
From: Neil Kirby
Sent: 29 June 2022 12:23
To: Joann Meneaud
Cc: Development Control
Subject: 20/00315/OUT - Land At Hill Farm Hempsted Lane Gloucester
Attachments: 20_04843_PLAN Hempsted Lane.pdf

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Dear Joann

Our ref: 20/04843/PLAN
Your ref: 20/00315/OUT

Land At Hill Farm Hempsted Lane Gloucester
Outline application for the erection of up to 245 dwellings with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access point from Hempsted Lane. All matters reserved except for means of vehicular access.

WRS have reviewed the above planning application, the comments made by my colleague for contaminated land and air quality on 1st June 2022 still apply for this application (see attached).

If you have any further queries regarding this matter or information provided in support of the application requiring comment by the Land and Air Quality Team, please do not hesitate to contact us via [REDACTED] or [REDACTED] quoting the above reference number.

Kind regards

Neil

Neil Kirby
Senior Technical Officer

Worcestershire
Regulatory Services
Supporting and protecting you

Environmental Health & Licensing

Joann Meneaud
Gloucester City Council

Please reply to:

Our ref: 20/04843/PLAN

1st June 2020

Dear Joann Meneaud

Application No: 20/00315/OUT at Land At Hill Farm Hempsted Lane Gloucester Gloucestershire
GL2 5LG

Please find below comments made by Worcestershire Regulatory Services on the above
application.

Consultation:

Contaminated Land

WRS has reviewed the following documents and records in respect of potential contaminated
land (PCL) issues at the above application site.

- Enzygo (Aug 2019) Phase 1 Geo-Environmental report ref: CRM.1132.021.HY.R.002.A

Please be aware that WRS are unable to comment on the geotechnical aspects of the submitted
report, the comments made below relate solely to contaminated land risk assessment.

Report summary

The represents a Phase 1 Desk Study including findings from a site walkover, photographic
evidence, groundsure report and historical maps.

Currently the site is agricultural fields, with residential offsite to the north-east, agriculture south-
west and north-west, a vehicle repair shop beyond the A430 and 68m to the south-east is closest
source of potential contamination.

continued....

History - on site always been agricultural fields. A reservoir existed 1m west from at least 1883 to latest 1938 and a canal is situated 125m east.

Geology - Kidderminster Station Member (sand and gravel, secondary A aquifer) and Tidal Flat deposits (clay silt sand) overlying Blue Lias and Charmouth Mudstone bedrock.

Landfill – nearest (historic) landfill identified approximately 222m south-east, no listed waste type. WRS note the report states 'not considered to pose a risk due to distance'. The accompanying Groundsure report confirms licensed between Dec 1970-Dec 1971 by Ashville Properties Ltd and licensed by the Environment Agency.

A Conceptual Site Model is presented. Notes ground gas from landfill and potential for unforeseen Asbestos, metals and hydrocarbons as possible sources of contamination but overall negligible risk.

Recommendations – a Phase 2 site investigation is recommended.

WRS Comments

WRS concur with the report recommendations to undertake a Phase 2 investigation. Given the nature of the superficial geology identified, age of the Bristol Road landfill, considering the distance is within 250m of the proposed development and WRS experience of similar aged landfills, WRS recommends that an appropriate gas risk assessment including monitoring is undertaken on site.

WRS recommend the following condition wording is applied to the application, should any permission be granted to the development, to ensure PCL issues on site are appropriately addressed.

Air Quality

WRS Land and Air Quality Team have reviewed the following report provided in respect of air quality (during Development Operation) concerns:

- Wardell Armstrong (Jan 2020) AQA ref:GM10710

Report summary

The report presents a detailed dispersion model of potential impacts using ADMS Roads considering a baseline year of 2018, opening year of 2025 and 2029 with and without development scenarios and an appropriate sensitivity test to account for slower than expected improvements in air quality emissions from traffic in future years.

The emissions impacts at 13 sensitive receptors have been modelled including 3 inside nearest AQMA (Priory Rd) 2.6km north of the development.

Appropriate model verification, adjustment factor and model sensitivity has been undertaken.

The sensitivity test indicates all modelled pollutants (NO₂, PM10, PM2.5) are well below air quality objectives at modelled sensitive receptors outside current AQMA with negligible impacts from proposed development in all scenarios.

Report recommends mitigation measures, outlined in 5.3.17, in accordance with best practice are incorporated into the development including Electric Vehicle chargepoints, low Nox boilers, a green travel plan and encouraging active travel and public transport initiatives.

WRS comments

The report is considered an appropriate assessment of operational impacts of the development. WRS concur with the report recommendations for best practice mitigation measures.

Below are our standard recommendations for a development of this size to mitigate the *cumulative* impact on local air quality from all development operational impacts. Comments with respect to impacts on air quality from constructional activities may follow separately.

Recommendations:

Contaminated Land

Knowledge of the site suggests that contamination issues may potentially be a significant issue. As a result, in order to ensure that the site is suitable for its proposed use and accordance with The National Planning Policy Framework, Conditions are recommended below for inclusion on any permission granted.

The National Planning Policy Framework advises that Planning Decisions should ensure the site is suitable for its proposed use taking account of ground conditions, pollution arising from previous uses and any proposals for mitigation including land remediation. The Framework also requires adequate site investigation information be prepared by a competent person is presented.

Condition - Tiered Investigation

Unless otherwise agreed by the Local Planning Authority development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until conditions 1 to 5 have been complied with:

1. A preliminary risk assessment (a Phase I desk study) submitted to the Local Authority in support of the application has identified unacceptable risk(s) exist on the site as represented in the Conceptual Site Model. A scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken to address those unacceptable risks identified. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".

2. The detailed site investigation and risk assessment must be undertaken in accordance with the approved Scheme and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place.

3. Where the site investigation identified remediation is required, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

4. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

5. Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.

6. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

REASON

To ensure that 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

A note on pre-commencement conditions

Pre-commencement conditions for contaminated land risk assessment are considered necessary for the following reasons:

- There is potential for contamination to exist on the site. The degree and extent of contamination is currently unknown. More information relating to ground conditions is required to determine whether or not remediation will be required (prior to any construction work commencing).

- Where remediation is necessary, this remediation may involve work/techniques that need to be completed before any development is commenced, for example the removal from site of contaminated soils/underground structures, the design and incorporation of gas protection measures in any buildings etc. To carry out such work after construction has started/been completed, may require potentially expensive retro-fitting and in some cases the demolition of construction work already completed.

Paragraph 178 of the NPPF requires development to be suitable for its proposed use taking account of ground conditions, any risks arising from contamination, and any proposals for mitigation, including land remediation. Paragraph 178 goes on to state that after remediation, as a minimum, land should not be capable of being determined as Contaminated Land under Part 2A of the Environmental Protection Act 1990.

Air Quality

National Planning Policy Framework (NPPF) Paragraph 181 states: 'Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas.'

It is recommended the applicant incorporate mitigation measures as part of the development to minimise impact from the development on local areas of poor air quality and assist in alleviating pollution creep arising in the general area. Additionally, where deemed necessary and indicated, it is recommended that an Air Quality Assessment is undertaken to determine the impact from the proposed development and any additional mitigation measures that may be required. WRS therefore make the following recommendations in accordance with NPPF Paragraphs 102, 103, 105, 110, 170, 180, 181:

Secure Cycle Parking

It is recommended that secure cycle parking facilities are incorporated into the design of commercial developments and domestic plots without sufficient exterior space to allow for secure cycle storage. Full details of the location, type of rack, spacing, numbers, method of installation and access to cycle parking should be provided.

Condition - Secure Cycle Parking

Secure cycle parking facilities must be provided at the development as determined by Worcestershire County Council Design Guidance. Full details of the location, type of rack, spacing, numbers, method of installation and access to cycle parking should be submitted to and approved by the local planning authority prior to the first occupation of the development.

Reason:

NPPF Paragraph 102 and 103 state; 'Transport issues should be considered from the earliest stages of plan-making and development proposals, so that opportunities to promote walking, cycling and public transport use are identified and pursued' and 'Significant development should

be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health.'

Electric Vehicle Charging - Domestic Development

The provision of more sustainable transport modes will help to reduce CO₂, NO_x and particulate emissions from transport. In order to make the properties ready for EV charging point installation, appropriate cable provision and isolation switches must be installed that can be adapted to an appropriate dedicated socket for electrical vehicles to be charged in the garage, driveway or allocated car parking space. For developments with unallocated parking i.e. flats/apartments 1 EV charging point per 10 spaces (as a minimum) should be provided by the developer to be operational at commencement of development.

Condition - Electric Vehicle Charging Points for Domestic Properties

Appropriate cabling and an outside electrical socket must be supplied for each property to enable ease of installation of an electric vehicle charging point (houses with dedicated parking). The wiring must comply with BS7671. The socket should comply with BS1363, and must be provided with a locking weatherproof cover if located externally to the building. The cable and switches should be installed such as they can be adapted to an EV chargepoint that complies with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 in the future. For developments with unallocated parking i.e. flats/apartments 1 EV charging point per 10 spaces (as a minimum) should be provided by the developer to be operational at commencement of development. The charging point must comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851. As a minimum, chargepoints should comply with Worcestershire County Council Design Guide which requires 7kw charging points for residential developments.

Reason:

NPPF Paragraphs 105 and 110 of the NPPF state; 'If setting local parking standards for residential and non-residential development, policies should take into account the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles' and 'Applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.'

Low Emission Boilers

Boiler NO_x emissions from building heating systems contribute to background NO_x concentrations and the following condition is recommended to alleviate impact from new buildings.

Low Emission Boilers Condition

Details shall be submitted to and approved by the local planning authority prior to the first occupation of the development for the installation of Ultra-Low NO_x boilers with maximum NO_x

Emissions less than 40 mg/kWh. The details as approved shall be implemented prior to the first occupation of the development and shall thereafter be permanently retained.

Reason:

In the interests of the living conditions of occupiers of nearby properties and future occupiers of the site.

If you have any further queries regarding this matter or information provided in support of the application requiring comment by the Land and Air Quality Team, please do not hesitate to contact us via [REDACTED] or [REDACTED] quoting the above reference number.

Yours sincerely

Land and Air Quality Team
Technical Services
Worcestershire Regulatory Services