MWP Planning

EW Email of 05/03/2021

1. You note in the para 3.8 of your planning statement that the old restoration levels were not matched to the surrounding external levels. On checking the existing and proposed plans submitted with this application it seems that the levels external to the site are still several metres different. When checking the existing site layout plan submitted, the following is noted:

   Existing site layout shows levels to be 40m in NW, 43 in SW, 43 in SE and 41 in NE and are the same as the remediation strategy plan ref DTS/CC/2006/REST 03 dated Aug 06 with levels of 40 to 42m.

   Proposed remediation levels on plan 173367/RIP/D/006 dated Sep 19 range from 49m in NW, 52 in SW, 50m in SE and 48 in NE which appear to be blended into surrounding land levels which are several metres above the external spot heights shown on the exiting plan. Existing spot heights along access road approx. 40 to 43m Proposed levels, contours indicate 47-49m

   One or other of these plans must be incorrect as the spot heights outside the site will not change. If they are correct then it would seem there is a 9m difference in the northwest of the site between existing and proposed levels, and a considerably greater difference in levels than the amount of material either on site or proposed to be imported would suggest. Can you please explain these differences of the heights at the edges of the site and ensure that we are provided with an existing plan and a proposed plan using the same base levels so the proposed changes can be clearly understood. Cross sections of existing and proposed levels should also be submitted.

   MWP Response

   Drawing 10103/05C has been amended to show the correct levels - see Drawing 10103/05G dated 15/06/2021. The levels shown on drawing 10103/05G match those shown on Drawing 173367/RIP/D/006.

   Cross sections showing existing and finished ground levels are shown on drawing 10103/08. Note that the various stockpiles have been removed from the section drawing.

2. I attach comments received from the Pollution Control Officer above which are self explanatory. To summarise, he considers that the measures proposed to control and mitigate noise and dust should be updated to reflect the current situation.

   MWP Response

   A new noise assessment has been commissioned and is attached. The Assessment concluded that the development can be undertaken in compliance with the NPPF noise criteria.

   A detailed Dust Control Scheme is attached which includes mitigation measures.

3. Other previously approved plans and documents your client wishes to be considered for this application are in many instances many years old and potentially out of date as various environmental controls and legislation and best practice have changed over since may were produced. You are requested to review all the plans and documents you propose to be included in the approved list in condition 5. If you consider that they are still current and valid, please justify why you consider this is the case; if not

then please submit an up to date replacement. I am still awaiting your response to the request from the Biodiversity officer as per my email of 8th Feb.

MWP Response

See attached Revised Document List dated 24/06/2021.

Not considered necessary to carry out a biodiversity assessment. There is an extant planning permission for the reclamation of this site. It is a heavily disturbed site and the potential for wildlife interest has come about because of the disturbance to the surface. Such interest is ephemeral and would inevitably be lost in the future.

The site needs to be remediated and any biodiversity considerations should be taken into account as part of the masterplan/planning application for the development of the site following its remediation.

4. I note that the supporting statement now proposes that condition 25 (landscaping only) should now include the submission of a scheme, within 3 months of permission, for treatment of subsoil surface, spreading and cultivation of soil or soil making materials and landscaping. The capping layer should presumably remain intact to protect human health, so are there sufficient soils/soilmaking materials on site for spreading? If so they do not appear to identified on the existing site plan. Or does the proposed condition intend that soils/soil making materials will be imported? If so how much as this is not set out in the materials calculations.

MWP Response

All materials required, including soils and soil making materials are included within the import requirement of 63,000m^3, or are already on site, as set out in the revised Remedial Implementation Plan

5. Page 161 of the Enabling Works Implementation plan is a page of material management calculations. In your email of 1st Feb 2021 you note *that " We will not know how much of the previously imported material can be used on site until it's been excavated and inspected. So at the moment we don't know how much can be retained in accordance with condition 7. This will all be sorted out when the current planning application has been determined and we know what the broad surface levels are going to be".* The proposed remediation levels plan 173367/RIP/D/006 identifies final levels (notwithstanding the uncertainty of spot heights already mentioned in point1), and I note that the stockpile plan 173367/AppF/D/005 shows 15 stockpiles compared to the existing site plan together with an indication of their composition, and the Enabling statement provides calculations for the amount of additional material required to be imported. So please clarify what you mean by uncertainty about the levels.

AAe Response

See comment under 6 below

6. I note that plan 173367/AppF/D/004 identifies that the northern part of the site (with the screening bund) has already been remediated. I would therefore be pleased to receive an justification as to why the 2007/1365 (and subsequent permissions) condition 7 only allowed a maximum amount of 100,000 cum inert materials to be imported to the site, and now you propose that 117,000 cum is imported, despite remediation of the northern part of the site having been completed and stockpiles of 85,000cum which are on the already on the site.

Despite this the calculations set out on page 161 appear to state that none of the 85,000 cum stockpiled material on site will be used for remediation/fill, being variously comprised of "14,500 of clinker with high calorific value to be transferred from site, with 42,300 retained for aggregate or capping in follow on works by future contractors and 28,200 potential for on-site treatment / re-use off site transfer".

The export of material is further referred to in Para 4.11 of the remediation implementation plan states:

"*As set out in Appendix F(this should be Appendix E), it is anticipated that the material management activities will generate over 45,000 cu m of aggregate, generated in accordance with the WRAP Aggregates Protocol. These materials will be stockpiled on site and made available for the follow-on developers for use in the infrastructure works*". The Council is unlikely to agree that suitable inert material which could be used for fill should be imported but then reserved for future use rather than used to restore the site. Only materials that are unsuitable should be exported. Nothing in the permission being varied refers to export of materials that could be used for the remediation scheme, and the site should not be operating as a waste management or waste transfer station.

AAe Response

The volume quantification has been refined in the attached Remedial Works Remedial Implementation Plan dated June 2021. There is circa 63,000 cu m left to import. The previous calculations had allowed for the whole area to be treated when Portward Homes Limited have remediated circa 30% of the land. The import volume is also very dependent upon the proportion of stockpiled materials on site that can be re-covered for use in the project.

We will only know the proportion once we start processing this material. If recovery is greater than 60% then the import will reduce, vis a vis, if recovery rates are less the import will have to increase.

With regard to the recovered concrete, brick etc to create recycled aggregate, it was proposed that the mineral aggregate within the stockpiles and sub-surface structures would be recovered and used as 6F2 capping on the site. Partly as a running surface but also by following contractors. This volume was a guestimate based upon the nature of the stockpiles.

Whilst this is considered the most sustainable and pragmatic use of the material, specific reference to this has been removed from the Enabling Works RIP.

Lastly, it should be recognised PHL is a developer of properties but does have extensive experience working on brownfield lands. It is not their intention to import material for the sake of it. The purpose of this exercise is to make safe the land at the site. Only those materials which are unsuitable for use will be transferred and the minimum amount of material imported to the site.

7. The summary data on Appendix E sets out that 87,000 cum is required for a 1m human health layer with a further 30,000 cum for bulk fill. What is not clear is whether the 28,200 cum mentioned above will be used as fill (reducing the need to import as much material) or taken off site, (if suitable then it should be retained on site) and why the 45,000cum mentioned above is not going to be used as fill which, if retained and

used on site in the scheme would negate the need to import anything other than material for the human health layer.

AAe Response

The summary data has been removed from the RIP. It read as definitive volumetric, when as discussed in item 1, in reality the recovery rates are unknown. As above, PHL will seek to fully re-use what is on site in the works and minimise the import.

8. I note that plan 173367/AppF/D/004 identifies that the northern part of the site (with the screening bund) has already been remediated. Please provide a phasing scheme to demonstrate the remainder of the site will be remediated progressively.

AAe Response

This has been described in the RIP. Remedial works will commence with the treatment of the stockpiles in the north and the progressive remediation of the land working southwards. The treatment area is in the south west corner of the site and will be the last area to be treated.

9. I am advised by the Council's senior solicitor that the implementation of the second access would not be granted by this permission should it be granted. Does your client still require the access?

I have been advised by my client's solicitor that there is no reason why the second access would not be permitted by granting permission to this application. The access was the main objective of the current permission.

EHO Service Manager pollution control (JS Email dated 04/02/2021

Revised Remediation Scheme required

AAe Response

The RIP has been prepared by a competent geo-environmental consultancy. A further submission of a Remedial Plan is not required. Matthew Lawman of AAE repeatedly emailed and left calls to the Environmental Health Department to discuss the plan and the comments but unfortunately no response or communication has been received.

It should be noted this RIP is for the enabling works only, much of what was requested related to the Main Construction Works Phase. It is accepted that this was not made clear in the initial report and this has been corrected in the revised version. The RIP of the Main Construction Works will be issued with the planning application for the residential development.

Validation/Verification Report

AAe Response

The RIP includes the validation requirements. A full validation data set will be provided for the enabling works phase. This will be supplemented by an additional validation report during the main construction phase.

EHO Pollution Control (PD email dated 29/01/21

- Whilst little has changed on the physical site since 2007, there has been additional development adjacent to the site, therefore any potential impact from the proposed works onto these properties, needs to be taken into consideration.
- My main concerns from the proposed work is the potential from both noise and dust nuisance onto residential properties and the large adjacent industrial bakery.
- It must be considered that the environmental standards that were considered to be acceptable in 2007 are much different in current times and any proposed works must reflect the expectations of the current standards.
- Noise and dust reports that were undertaken in 2007 may still be relevant. However, before these documents can be accepted to be used in current times, additional information must be supplied to demonstrate that such aged documentation can meet the current standards and taken account of the physical changes that have taken place adjacent to the site.
- Consideration of the methods and equipment that is now available to carry out the proposed works on the above site have developed/improved since 2007. Therefore it would be expected that the current Best Available Techniques (BAT) are being utilised to minimise environmental impacts off the site.
- As a minimum I would expect any current report to reflect discussions between Premier Foods and the applicant with regards to what impacts and consequently, what mitigation will be required to protect such a sensitive site. In addition to the required measures to be taken for the further residential developments adjacent to the site since 2007.

MWP Planning Response

The only development since 2007 is an area of housing constructed at Highgrove Court which is 300m to the NW. There are closer houses in the same compass direction which were there prior to 2007. These houses are downwind of the prevailing wind direction and with the use of the dust control scheme mitigation measures, there should be no significant impacts on these new dwellings.

Noise and dust mitigation measures proposed should result in no significant impact on the Bakery. Communication has been established with the Bakery Manager, who will have the contact details for the Site manager in the event of any problems occurring which arise from activities on site.

A new noise assessment has been provided as well as a detailed Dust Control Scheme. Both take account of current standards.

BAT will be used to minimise emissions and off-site impacts as set out in the noise assessment and dust control scheme.