Sandwell Metropolitan Borough Council
Development Control
PO Box 2374 Bridge Street
OLDBURY
West Midlands
B69 3DE

**Our ref:** UT/2021/119534/01-L01
**Your ref:** DC/21/66208

**Date:** 11 November 2021

Dear Sir/Madam

**PROPOSED REMEDIATION WORKS INCLUDING RE-PROFILING OF SITE, INSTALLING CAP ABOVE UNDERLYING WASTE MATERIAL TO UPLIFT SITE BY 1.4M, WITH NEW SUB-SURFACE CUT OFF BOUNDARY WALL ALONG EASTERN BOUNDARY AND LANDSCAPING.**

**LAND ADJACENT FORMER SPORTSGROUND (THE GOWER TIP) LOWER CITY ROAD TIVIDALE OLDBURY**

Thank you for referring the above application which was received on 26 October 2021.

The Environment Agency has no objection to the proposals as submitted.

We were first informed of these voluntary 'in-house' redevelopment plans by Rhodia Ltd / Solvay Solutions back in March 2018 and attended provided pre-application planning advice at a meeting in May 2019. It was made clear that the applicant's intention with the site was not to sell it off or have it built over, but merely to manage and reduce the possible impacts to all receptors from their closed landfill beneath. Exploratory site investigation was being planned and the final proposals would include reprofiling and capping of the site and the installation of an underground barrier with monitoring to protect any off-site, downgradient groundwater receptors. The applicant was also considering rerouting the shallow culvert that is running in the west and north off the site at ~2 m depth only.

We have reviewed the documentation submitted with this planning application, notably ERM's Land Quality Assessment from September 2021. The latest proposals entail the site wide (3 ha) construction of a low permeability cap, some 1.4 m thick in total (incl. 0.5 m of clay at its base and various geomembranes separating the other deposits of hard core, subsoil and topsoil). This will no doubt significantly reduce the amount of infiltration and thus flux through the waste materials. There will be a surface water collection system of trenches and attenuation ponds, with a discharge to the site's

culvert. The culvert will also be relined in the northern section and it has been shown that its invert level is below the max groundwater level anyway.

It is noted that the groundwater barrier has changed from the initially proposed funnel and gate system to an impermeable barrier instead, keyed into the underlying Etruria Formation bedrock. Clearly, this will not treat any groundwater as such, merely reroute (and possibly raise) it along the barrier in a different direction. However, from the various site investigations over time, it appears that whereas there are elevated groundwater concentrations on site, the perimeter readings seem acceptable, indicating impacted groundwaters are no longer / not currently migrating off site. Besides, the adjacent Birmingham Canal is lined and the river Tame runs at a safe distance too (~500 m to the north). Also, it is understood a DQRA was undertaken in 2015 which also indicated no risk to the off-site receptors modelled (notably the Tame). Furthermore, we are mindful that the site is a former clay pit (in a surrounding low permeability weathered mudstone setting ) that was infilled with waste materials between circa 1938 and 1986 (before surrender of its waste management license in 1995), so most leachable materials will have had decades of exposure already and the proposed measures will only achieve further betterment locally.

The proposed works will require various consents under the Environmental Permitting Regulations and we are aware ERM have already spoken to us to get relevant regulatory advice for their forthcoming works. These activities appear to be appropriately controlled as outlined in the CEMP.

If you have any queries regarding the above, please contact me on the details below.

Yours faithfully

[redacted]
**Planning Specialist**

Direct dial [redacted]
Direct fax
Direct e-mail [redacted]

End