

CONTAMINATED LAND
INSPECTION STRATEGY

ENVIRONMENTAL PROTECTION ACT 1990, PART II A

MAY 2001

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APPENDIX (I)

POLICY A.17: CONTAMINATED LAND

DEVELOPMENT ON LAND WHICH IS CONTAMINATED OR SUSPECTED OF BEING SO, WILL ONLY BE PERMITTED IF APPROPRIATE REMEDIAL MEASURES ARE INCLUDED IN ANY PLANNING APPLICATION TO ENSURE THAT THE SITE IS SUITABLE FOR THE PROPOSED USE AND THAT THERE IS NO UNACCEPTABLE RISK OF POLLUTION WITHIN THE SITE AND IN THE SURROUNDING AREA. PLANNING CONDITIONS WILL BE IMPOSED WHERE APPROPRIATE TO ENSURE THAT REMEDIATION WORKS ARE CARRIED OUT AND WHERE RELEVANT, TO REQUIRE NOTIFICATION OF ANY SIGNIFICANT UNSUSPECTED CONTAMINATION ENCOUNTERED DURING DEVELOPMENT.

It is Government policy to encourage, wherever possible, the re-use of brownfield sites, including those affected by contamination where redevelopment offers the opportunity to deal with threats posed by contamination to health and the environment. Although very little contaminated land is either known or suspected within this District, the possibility that such is located where development might take place cannot be discounted. Development upon contaminated land can pose immediate or long term hazards to the environment and to health, or may damage buildings erected on such sites. It is important to ensure that where contamination exists or is suspected, its nature is identified and remedial measures instigated. Where appropriate, the form and extent of any surveys will be influenced by the nature of the contamination, the proposed development and following the advice received from the Environment Agency. Both should be identified before any decision is taken upon a planning application. Where appropriate, conditions may be used to ensure suitable measures are brought forward at an early stage to render the site suitable for the intended use and having regard to the likely impact of the development. However, where the suspicion is small or the contamination slight, conditions may be used to ensure appropriate measures are brought forward at an early stage. Alternatively a reserved matter following outline planning permission should enable cost effective solutions to be devised to deal with contamination. Consultation with appropriate regulatory bodies will be required, in particular with the Environment Agency. PPG 23: Planning and Pollution Control, contains further guidance on the issue.

APPENDIX (II)

Index of Former Landfill Sites in MHDC Area

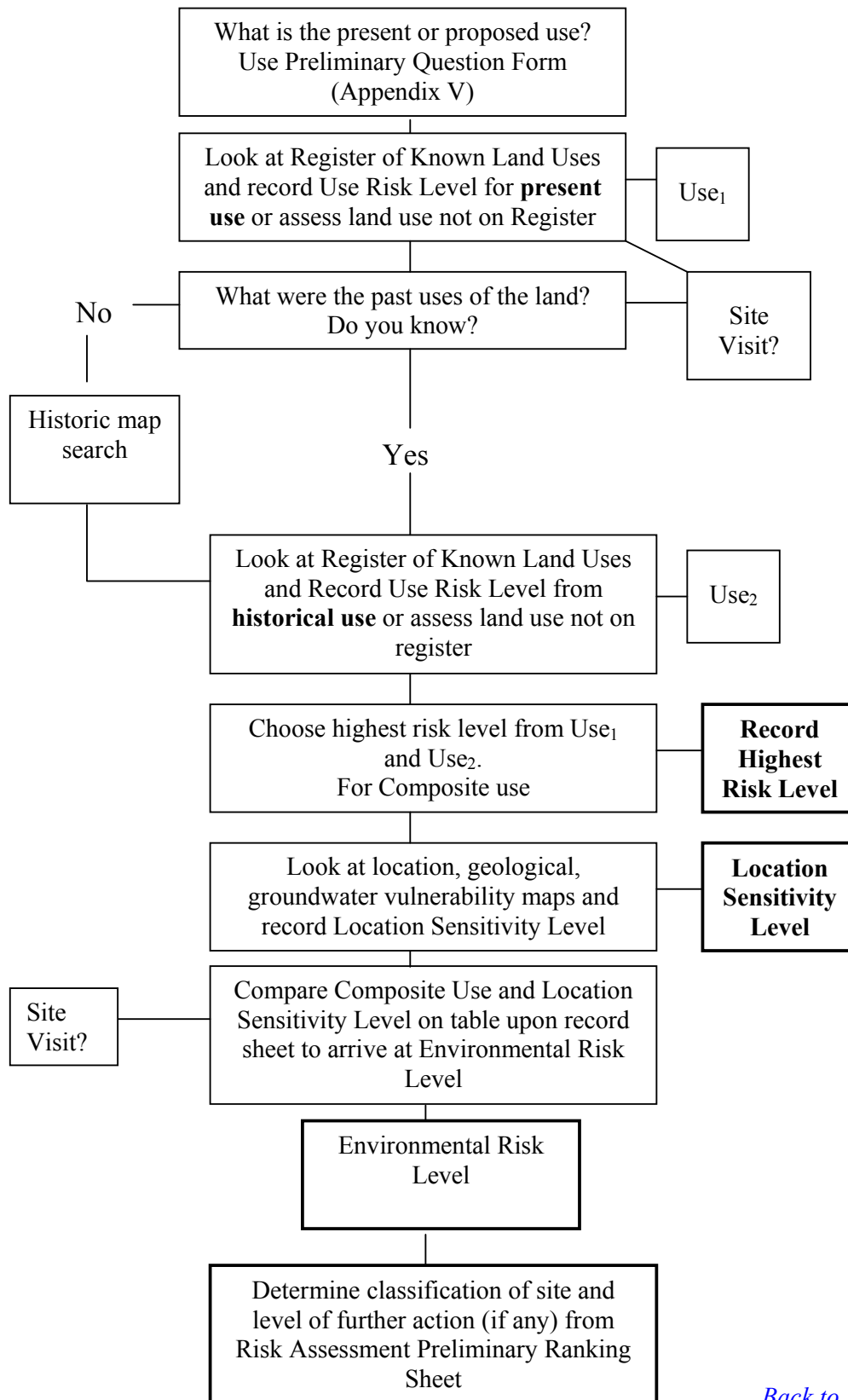
<u>Map ID</u>	<u>Site Name and Address</u>	<u>Grid Ref</u>	<u>Waste Type</u>
1	Bransford Court, Saubury Hill, Bransford	52498096	1/IND
2	Otherton Farm, Cotheridge	54248016	1
3	Church Farm Quarry, Grimley	61578355	1
4	Martley R.D.C Sinton Green	60238283	D
5	Holt Landfill, Grimley	60978230	I/IND/SP/C
6	Napleton Farm, Kempsey	48938661	1
7	Guinness Park Farm, Leigh	51767870	1
8	Barnards Green Sewage Works, Malvern(Severn Trent)	44638013	D
9	Belmont Quarry, Cowleigh Bank, Malvern	47657704	D
10	Dukes Meadow, Pound Bank, Malvern	45907920	U
11	Hanley Road, Malvern Wells	42507830	U
12	Tank Quarry, West Malvern	47007680	U
13	West Malvern Playing Fields	47407630	D/I
14	Penny Hill Quarry, Martley (Shanks & McEwan Ltd)	61617533	D/C
15	Manor Farm, Powick	51528351	D
16	Laser Civil Engineering Ltd, Byrons Wood, Powick	50968218	I
17	William Tennant Way / Queens Mead, Upton	39978565	1
18	Holly Green, Upton	40708580	D/I
19	Hazor Field, Garrett Bank, Welland	40377985	I
20	Foxhall Farm, Plot 1 Granary End, Yarhampton	67607710	D/I
21	Ripple Landfill Site, Bow Lane, Ripple	38348793	I
22	Hallow County Council, Hallow	57008390	D
23	Martley Hillside, Martley	62567531	D

Key to Waste Type Codes

IND	Industrial Waste
I	Inert Waste
SP	Special Waste
C	Commercial Waste
D	Domestic Waste
U	Unknown Waste

APPENDIX (IV)

MHDC PROCEDURAL FLOWCHART



APPENDIX (V)

PRELIMINARY QUESTIONS FOR ALL LAND USES

PART A

1. Are there any waste disposal sites or areas of made up ground within 250m? (This is important because of the risk of landfill gas migration and leachate transference).
2. Have any site investigation / contamination surveys been carried out for the site in the past? Are they available? Have they been reviewed?
3. Are there any present and/or historic surface or underground storage tanks or waste sumps? (Attempt to find out what they contain and their capacity or if they have been decommissioned correctly).
4. Does the use of the site require any discharge consents (for effluent) or process authorisations, for example for air emissions?
5. Have any chemical spills or leaks occurred in the past? (Attempt to find out what mitigation measures were undertaken, if any) – Refer to Environment Agency Pollution Incidents log and investigation records.
6. Are there any liquids, fuels or chemicals stored on site that are not properly protected by bunds or a similar system to contain spillages?
- Refer to Environment Agency for further advice and information.
7. Has any demolition of buildings taken place?

PART B

8. Are there any controlled waters / aquifers in the vicinity of the site? (Refer to hydrogeological data and Environment Agency information/records).
9. Are there any pathways to take potential or known contaminants off the site, e.g. springs, watercourses, drainage or other service runs?
10. Are there any “designated receptors” on the site or adjoining land?

If any of the Part A questions numbered 1 – 7 are answered “Yes” and if any answer to a Part B question 8, 9 or 10 is “Yes” proceed through the flowchart procedure (Appendix III)

APPENDIX (VI)

REGISTER OF KNOWN OR POTENTIAL LAND USES IN MHDC DISTRICT

<u>No.</u>	<u>Description</u>	<u>Risk Level</u>
1	Aircraft manufacture / assembly	Medium
2	Cement Batching / Production	Medium
3	Chemical Works	High‡‡
4	Coal Mining*	Medium
5	Coke Works / Smokeless Fuel Manufacture	Very High‡‡
6	Food Preparation and Processing	Low
7	Gas Works	Very High
8	Glass Manufacturing	Low
9	Iron and Steel Works	High
10	Landfill Sites	High / Very High
11	Mechanical Engineering	Medium
12	Metal Finishing / Electroplating	High
13	Metal Mining and Smelting	High
14	Mineral Workings	Low
15	Ministry of Defence owned land	Med/High or Very High‡‡
16	Paint and Ink Manufacturing	Medium
17	Petrol Stations / Fuel Storage Areas	High
18	Plastic Packaging, Printing	Medium
19	Quarrying	Low
20	Railway Land / sidings	Medium / High
21	Scrap Yards	Medium / High
22	Sewage Works	Medium
23	Tanneries	High
24	Textiles	Medium
25	Timber Treatment	High

Minimal Risk Uses: The users should ask the set of general questions at the front of Appendix IV this section to evaluate any possible risk in the first instance

- 26 Agriculture
- 27 General Storage (not chemicals or fuel)
- 28 Light Industrial / Craft Workshop
- 29 Office
- 30 Residential
- 31 Retail
- 32 Warehousing
- 33 Wildlife Sites

‡‡ Potential "special sites" to be dealt with by the Environment Agency

***Very small scale Bayton area**

APPENDIX (VII)

RISK ASSESSMENT, PRELIMINARY RANKING SHEET

LOCATION – SENSITIVITY LEVEL

Environmental setting	High	L	M	H	V.H.	V.H.
	Medium	L	L	M	H	V.H.
	Low	L	L	M	M	H
		Minimal Risk	Low	Medium	High	Very High
Register of Land Use Rating						

Composite Use – Risk Level

Site:

Location: (inc NGR)

User Ref:

Environmental Risk Level (from above table)

Actions Required:

- Low 1 There is unlikely to be a significant environmental risk associated with the land or its use;
- Medium 2 Site visit by MHDC officers;
- High 3 It is likely that a Phase 1 Survey will be required to quantify the likely risk, site visit by MHDC officers;
- Very High 4 As above. It is likely that a site investigation will be required
- Special Site 5 Liaise with Environment Agency with a view to agreed transfer of enforcement role

Action taken: (circle)

1	2	3	4	5
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<p>BROWNFIELD LAND CONTAMINATED LAND SPECIAL SITE (DESIGNATION AGREED)</p>	<p>tick</p> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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<p>SITE REMEDIATED?</p> <p>Details reviewed?</p> <p>Suitable for end use?</p> <p>If end is to change to more sensitive use will the remediation be acceptable?</p>	<p>Yes/no</p> <p>Yes/no</p> <p>Yes/no</p> <p>Yes/no</p>
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APPENDIX (VIII)

GLOSSARY OF TERMS & ABBREVIATIONS

AONB	Area of Outstanding Natural Beauty
Brownfield site	A site where a previous industrial and / or polluting use has taken place the land being now abandoned or derelict. Some such sites may be declared as contaminated land.
CL(E)R 2000	Contaminated Land (England) Regulations 2000
CLEA	Contaminated Land Exposure Assessment – a risk assessment methodology
Class A person	The polluter or person who has knowingly permitted a pollutant to be on, in or under the land.
Class B person	An owner or occupier of land where no Class A person can be found with respect to remediation action.
Contaminant	A substance on, in or under land with the potential to cause harm or to cause pollution of controlled waters.
Contaminated Land	As defined at S.78A(2) of Part 11 A of the Environmental Protection Act 1990. Any land which appears to the local authority in whose area it is situated to be in such a condition, by reason of substances in, on or under the land that: a) Significant harm is being caused or there is significant possibility of such harm being caused; or b) Pollution of controlled waters is being or is likely to be caused,
Controlled Waters	As defined in S.78A(9) of Environmental Protection Act 1990, Part 11A and S.104 of the Water Resources Act 1991. These include: a) Inland waters (rivers, streams, canals, lakes and reservoirs), b) Territorial waters (the sea within 3 miles of a baseline), c) Groundwater (any water contained in underground strata, wells or boreholes), d) Coastal waters (the sea to the highest tide line and tidal waters to their fresh water limit).
DETR	Department of the Environment, Transport and the Regions.
EA	Environment Agency
EPA'90	The Environmental Protection Act 1990
ECO-System	A biological system of interacting organisms and their physical environment.
GIS	Geographical Information System
Groundwater	Any water contained in underground strata, boreholes or wells.
ICRCL	Interdepartmental Committee on Remediation of Contaminated Land.
IPC	Integrated Pollution Control.
Intrusive Investigation	An investigation of land beyond simple visual inspection, for example, by digging trial pits to take soil samples.
MHDC	Malvern Hills District Council.
Orphan Site	A site where no owner, occupier or responsible person can be found.

Pathway	One or more routes by which a receptor is exposed to a contaminant.
Pollutant	A contaminant which forms part of a pollutant linkage.
Pollutant Linkage	The relationship between a contaminant, a pathway and a receptor.
PPC	Pollution Prevention and Control.
RAMSAR Site	A site protected under an International Convention on the protection of wetlands of international importance. Named after the city in Iran where the convention was signed
Receptor	Sometimes referred to as a “target”, either a) a living organism, group of living organisms (most importantly humans) or ecological system or property, OR b) controlled waters.
Remediation	Defined at S.78(A)7 of EPA’90, Part 11A. The carrying out of works to prevent or reduce to an acceptable level the effects of contamination.
Remediation Notice	A legal document served to require land remediation and specifying the required works of remediation. Defined at S.78E(1) of EPA’90 Part 11A
Remediation Package	The full set of remediation actions in a remediation scheme referring to a particular significant pollution linkage.
Remediation Scheme	The complete set of remediation actions which may refer to several significant pollution linkages on a site.
Remediation Statement	A formal statement prepared and published by the responsible person which details remediation actions which are being, have been, or will be done and the time scale involved.
Risk Assessment	The study of – a) the probability, or frequency of a hazard occurring, and b) the magnitude of the consequences.
Significant Pollution Linkage	A pollution linkage which forms the basis for the determination that a site is contaminated land.
Source	A substance in, on or under, the ground with the potential to cause harm.
Source Protection Zone	Protection zones around designated sources of groundwater used for public water supplies. Certain activities and processes are prohibited within these zones.
Special site	Any contaminated land designated due to the presence of: <ul style="list-style-type: none"> • land in the control of the Ministry of Defence • waste acid tar lagoons • oil refining • explosives • integrated pollution control sites • nuclear sites Special sites are dealt with by the Environment Agency
SSSI	Site of Special Scientific Interest
Substance	Defined at S.78A(9) of EPH’90 Part 11A as:- “any natural or artificial substance whether in solid or liquid form or in the form of a gas or vapour”.

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APPENDIX (IX)

DETAILS OF STATUTORY CONSULTEE CONTACTS

- | | | | |
|----|---|----|---|
| 1. | Dr. Peter Holmes
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APPENDIX (X)

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2. Contaminated Land. Trevor Hellowell pub. Blackstone Press Ltd. 2000
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4. Local Environment Agency Plan (LEAP) Middle Severn Area 2nd Annual Review (Jan. 2000)
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6. Methodology for the Derivation of Remedial Targets for Soil and Groundwater to Protect Water Resources. Pub. Environment Agency Research & Development Publication No. 20 (2000)
7. Pollution Handbook 2000 NSCA (National Society for Clean Air and Environmental Protection)
8. River Water Quality in the Midlands pub. Environment Agency 1998

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4. DETR Circular 02/2000 Environmental Protection Act 1990: Part 11A. Contaminated Land. H.M.S.O. (2000)
5. Contaminated Land Inspection Strategies. Technical Advice for Local Authorities. DETR and the Environment Agency joint publication (April 2000)
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3. Best Value Performance Plan 2000 / 01
4. Environmental Health Services Business Plan 2000 / 2001-01-25