
From: Eldred, Garin
Sent: 25 July 2019 10:01
To: Cross, David
Subject: Planning Application - P/16/0077

Follow Up Flag: Follow up
Flag Status: Flagged

David,

I have reviewed the application and recommend the following conditions:

1. Demolition or construction works shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays and 09:00 to 14:00 on Saturdays and at no time on Sundays or Public Holidays.

Reason: In the interests of local amenity and to avoid statutory nuisance.

2. All reasonable precautions shall be taken to reduce the impact of dust. Effective dust control measures, such as 'damping down' following cutting or other dusty operations shall be employed at all times.

Reason: In the interests of local amenity and to avoid statutory nuisance.

The site is within an area of potentially contaminated land [unknown fill land], and historic maps show a former quarry on site.

3. **Phase 1 investigation**

No development shall take place until a Phase 1 Land Contamination investigation has been carried out. The Phase 1 report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed receptors, i.e. humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments. The investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11"

The report shall be prepared by a "competent person" and shall be in accordance with BS10175:2011 Code of Practice for the Investigation of Potentially Contaminated Sites.

Reason: To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

4. **Phase 2 investigation**

Should the Phase 1 Contamination investigation carried out under condition **3** Identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out.

A protocol for the investigation shall be submitted to and approved by the Local Planning Authority before the commencement of the Phase 2 investigation.

The completed Phase 2 investigation report together with any necessary outline remediation options shall be submitted to and approved by the Local Planning Authority prior to any redevelopment or remediation works being carried out.

The report shall assess potential risks to present and proposed receptors, i.e. humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments. The investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR11"

The report shall be prepared by a "competent person" and shall be in accordance with BS10175:2011 Code of Practice for the Investigation of Potentially Contaminated Sites.

Reason: To ensure the risks from land contamination to future users of land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

5. Remediation scheme

Should Land Contamination Remediation Works be identified as necessary under condition **4**, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historic environment, has been submitted to and approved by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures and details of any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

Reason: To ensure the risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

6. Remediation works

The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

7. Verification of the remediation scheme

Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report (or validation report) that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval.

The approved monitoring and maintenance programme shall be implemented.

The verification report shall be prepared by a third party and a "competent person".

Reason: To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure

that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

8. Imported soils

All imported materials (soils, aggregates, etc.) shall be tested in accordance with Requirements for the chemical testing of imported materials for various end uses and validation of cover systems (Welsh Land Contamination Working Group, 2013).

Materials requiring testing shall be sampled in accordance with the specified frequency and chemical parameters. A report on the suitability of the sampled material for its intended purpose is to be submitted to the environmental health department.

Reason: To prevent the import of potentially contaminated materials.

9. Use of site won materials

Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.

Reason: To ensure that the safety of future occupiers is not prejudiced

Kind regards

Garin Eldred

Swyddog Iechyd yr Amgylchedd / Environmental Health Officer

Diogelu'r Amgylchedd a Thai, Adran Amgylchedd Iechyd / Environmental Protection and Housing, Environmental Health Department

Cyngor Bwrdeistref Sirol Merthyr Tudful / Merthyr Tydfil County Borough Council

Canolfan Ddinesig / Civic Centre

Stryd Y Castell / Castle Street

Merthyr Tudful / Merthyr Tydfil

CF47 8AN

Ffon / Tel: 01685 727415

