

IL1- PROTECT

SANDWELL METROPOLITAN BOROUGH COUNCIL	
Public Health	
FROM: Public Health	TO: Regeneration and Economy
Officer: [REDACTED]	FAO: [REDACTED]
REF: MAU49573	REF: DC/23/68822
TEL:	DATE: 12 December 2023

TOWN & COUNTRY PLANNING ACT 1990 :
REPLY TO CONSULTATION – CONTAMINATED LAND

Proposal: Proposed 150 dwellings, a countryside park and associated works (Outline application for access only).

At: Land Adjacent to Q3, Wilderness Lane, Great Barr, Birmingham.

Application No: DC/23/68822

Further to your memorandum of 21/11/2023 regarding the above-mentioned planning application I have no objections to the proposal, subject to the following comments;

It is understood that the development comprises 150 residential premises with private gardens and landscaping. The following report has been provided by the applicant for review;

Phase 1 Geo-environmental Report – Wilderness Park, Land North of Wilderness Lane, Great Barr – CGL – September 2023 – Ref: CGM/00191-Rev 1.

At the time of reporting the site is described as comprising low-grade agricultural land. Two large ponds are noted within the boundary along with small wood or metal buildings, likely to be used as stabling or storage. The surrounding area is stated to be occupied by sports fields, scrub woodland, residential premises and an academy campus. A review of site history has been undertaken, confirming that the site has been predominantly utilised as fields. Buildings have been noted within the north-eastern area of the site.

Due to the history not revealing widespread previous development or potentially contaminative activities the site is not expected to contain a significant depth of made ground. It is acknowledged however, that pockets of backfill may be present.

Following a review of documentary evidence a preliminary risk assessment was produced. It was considered that potential sources of contamination were restricted to possible localised deposits of made ground and any residual asbestos from previous on-site structures. Should any such contamination be present risks were considered likely to be posed to construction workers, future residents and controlled waters. Although a theoretical risk from ground gas was noted, given the absence of known backfilling any risk was deemed to be low.

The findings of the Phase I investigation were used to form a preliminary quantitative risk assessment. This identified low and moderate/ low risks to future occupiers, site workers and controlled waters. This finding was particularly noted to apply to the north-eastern corner of the site, where buildings and structures had been present.

In conclusion, the report recommends that an intrusive Phase II site investigation is undertaken to quantify any residual risk from contamination. It is stated that this should comprise "general coverage" of the wider site, with a more specific site investigation undertaken within the eastern area of the site on the footprint of the proposed residential development area. It is stated that the investigation should comprise boreholes and trial pits to log underlying ground and facilitate the sampling of upper soils for chemical analysis for an appropriate range of contaminants.

Comments

Having reviewed the proposed development and the reports presented, it would appear that information formulated to date, and subsequent recommendations are appropriate. It should be ensured that the proposed residential development site is fully characterised, particularly garden areas. Furthermore, should site derived soils be considered for incorporation into garden areas, these should be fully characterised in accordance with *Sandwell MBC - Contaminated Land Remediation Guidance- Verification of Cover Systems - Technical Guidance for Developers, Landowners and Consultants*.

Further to the above it should be ensured that the investigation recommended for the wider site is sufficient to be representative, with the rationale for excavation and sampling locations provided.

Given that the Phase I report is deemed appropriate it is recommended that the following conditions are attached to any development consent;

1. A detailed site investigation will be completed to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to

human health. Where necessary, details of remediation measures shall be provided. Details of the site investigation and remediation measures shall be submitted in writing and approved in writing by the Local Planning Authority prior to the commencement of development. All works must conform to Land Contamination Risk Management (LCRM) 2020 (EA, 2020) methods and protocols and be carried out by a competent person (<https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>).

2. 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 Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.
3. Where remediation works have been carried out in pursuance with the preceding conditions, a post remediation report shall be submitted in writing to and approved by the Local Planning Authority before the development is first occupied. The post remediation verification report should detail the remedial works undertaken and demonstrate their compliance. The report should be produced in accordance with Land Contamination Risk Management (LCRM) 2020 (EA, 2020).



Senior Environmental Protection Officer

Pollution Control Team
Public Health