

**Town and Country Planning Act 1990  
Application for Permission to Develop Land**

**Response from Pollution & Noise Control**

|                                                          |                                                                                                                                                                                    |
|----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>PNC Reference No:</b>                                 | WK/201723142                                                                                                                                                                       |
| <b>Name of Planning Officer dealing with the matter:</b> | Farzana Tabasum                                                                                                                                                                    |
| <b>Application Number:</b>                               | 2016/92298                                                                                                                                                                         |
| <b>Proposed Development:</b>                             | Outline application for re-development of former waste water treatment works following demolition of existing structures to provide employment uses (use classes B1(c), B2 and B8) |
| <b>Location:</b>                                         | North Bierley Sewage Wk, North Bierley Wastewater Treatment Works, Bradford Road, Oakenshaw, Bradford                                                                              |
| <b>Date Required By Planning:</b>                        | 16/11/2017                                                                                                                                                                         |

**COMMENTS**

**Contaminated Land**

In our email to Planning dated 23 Nov 2017 we advised that we were unable to assess the submitted Phase 2 Contaminated land report because:-

- The original URS Corporation Ltd. Phase I Environmental Site Assessment dated October 2006 has not been made available
- The submitted Phase 2 report together with an extensive addendum was unsatisfactory and needed to be collated into a single document preferably without the geotechnical information that is not relevant to contaminated land.

**Phase 1 Contaminated Land Report**

The Phase 1 Environmental Site Assessment report by URS Corporation Ltd dated November 2006 (ref: 44320048) was made available on 28 Nov 2017. The report identifies the former uses of the site including coal and iron pits with mine entries on site, also a

tramway as well as the various developments associated with the former waste water treatment works. The report considers that there is likely to be made ground across the site associated with the previous development and levelling of the site and that the site could be potentially contaminated or grossly contaminated by that past use. The potential risk to the nearby Hunsworth Beck is also noted. The report recommends progressing to a Phase 2 intrusive survey including ground gas monitoring.

Even though the report is 11 years old I consider that the recommendations would be that same if more up to date information was also included. I therefore consider that the report is a satisfactory Phase 1 Contaminated Land Reports and agree with its recommendations.

### **Phase 2 Contaminated Land Report**

A Phase 2 Geo-environmental Assessment by Wardell Armstrong dated November 2017 (report No. RPT-002C Issue 3 dated 1 December 2017) has now been submitted. Contrary to what had been requested, the report includes geotechnical and ground stability information that is not relevant to contaminated land and outside the remit if environmental health. This response only relates to the contaminated land aspects of the report.

At 1.4.1 the report advises that the proposed development is for mixed residential commercial land use but elsewhere in the report the assessment is correctly based on the proposed commercial end use.

At 7.2 the analysis of the soil sampling is discussed. Some minor elevated levels were detected but were within the screening criteria for human health and therefore the report concluded that it is unlikely to be significant risk to long term human health, considering the intended commercial use. The report notes that the levels of arsenic, copper, lead & zinc were considered to be potentially phytotoxic and therefore may present a risk to sensitive plant growth in landscaped areas.

At 7.5 the results of the analysis of ground water samples is discussed. Because of the elevated levels of petroleum hydrocarbons in the southern part of the site but otherwise low across the remainder of the site the risk to surface and ground water is considered to be low to moderate , but more towards low.

Part 7.7 considers ground gas. Low levels of methane (max 1.6%), carbon dioxide (max 3.7%) with flow rates up to 0.4l/hr were found. The GSV was calculated to be 0.015l/hr resulting in the site being characterised as Characteristic Situation 1 / Green or low risk. However at BH5 methane concentrations of up to 34.6% were detected, carbon dioxide was 3.0% and the flow rate was up to 0.2l/hr. The GSV was calculated to be 0.07 which corresponds to a Characteristic Situation CS2. In the current application the southern part of the site is not to be developed. The report recommends that should the area around BH4, 5 and be developed then either gas protection measures to Characteristic Situation 2 (CS2) will be required or further monitoring will be required.

I consider that the report is a satisfactory Phase 2 Contaminated Land Reports and agree with the recommendations.

### **Recommendations**

I recommend that:-

- the Phase 1 Environmental Site Assessment report by URS Corporation Ltd dated November 2006 (ref: 44320048) be accepted as a satisfactory Phase 1 Contaminated

land report

- Phase 2 Geo-environmental Assessment by Wardell Armstrong dated November 2017 (report No. RPT-002C Issue 3 dated 1 December 2017 be accepted as a satisfactory Phase 2 Contaminated land report

No further site investigation or remediation work is recommended for the proposed development. However, there is a possibility that unexpected contamination may be encountered during the construction of the development, therefore I also recommend that a condition relating to this is necessary. The Contaminated Land conditions CLC1 to 5 recommended in our consultation response dated 16 November 2017 should be replaced by the following

**CLC6 *Reporting of Unexpected Contamination***

In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works on site (save for site investigation works) shall cease immediately and the local planning authority shall be notified in writing within 2 working days. Unless otherwise agreed in writing with the local planning authority, works on site shall not recommence until either (a) a Remediation Strategy has been submitted to and approved in writing by the local planning authority or (b) the local planning authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the local planning authority. Unless otherwise agreed in writing with the local planning authority, no part of the site shall be brought into use until such time as the whole site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the local planning authority.

**CLC 7 Footnote**

All contamination reports shall be prepared in accordance with CLR11, PPS23 and the Council's Advice for Development documents or any subsequent revisions of those documents.

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| <b>Date:</b> | 22 Dec 2017 | <b>Officer:</b> | Richard Hume 01484 221000 |
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