INCOMING EMAIL

From: Andrew Scullion
To: Sarah Smith
Date: 09/04/2021 12:00:09
Subject: 5/2020/3022: Burston Garden Centre, North Orbital Road, Chiswell Green, St Albans, Hertfordshire, AL2 2DS

Dear Sarah

5/2020/3022: Burston Garden Centre, North Orbital Road, Chiswell Green, St Albans, Hertfordshire, AL2 2DS
Demolition of all existing buildings, structures and hardstanding and redevelopment of the site to provide a new retirement community comprising 80 assisted living apartments with community facilities and 44 bungalows together with associated access, bridleway extension, landscaping, amenity space, car parking and associated and ancillary works

I've reviewed the information submitted with the application.

The proposed development includes the introduction of residential dwellings with communal 'semi private' gardens, private garden/patio areas, raised allotments and edible orchard gardens.

The application is accompanied by a Tweedie Evans Consulting 'Preliminary Geoenvironmental and Geotechnical Assessment' report (ref 1706007.001.01, dated August 2017, pp.181). The report comprises a Phase I desktop study and partial site walkover with a limited intrusive Phase II site investigation. This is the same report submitted and reviewed with application 5/2018/1324; my comments detailed below:

> *Section 2.2.8 of the Phase I advises access to a number of the outbuildings was not possible during the site walkover and therefore the localised storage of possibly hazardous chemicals cannot be discounted. The site walkover should include all areas of the site so concerns can be identified and investigated at Phase II. The Phase I site walkover took place on the first day of the Phase II site investigations. Information about the site and access may have been gained from the previous owner/management of the site.*
>
> *Figure 3 of the report shows a block plan of the site in its current layout together with the sampling locations. It would have been helpful if the areas of interest highlighted in the Phase I, e.g. the above ground fuel storage tanks, greenhouse burners, waste, drainage inspection covers etc. had been highlighted.*
>
> *Eight boreholes sampling locations were sunk across the site, five to the Northeast/Eastern undeveloped side and three to the Southwest/Western. No samples were positioned within the growing areas or to target the soils underlying the structures on the site.*
>
> *Ten soil samples were collected from the made ground and sent for chemical analysis. The results were compared to the Category 4 Screening Levels (C4SLs), Soil Guidance Values (SGVs), Dutch Intervention Value and Suitable 4 Use Levels (S4ULs) generic assessment criteria at 1% soil organic matter. The development was considered to be residential with homegrown produce.*
>
> *PAH exceedances of the GAC are highlighted for Benzo(a)anthracene (WS05 and WS07), Benzo(b)flouranthene (WS05, WS06 and WS07) and Benzo(a)pyrene (WS05, WS06 and WS07). The exceedances of Dibenz(a,h)anthracene (WS05, WS06 and WS07) are not highlighted in the report.*
>
> *Chrysotile asbestos was identified at WS07 in the form of loose fibres and hard cement.*

Pesticide and herbicide testing screens were undertaken for WS01, WS03, WS07 and WS08. Other than WS07 all of these are in the Eastern previously undeveloped area of the site; I suspect this area may be former farmland associated with Burston Manor Farm. No sampling took place within the growing areas of the nursery itself or any possible chemical store.

The site walkover is incomplete and as a result potential areas of concern are not identified. The sampling undertaken is limited and does not fully characterise the site. The soils underlying the growing areas, greenhouses, buildings/structures and storage tanks need to be assessed with appropriate targeting of potential sources of contamination and general coverage.

Burners are highlighted in the Phase I section within the growing/greenhouse areas; there's no suggestion as to how these were powered or potentially linked. It's unconfirmed if the water tanks on site only contain/ed water or if they housed a herbicide/pesticide and water mix; one of the tanks is leaking. Underground services to the burners and/or irrigation system need to be considered. Areas of general/industrial waste need to be considered.

The Tweedie Evans Consulting Report is now coming up four years old (the site reconnaissance survey and intrusive works were undertaken 17-18th July 2017). This is a significant amount of time and conditions at the site may no longer be fully reflected by the report. The Agricultural Land Classification (November 2020) submitted with the application advises "*When surveyed a bonfire pile was on the* [Grade 3B] *agricultural land, comprising mostly of broken pallets and other timber waste. Other material had also been disposed of on the agricultural land including subsoil and potting compost/peat*."

The UK Radon mapping (https://www.ukradon.org/information/ukmaps) appears* to show the site within a 1-3% potential 1km grid square.
* *At time of review the interactive information was not working.*

If minded to grant, I recommend any permission include the following conditions and informatives:

10. Desk-top study and site walkover

Condition:
A desk-top study shall be carried out by a competent person to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. The desk-top study shall comply with BS10175:2011+A2:2017 Investigation of potentially contaminated sites – Code of practice. Copies of the desk-top study shall be submitted to the LPA without delay upon completion.

Reason:
To ensure that adequate protection of human health is maintained and the quality of groundwater is protected. To comply with Policy 84 of the St. Albans District Local Plan Review 1994.

NB. This should take place prior to any demolition clearance of the site.

11. Site Investigation

Condition:
A site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and provide information for a detailed assessment of the risk to all receptors that may be affected. The site investigation shall comply with BS10175:2011+A2:2017 Investigation of potentially contaminated sites – Code of practice. Copies of the interpretative report shall be submitted to the LPA without delay upon completion. The site investigation shall not be commenced until:

(i) a desk-top study has been completed satisfying the requirements of (10) above;

(ii) The requirements of the LPA for site investigations have been fully established; and
(iii) The extent and methodology have been agreed in writing with the LPA.

Copies of the interpretative report on the completed site investigation shall be submitted to the LPA without delay on completion.

Reason:
To ensure that adequate protection of human health is maintained and the quality of groundwater is protected. To comply with Policy 84 of the St. Albans District Local Plan Review 1994.

12. Options Appraisal and Remediation Strategy

Condition:
The results of the site investigation and the detailed risk assessment referred to in (11), shall be used to prepare an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. It shall also include a verification plan. The options appraisal and remediation strategy shall be agreed in writing with the LPA prior to commencement and all requirements shall be implemented and completed to the satisfaction of the LPA by a competent person.

Reason:
To ensure that adequate protection of human health is maintained and the quality of groundwater is protected. To comply with Policy 84 of the St. Albans District Local Plan Review 1994.

13. Verification Report

Condition:
A verification report demonstrating completion of the works set out in the remediation strategy in (12) and the effectiveness of the remediation shall be submitted in writing and approved by the LPA prior to the occupation of any buildings. The report shall include results of validation sampling and monitoring carried out in accordance with an approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason:
To ensure that adequate protection of human health is maintained and the quality of groundwater is protected. To comply with Policy 84 of the St. Albans District Local Plan Review 1994.

14. Remediation

Condition:
Prior to the commencement of the construction works hereby permitted, reclamation of the site shall be carried out in accordance with the options appraisal and remediation strategy approved by the LPA. Any amendments to these proposals relevant to the risks associated with the contamination shall be submitted to the Planning Authority for prior approval in writing.

On completion of the works of reclamation, the developer shall provide a validation report which confirms that the works have been completed in accordance with the approved documents and plans.

Reason:
To ensure that adequate protection of human health is maintained and the quality of groundwater is protected. To comply with Policy 84 of the St. Albans District Local Plan Review 1994.

15. Unsuspected Contamination

Condition:
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 Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

Reason:
To ensure that adequate protection of human health is maintained and the quality of groundwater is protected. To comply with Policy 84 of the St. Albans District Local Plan Review 1994.

INFORMATIVES

Contaminated Land
Where a site is affected by contamination, responsibility for securing a safe development rests with the developer and/or landowner.

Asbestos
Prior to works commencing it is recommended the applicant carry out a survey to identify the presence of any asbestos containing materials on the site, either bonded with cement or unbonded. If asbestos cement products are found they should be dismantled carefully, using water to dampen down, and removed from site. If unbonded asbestos is found the Health and Safety Executive at Woodlands, Manton Lane, Manton Lane Industrial Estate, Bedford, MK41 7LW should be contacted and the asbestos should be removed by a licensed contractor.

Radon (Potential Band 1-3%)
Indicative Radon Mapping shows the application site is located within the 1-3% radon potential band. This radon potential band is characterised as a medium general risk and the fitting of radon prevention measures* relevant to Building Control Regulations is not required (https://www.ukradon.org/information/radonsearches). **Radon Protection is a Building Control function.**

* *Fitting basic radon prevention in new buildings might still be considered, particularly if there is a high risk location such as a routinely occupied basement.*

Sorry for the delay getting comments back to you.

Kind regards

Andrew Scullion
Specialist Environmental Protection Officer (Contaminated Land)
Community Services

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Extension: 9394
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www.stalbans.gov.uk

Please Note:
I work part time and am normally only available Wednesday (pm), Thursday and Friday.

I am no longer performing General Enforcement Officer duties and will forward all enquires, other

than those relating to contaminated land, to environmental@stalbans.gov.uk.