

**SA6NDWELL METROPOLITAN BOROUGH COUNCIL****ENVIRONMENTAL HEALTH & TRADING STANDARDS**

<b>FROM:</b> Head of Environmental Health & Trading Standards	<b>TO:</b> Head of Planning & Development Services For the attention of <b>Mr. John Baylay</b>
<b>REF:</b> MAU: 014276	<b>REF:</b> DC/04/42934
<b>Matter Being Dealt with by:</b> Richard Hossack	<b>DATE:</b> 7 <sup>th</sup> March 2006
<b>TEL:</b> 0121-569 6534	<b>FAX:</b> 0121-569 6599

TOWN AND COUNTRY PLANNING ACT 1990 : REPLY TO CONSULTATION

Proposal : Infill of lagoon with inert material

Location : Apollo Lagoon Shidas Lane, Oldbury, West Midlands

Application No : DC/04/42934

Applicant : Sladen Associates

---

The Contaminated Land Team has prepared the following comments.

This site is currently undergoing reclamation works including filling a former lagoon with clean rock Sand, confirmation in the form of validation reports should be provided that this has occurred.

Confirmation should be sought that the EA are happy that the infilling operation has been completed satisfactory and did not require a waste management licensing.

A site investigation will have to be provided demonstrating that the surrounding unfilled land has not been affected by contamination, either as a consequence of historic land use or the filling operations

A ground contamination survey; site investigation and risk assessment should be undertaken having regard to the British Standard BS 10175:2001 'Investigation of potentially contaminated sites'. This survey shall assess if the "land is affected by contamination". In the context of the planning regime, the term "land affected by contamination" is used to cover all cases where potentially harmful substances in, on or under land may cause risks to people, human activities, building and structures, or the environment, regardless of whether they fall under the statutory definition of contaminated land (PPS23). Reference should be made to the CLR documents 7-11 with regard to human risk assessment and exposure posed by contaminated land, and the "P20" Methodology for the derivation of remedial targets for soil and groundwater to protect water resources.

A copy of any ground contamination survey, site investigation and risk assessment, together with a report setting out proposed remedial measures to deal with any identified and potential hazards arising from any land contamination shall be submitted to the local planning authority.

It will be a requirement to submit a report if any contamination is discovered during the development of the site, this report should contain the appropriate actions taken,

and a copy should be sent to the Local Authority.

A copy of the post remediation report detailing the effectiveness of the remedial and mitigation measures used shall be sent to the Local Authority.