

To: Graham Courtney  
From: Jack Dearman  
Date: 31<sup>st</sup> May 2019  
Your ref: EPF/0438/19  
File ref:



**Address:** Land at Gainsborough House, Sheering Lower Road, Sheering, Harlow, CM21 9FL

**Proposal:** Change of use of Gainsborough House from offices to residential & erection of a two and a half storey extension to create 14no. flats and revised parking layout.

Updated memo – 10<sup>th</sup> October 2019

Contaminated Land have been asked to comment on the revised layout proposed for EPF/0438/19.

Whilst there are acknowledged minor changes to the layout of the site including parking arrangements and an extension of a residential block. The site boundary remains unchanged and therefore, there is no expectation to submit a revised Phase 1 desktop study.

However, the memo dated 31<sup>st</sup> May (below) highlighted the need for a Phase II intrusive site investigation in order to consider discharge of the attached Contaminated Land conditions. To date, no Phase II report has been acknowledged for this application.

Additionally, a sampling strategy that utilises the revised layout of the site should be submitted to the council detailing proposed sampling locations and a gas monitoring programme prior to the Phase II intrusive site investigation.

Due to the sensitive nature of the proposed residential use, I recommend that the land contamination conditions **SCN57, SCN58, SCN59** remain attached to any approval.

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Updated memo – 31<sup>ST</sup> May 2019

The phase I desk study report has now been thoroughly reviewed by the council's external consultants. The phase I has been found to be suffice but it has highlighted the requirement for an intrusive site investigation to be undertaken with acknowledgment that gas monitoring is additionally required. All conditions are recommended to remain attached at this time. The feedback in full and what is required for submission to the council is provided below:

The desktop study (ref. 3786,DS/DESK/AH,TP/v1), dated 25th March 2019, relating to potential contamination issues at the above site has been reviewed and I have the following comments to make regarding its content:

While the report satisfactorily addresses the requirements for submission of a desktop study, in that it is signed, countersigned and dated, contains: relevant information of a site walkover performed; background information for the site and surrounding area; a written preliminary conceptual site model (CSM); and a preliminary risk assessment identifying active contaminant linkages; with conclusions and recommendations, the preliminary conceptual site model (CSM) is missing essential information in terms of identified historical and current potentially contaminative land uses.

According to the report and council records the above application lies on and adjacent to historic potentially contaminated land with the following description:-

<b>On Site:</b>	Former Maltings/Tanks/Made ground	Potential High Risk
<b>Adjacent to Site:</b>	Former Maltings	
	Petrol Station	Potential Medium Risk
	Railway	Potential Medium Risk
	Landfills/Infilled Gravel Pits	Potential High Risk

While the Envirocheck in the appendices of the report and council records identify landfills within the 250m buffer of the site boundary, the potential contaminant linkages identified in the CSM do not record this. In consideration of this additional information the conclusions and recommendations of the report do not recommend gas monitoring for the site, or address any potential impact to the underlying primary aquifer. An intrusive site investigation is therefore required to be undertaken. Should contamination above guideline values be discovered, a further assessment on the potential risk to controlled waters will be required.

After review of the DTS report, the following information is required to be submitted to the Local Planning Authority (LPA) for approval:-

1. A sampling strategy is to be submitted to the LPA detailing proposed sampling locations and a gas monitoring programme;
2. An intrusive site investigation, as initially recommended in the DTS, but to include ground gas monitoring to address the contaminant linkage between identified landfills and end users of the proposed development.

It is recommended that the following conditions remain on the decision Notice:-

SCN57 - Contaminated Land (PC)  
SCN58 - Contaminated Land - Approval of Verification Report  
SCN59 - Contaminated Land - Not Previously Identified

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*Original memo – 16<sup>th</sup> May 2019*

*I have screened readily available records held by the Council for this site including our GIS database and aerial photographs. From the records I can see the areas of development within the planning application boundary have potentially contaminated land from a number of sources. The site has a potentially contaminative land from former uses as a **Malt House, Railway Sidings, Factory**, (the presence of) **Made Ground** and a **Petrol Station**. The area immediately west of the site has potentially contaminated land due to the **Railway**. Furthermore, a review of the council's records of landfill sites shows the **Hallingbury Road Landfill Site** immediately north and the **Lee & Stort Landfill Site** immediately west of the*

application area. As such the application area is located wholly within a 250 metre buffer zone of the landfill sites.

*I have reviewed the documents submitted on behalf of this application and I have noted that a phase I desk study & preliminary risk assessment has been submitted on behalf of this application. This document will be sent for review by the council's external consultants and feedback will be passed back to the applicant.*

*In line with Essex Contaminated Land Consortium Land Affected by Contamination Guidance and National Planning Guidance, the applicant is advised to submit a Phase I, Phase II and as necessary a Detailed Remediation Scheme produced by a National Planning Policy Framework defined "Competent Person" with any application made to develop the site.*

*Due to the sensitive nature of the proposed residential use, I recommend that the land contamination conditions **SCN57, SCN58, SCN59** be attached to any approval. Once the contaminated land assessment documents has been reviewed the attached conditions may be considered for discharge.*

### **Reason**

*To ensure the 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, in accordance with the guidance contained within the National Planning Policy Framework, policy RP4 of the adopted Local Plan and Alterations, and policy DM 21 of the Epping Forest District Council Local Plan Submission Version 2017.*