

From: [EHealth Consultation](#)
To: [Johnston, Christopher](#)
Subject: RE: Scrapyard - Upper Tean DOC 2020 0102
Date: 21 January 2021 15:43:41

Hi Chris,

Comments below;

RE discharge request condition 21 site Investigation & 28 CEMP DOC 2020 0102

28 CEMP

The principals submitted in the CEMP are sound and address the requirements of the condition, but they do appear rather generic and lack site detail. Providing they are enforceable (that is probably not a significant issue, so I would recommend discharged, subject to then forwarding details of the site contact when available.

Condition 21: Contaminated Land Risk Assessment & Remediation Strategy

The condition is outlined below:

21. No development approved by this planning permission shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, property (existing or proposed including buildings, crops, livestock, pets, woodland, service lines and pipes; buildings), adjoining land and ground and surface waters has been submitted to and approved in writing by the Local Planning Authority.

The scheme must include:

- a. A site investigation scheme, based on the information already provided to support a detailed assessment of risks to all receptors that may be affected, including those off site.
- b. The results of the site investigation and the detailed risk assessment referred to in (a) and, based on these, an options appraisal and A remediation strategy giving full details of remediation objectives and remediation criteria
- c. A validation plan providing details of the data that will be collected in order to demonstrate that the all works set out in (a) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Briefly – condition 21

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I do not recommend discharge of this condition at this stage.

The submitted SI is not considered a reasonable look at the site, at that given moment in time but many of the significant areas of concern have not yet been investigated due to site still being in operation in a contaminative use. Therefore by definition the site is still in state of flux..

Further SI on these areas will be required when the potentially contaminative activity at the site ceases and full access to the potentially more contaminated areas of the site are available.

Whilst the discovery strategy approach may well form a reasonable part of an approved Rem Strat, it currently relies too heavily on the presence of a suitably qualified consultant, (with a pid) being on site for all site preparation and an extremely robust MMP (not included). At this stage, the level of guarantee with this approach is not clear. The proposed “treatment” of excavated contaminated soils via volatilisation also needs to be clarified.

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Further comments are below;

Expanded Comments

The applicant has submitted a Phase 2 Environmental Ground Investigation and Remedial Strategy Report produced by IGE Consulting (Ref: 3465 – 01), in support of the condition discharge.

Brief Background.

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The site is on a source protection zone (SP3) so I would suggest running this past the EA too.

The site slopes up westward end and (from REC report) which may “Owing to site level differences, a cut and fill earthwork exercise maybe required to create a developable platform”;

Sampling

The investigation is a combination of targeted (source of contamination) and non-targeted & at depth (mad ground / sandstone).

However, the investigation is compromised in this regard by virtue of the fact that the site is still an active vehicle breakers yard , with lots of lorry building etc therefore, site coverage was inevitably limited to accessible areas.

Areas of note (i.e potentially contaminated) that appear to have been omitted or have limited sampling are the main (current?) vehicle breaking area in the west /North west (single sample) & an area that appears to have been used for breaking in the North East & highly stained . (e.g <https://www.google.com/maps/place/Gorsty+Hill+Rd,+Tean,+Stoke-on-Trent/@52.9597171,-1.9755637,140m/data=!3m1!1e3!4m5!3m4!1s0x487a1496cd27872d:0x44001241b36f644a!8m2!3d52.9575658!4d-1.9837377> along with the interceptor areas (noted in the report)

Lots of standards that the investigation “complies with” are noted but I’m not sure it would

entirely stand up to scrutiny against these standards.

Contaminates

10 locations across site area 0.72 hectares at varying depths (0.2m – 1.8m) were analysed for contaminated, 3 at 2 depths. Made ground (MG) and Natural Sandstone (SS) were targeted. However, the level of analysis varied somewhat, with only selected samples taken for hydrocarbon analysis.

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These were later segregated as made ground and natural ground.

This number of samples would really be considered too low to make firm conclusions / segregation and is below that outlined in something like the various British standard listed (such as BS 10175).

Results

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Made Ground

The results indicated that “made ground across site was found to contain unacceptable concentrations of asbestos, beryllium, lead, TPH in the range C10-C44 (but mostly aromatic TPH in the range C12-C35), a range of PAHs and PCBs”.

Consequently, the made ground as a whole is considered unacceptable.

This conclusion is considered appropriately precautionary and is accepted.

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It is noted though, that several areas of the site that may contain the potentially highest levels of contamination have not yet been investigated so the degree of contamination cannot be yet established with confidence.

Natural Soils

The results indicated that “The natural soils have been tested across the site and no contamination has been found. Therefore, any unacceptable levels of contamination are considered to reside only within the made ground”.

It is agreed that this is suggested by the investigation to this point (by the six samples) but the level of evidence for this to make a firm conclusion is not considered sufficient for all areas of the site, notably the several areas of the site that may contain the potentially highest levels of contamination that have not yet been investigated

Updated Ground Gas risk assessment

-
This is not really considered a significant update: i.e no actual monitoring has occurred (aside from a PID which is a screening tool only)

REC state that no landfill sites have been identified within a 250m radius of the site, but that made ground or degrading hydrocarbon impact may give rise to localised pockets of ground gas. A risk level was not assigned.

-
IGE only really add that soil organic carbon (natural not impacted) is low , however “the presence of unidentified localised hotspots cannot be discounted, i.e. localised spillages or leaks, giving rise to a potential source for vapours and/or ground gases”.

The proposed remediation indicates removal of all soils potentially impacted with hydrocarbons.

Water Impacts

-
The general argument that contamination of groundwater would probably be evident by now, and that the majority of the heavier hydrocarbons are of low mobility is accepted but this should be run past the EA. Clearly the boreholes need to be in hydraulic continuity with any sources so they need to agree with that.

I would note though that they have stated “ It is possible that demolition and construction works may open pathways for migration to occur, however, the underlying ground conditions are granular, so there is increase in risk from the present possibility of migration”

I do not really agree with this statement as removal of the hardstanding/building will inevitably increase infiltration to the site.

Proposed Remediation

-
Options appraisal is considered reasonable.

The conclusion reached however, is described as “hotspot” removal, which is odd, given the entire made ground is essentially classified as contaminated and it is the sampling in that respect that might be considered hotspot as the majority of site has not been directly investigated!.

One would assume this is predominately to address the risk from ground gas / ground water? As other areas of identified contamination (non-volatile or asbestos) would not be detected by this method.

Hotspot identification appears to rely on visual / odour (absolutely fine) & then crucially a 50ppm PID threshold (?)– not clear*

This needs clarification* – only 1 PID reading exceeded this level in the investigation but further

exceeds of hydrocarbons above GAC were detected (and on a quite limited data set-4ish).

Confidence in the robustness of this approach needs to be presented, as the proposed use of this method in the Rem Strat is currently prolific.

The Rem Strat does include decommission of the possibly contaminated areas (interceptors, diesel storage tanks etc), the description of this methodology seems acceptable but validation of these need to be supported by some sample analysis not just a PID.

This should be done and documented during the site preparation, once operations have ceased, in line with a further SI.

Given "Owing to site level differences, a cut and fill earthwork exercise maybe required to create a developable platform"; It is recommended that in line with DoW:CoP, a robust, site-specific material management plan (MMP) is emplaced, and that this is adhered to and verified in an appropriate verification report. This must be reviewed by a 'Qualified Person' who must provide a Declaration to the EA prior to works within the MMP being commenced.

This is absolutely agreed. This must however form part of the remediation strategy, as segregation of made ground material from (presumed) uncontaminated natural ground is the key aspect of the proposal.

Summary

The SI is reasonable preliminary study but further SI is required once site operations have ceased and the site can be cleared and access to the other likely areas of contamination investigated. The Rem Strat can then be updated.

Thanks

Dan

Dr. Daniel McCrory
Senior Pollution Officer
Environmental Health
Staffordshire Moorlands District Council & High Peak Borough Council
Moorlands House
Stockwell Street
Leek
ST13 6HQ
Direct Dial: 01538 395400 Ext: 4413

From: Johnston, Christopher <Christopher.Johnston@StaffsMoorlands.gov.uk>

Sent: 23 December 2020 12:06

To: Colgan, Denis <Denis.Colgan@staffs Moorlands.gov.uk>; Mccrory, Daniel
<Daniel.Mccrory@staffs Moorlands.gov.uk>

Subject: Scrapyard - Upper Tean

Dear Env Health

DOC 2020 0102 – conds 21 (Site Investigation) and 28 (CEMP) in relation to permission SMD
2017 0792 for residential development

I would be grateful for your comments within 21 days

Thanks

Chris

Do you really need to print out this Email? Be green - keep it on the screen.

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From: [EHealth Consultation](#)
To: [Johnston, Christopher](#)
Cc: [Planning \(SMDC\)](#)
Subject: FW: Internal Consultation Letter - App ref DOC/2021/0098
Date: 17 November 2021 12:36:43
Attachments: [E_681497.DOC](#)
[RE Scrapyard - Upper Tean DOC 2020 0102 .msg](#)

Hi Chris,

RE: Discharge of condition 21 [Contaminated Land Risk Assessment & Remediation Strategy](#)

Environmental Health do not recommend discharge of this condition

This appears to be a waste of everyone's time, as the applicant has submitted exactly the same documentation submitted when attempting to get this conditioned discharged previously please see: DOC/2020/0102 & attached

The following comment on the report were made, which are obviously still applicable

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Stockwell Street
Leek
ST13 6HQ
Direct Dial: 01538 395400 Ext: 4413

-----Original Message-----

From: Colgan, Denis <Denis.Colgan@staffsmoorlands.gov.uk>
Sent: 15 November 2021 17:33
To: Mccrory, Daniel <Daniel.Mccrory@staffsmoorlands.gov.uk>
Subject: FW: Internal Consultation Letter - App ref DOC/2021/0098

Hello Dan,

Remediation scheme.

Thanks

Den

-----Original Message-----

From: Planning (SMDC) <Planning@staffsmoorlands.gov.uk>
Sent: 08 October 2021 15:04
To: EHealth Consultation <EHealth.Consultation@highpeak.gov.uk>
Subject: Internal Consultation Letter - App ref DOC/2021/0098

Please find attached document

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