Developing contaminated sites

An appropriately qualified professional should prepare reports in support of a planning application.

Reports to support planning applications

If you apply for planning permission and it is possible that the land is contaminated, you must address this in your application.

Here are some useful checklists to help you prepare a report. The items listed depend upon the site's previous uses and the extent of potential or actual contamination.

The report must reflect the size and complexity of the site, the level of investigation needed and the likely risk of contamination.

If you send us a report using the checklists we will be able to make the best decisions on how suitable the land is for development. If you send us a report which does not give enough information, it will delay your application or even prevent you from developing.

There is also a list of reference documents, which includes some but not all of the guidance and information available.

Sending your reports

You need to send at least two hard copies and one electronic copy of your reports to:

Development Control

First Floor, West Wing

Newham Dockside

1000 Dockside Road

London

E16 2QU

The planning case officer will send the reports to the appropriate consultees for comment.

We advise you not to negotiate directly with the Environmental Health Pollution Control Unit, the Environment Agency or any other council consultee without telling the case officer.

A preliminary investigation (desk study) report

1. Purpose and aims of the study
2. Site location and layout plans
3. Appraisal of site history – to build up a picture of previous site usage
4. Assessment of environmental setting, including:
    a) geology, hydro-geology, hydrology
    b) information from the Environment Agency on abstractions, pollution incidents, water-quality classification, landfill sites within 250m and so on
5. Assessment of the use of the site now and in the future and the uses of the surrounding land
6. Review of any previous site contamination studies (desk-based or intrusive) or remediation works
    a) preliminary (qualitative) assessments of risks
    b) appraisal of potential contaminant sources, pathways and receptors
    c) conceptual site model
7. Recommendations for intrusive contaminative investigations, if necessary

The development of contaminated sites

B Site investigation reports

1. Methodology of the site investigation
    a) methods of investigation
    b) plan showing locations for exploration
    c) justification of exploration locations
2. d) Strategies for sampling and analysis - all chemical testing to conform to the Environment Agency's monitoring certification scheme (MCERTS)
3. Results and findings of the investigation
    a) ground conditions (soil, ground gas and groundwater regimes, including made ground)
    b) discussion of soil / groundwater / ground gas / surface water contamination (visual, olfactory, analysis)
4. Conceptual site model

5. Risk assessment – as a minimum, based on contaminant - pathway – receptor model. The report should take account of severity of consequences and likelihood of occurrence. Justification of the Generic and Site Specific Quantitative Risk Assessment models used.
6. Recommendations for remediation – justification should relate to proposed site use, risk assessment findings, as well as technical and financial appraisal
7. Recommendations for further investigations (if required)

C Remediation strategies

Submit before remediation works start.

1. Objectives of the remediation works
2. Detailed outline of the works to be carried out
    a) description of ground conditions (soil and groundwater)
    b) type, form and scale of contamination to be remediated
    c) remediation methodology
    d) site plans/drawings
    e) phasing of works and approximate timescales
3. Consents, agreements and licences (discharge consents, waste management licences etc.)
4. Site management procedures to protect site neighbours, environment and amenity during works
5. These should include where appropriate:
    a) health and Safety plans and procedures
    b) dust, noise and odour controls
    c) control of surface water run-off
6. Details of how any necessary variations from the approved remediation strategy arising during the course of the works will be dealt with, including notification of the Development Control Unit
7. Details of how the works will be validated to ensure the remediation objectives have been met; should include details on
    a) sampling strategy
    b) use of on-site observations, visual/olfactory evidence
    c) chemical analysis
    d) proposed clean-up standards (i.e. contaminant concentrations)

D Validation or verification report

Submit after remediation work

1. Include supplementary documentation as per C(3) to C(6) above
2. Details of who carried out the work and when the works took place
3. Details and justification of any changes from the original remediation strategy
4. Substantiating data – should include where appropriate

a) laboratory and in-situ test results
b) monitoring results for groundwater and gases
c) summary data plots and tables relating to clean-up criteria
d) plans showing treatment areas and details of any differences from the original remediation strategy

5. Confirmation that remediation objectives have been met

Notes

1. Preliminary investigation (desk study) reports and site investigation reports may be combined, providing the submitted report contains sections A(1) to A(6).

2. General recommendations for remediation made in the site investigation report will not be accepted as a substitute for a remediation strategy.

3. Note that remediation capping layers based upon 'Cover systems for land regeneration' BR 465 by the Building Research Establishment will not be accepted, as this is not approved by the Environment Agency.

Investigations of contaminated land Key reference documents include:

1. British Standards Institution, BS 10175, Code of Practice for the Investigation of Potentially Contaminated Land

2. Building Regulations 2000: Approved Document C- Site preparation and resistance to contamination

3. Government guidance on Land Contamination: risk management can be found at https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks

4. Health & Safety Executive, 1991. 'Protection of Workers and the General Public during the Development of Contaminated Land'

5. NHBC. NHBC Standards Chapter 4.1 Land Quality – Managing Ground Conditions

For more information, contact our Pollution Control Team on **020 8430 2000** or email pollution.enquiry@newham.gov.uk.