalf of DEFRA.

The S106 (Schedule 8, Part 3, Paragraph 8) sets out validation criteria which is not met by the proposals of this scheme. Before I consider what is proposed in detail, I would welcome some advice from Planning as to whether or not this would require an amendment to the S106?

We support the Coal Authority’s concerns about the lack of a coal mining risk assessment and would also like to see this submitted.

Section 8.6 Asbestos Monitoring states that *“Based upon the ground investigation and laboratory testing undertaken at the site Englobe do not anticipate widespread or significant asbestos containing soils during excavation works at site.”* However, elsewhere in the report it refers to known asbestos containing materials being placed within the tip, please clarify the situation.

Noise, Air Quality and Odour

It is envisaged that there will be an impact on nearby residents from noise, dust and odour during the construction phases which is alluded to in some of the documentation and some controls are proposed which we support. However, these controls should be set out within a Construction Environmental Management Plan (CEMP) which should provide detailed methods for each them. For example, we would like to see plans of proposed noise, dust and vapour monitoring locations. Clearer ideas of the trigger thresholds and exactly what actions these will bring about, including clear timescales. A complaints procedure so that complaints can be made direct to the relevant persons to ensure that controls are implemented as quickly and efficiently as possible.

We agree with the hours of work proposed in the application.

Recommended Conditions

None at this stage due to an objection however conditions will likely be required for;

- Contaminated land further site investigation and remediation works
 - Contaminated land remediation verification
 - Construction Environmental Management Plan
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