

I N T E R	MEMO	North Lincolnshire Council
O F F I C E		

To: Deborah Oikeh, Development Management

From: Environmental Protection Team

Your Ref: DISCO/2023/1311

Our Ref: PLU 007796

Subject: Application to discharge conditions attached to planning permission PA/2023/19 (conditions 3, 4, 5, 6, 9, 10, 11, 12 and 13)

Location: Unit 8, Weaver Court, Sawcliffe Industrial Estate, Scunthorpe, DN158RN

Date: 18 September 2023

Thank you for your consultation on the above application. This department has the following comments to make.

Contaminated Land - Condition 6

This department has received and reviewed the following report in support of the above application:

- Evolve Geo-Environmental – Preliminary Risk Assessment (PRA) and Outline Remediation Scheme (RS). Project Phase 3, Sawcliffe Industrial Park, Hargeaves Way, Scunthorpe. Project Number EGE-22-04-24-02 Dated 6th July 2023.

The above report has reviewed and obtained records relating to previous planning applications for the site and immediately adjacent including:

- PA/2018/1696 - Planning permission to erect 8 light industrial storage/office units
- PA/2023/19 - Planning permission to erect two industrial units and associated works

Planning permission PA/2018/1696 was approved which is immediately west of the site. A phase 1 desk study written by Opus, was undertaken for this application and included the site boundary of this planning application (PA/2023/19). The phase 1 was submitted as part of the supporting evidence for PA/2023/19 and the recommendation

was for a site investigation to be undertaken. A site investigation was conducted to the west of this site under PA/2018/1696.

With regards to this discharge of conditions application, the consultant has reviewed third-party reports for sites immediately to the west and north of this site as part of the appraisal for the preliminary risk assessment (PRA) and recommended a remediation scheme for this site: The following documents were reviewed:

- Overview of Contamination Investigation Sawcliffe Industrial Estate Scunthorpe by FWS Consultants dated August 2000
- Opus, Sawcliffe Industrial Estate, Hargreaves Way, Sawcliffe, Scunthorpe, DN15 8XF; Phase I Desk Study Report For Goodwin & Tucker Limited. Dated: 13 April 2018. Reference: JD2109-OIC-ZZ-XX-RP-V-0001_S2_P01.
- Geo-Environmental Report, Land off Hargreaves Way, Scunthorpe, Delta Simons. Dated February 2020.
- Remediation and Verification Strategy, Land off Hargreaves Way, Scunthorpe, Delta Simons. Dated 23rd June 2020.
- Delta Simons Site Visit Diary, Hargreaves Way, Scunthorpe, Delta Simons. Dated 17th July 2020. Report Ref 18-0700.06.

Preliminary Conceptual Site Model (CSM)

Following this review, the Consultant has risk assessed the site as 'Low Risk' therefore recommending no additional site investigation is required.

CSM conclusions

The following conclusions have been made within the report:

Soils

- *"The potential for significant and widespread soil contamination is considered to be low.*
- *Made ground is proposed to be removed as part of the foundation and floor slab construction, with bedrock expected at ,1.00m bgl based on previous third-party information for the immediate surrounding area.*
- *No significant elevated concentrations of target contaminants were identified above the respective GAC values for either site from third-party investigation.*
- *No sources of on and off-site volatile contamination has been identified.*
- *The underlying geology, distance from the site and low sensitive end-use, the identified off-site sources of contamination are not considered to represent a risk to the site".*

Groundwater

- *"Significant on site sources of contamination have not been identified, given the likely presence of shallow bedrock. In addition, the site will be fully encapsulated by hardstanding and building, further mitigating the risk of infiltration and subsequent mobilisation of any contamination to groundwater.*

- *The site is located in a generally low groundwater sensitivity industrial area of Scunthorpe, with heavy industry in the local area, as such the risk of potential groundwater contamination being sourced from the site is considered low”.*

Ground Gas

- *“The potential for ground gases to impact the proposed development is considered to be Low.*
- *Bedrock at the site is considered to be shallow, with a minimal thickness of Made Ground. The proposed end-use is for commercial units with large open areas, limiting the potential for the accumulation of hazardous ground gas. In addition, the majority of made ground will be removed to facilitate the development foundations and floor slabs and replaced with granular fill, sand blinding and membrane acting as a passive dispersal layer and barrier. The floor slab is proposed to be re-enforced to prevent future cracking.*
- *Specific ground gas monitoring or ground gas protection membranes are not considered to be required”.*

Remediation Requirements

During the construction phase the following mitigation measures have been recommended: -

- *“Additional, as yet unidentified areas of localised contamination, or ‘hotspots’ may be encountered during groundworks and an appropriate protocol required to put in place to address any such occurrences; and*
- *Confirmation from the Local Water Authority as to whether they require upgraded potable water pipes for new service installations (it is understood from the Client that standard pipework has been agreed at the time of reporting, however, the response should be included within the Verification report for completeness)”.*

The above two points have not adequately addressed the points identified in the CSM which have justified and mitigated the risks to the end-user and reduces the risk rating to a low risk.

The CSM discusses the following points:-

- The foundation and floor slab solution requires 600 mm of existing materials to be removed and replaced by well compacted, clean, certified granular fill.
- A clean layer of certified suitable for use topsoil will be required in landscaped areas, if proposed.

It is noted in the Phase 1 Desk Study, Opus (2018), the site was identified as being in an area where between 3% and 5% of homes are above the radon action level and, therefore, radon protection measures would be required for new properties. The radon barrier was implemented in the remediation and verification strategy by Delta-Simons (2020) as part of the design incorporated for planning permission PA/2018/1696.

However, section 2.3.3 of the PRA, confirms the site is in a Lower probability radon area (1-3 % of homes are estimated to be at or above the Action Level). No radon protective measures are necessary in the construction of new dwellings or extension. This PRA has formed assumptions based on the past reports and detailed information regarding the uncertainty around ground conditions, gas protection measures etc. This is not in line with current guidance set out in the Land Contamination Risk Management (LCRM) guidance.

It is unclear if the applicant intends to import topsoil to be used in any landscaped areas. As the site is classed as 'brownfield' it is unlikely that the soils present would be suitable as a growing medium. Any imported soils will need to be tested in accordance with the YALPAC Guidance Verification Requirements for Cover Systems - Version 4.1 June 2021.

The design of the building foundations will be an important aspect of the risk management and the level of confidence that can be placed in the assessment. At present, this seems to be missing from the remediation requirements presented in section 5.0 of the report. Based upon the data presented it is unclear what foundation strategy will actually be adopted and included into risk management measures for the site. This aspect also requires clarification.

Appropriate lines of evidence should be presented which robustly justify the chosen remedial strategy for the site. No clear remedial strategy has as yet been developed.

It is the applicant's responsibility to ensure that the development is suitable for the proposed new use and therefore before proceeding with any work on site the applicant should submit for approval a Remediation Method Statement which includes the specified foundation design and earthworks submitted for approval.

Considering the above this department can not recommend discharge of condition 6.