From:Bailey, Rowena
Sent:28 Sep 2022 10:53:39 +0100
To:Arkle, Anne
Cc:Development
Subject:RE: AVA/2022/0397

Anne,

Thank you for letting me know that the Coal Mining Risk Assessment (CMRA) has been submitted.

This CMRA has identified opencast infill/made ground beneath the site and includes a recommendation to carry out a geo-environmental investigation to assess ground contamination and ground gas risks. I recommend that the following condition is attached to any permission granted:

Condition

a) No development shall commence until:

   i. The approved development site has been subjected to a detailed investigation to determine the extent, scale and nature of any contamination and an assessment of the potential risks (the "Assessment") has been carried out;

   ii. A report providing the details of the site investigation and the Assessment has been submitted and approved in writing by the Local Planning Authority;

   iii. A Remediation Method Statement (the "RMS") to address any remediation required by the Assessment, including a plan for how the remediation methods will be verified, has been submitted to and approved in writing by the Local Planning Authority;

b) The development shall be undertaken in strict compliance with the requirements contained within the approved RMS. Any proposed revisions to the RMS must be submitted to and approved in writing by the Local Planning Authority prior to any changes in remediation methods;

c) If during development works any contamination is encountered which was not previously identified and is derived from a different source and/or of a different type to those already identified, then no further works shall take place until a revised RMS is submitted to and approved in writing by the Local Planning Authority and the works shall then be carried out in accordance with the revised RMS;

d) If during development work site contamination is found in areas previously expected to be uncontaminated, then the remediation of those areas shall be carried out in accordance with the approved RMS;

e) No building shall be occupied unless and until a Verification Report in accordance with the RMS has been submitted to and approved in writing by the Local Planning Authority;

f) All investigations, assessments and reports must be carried out by a suitably qualified competent person previously agreed in writing by the Local Planning Authority and in accordance with the Environment Agency publication 'Land contamination: risk management' (LCRM).

Reason

The undertaking of a site investigation prior to the commencement of development is necessary to ensure that adequate information pertaining to risks arising from land contamination is available to inform an assessment that the site is either suitable for its proposed use or appropriate remedial measures could make the site suitable for its proposed use. In order to ensure the safety of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.

Regards,

Rowena

Rowena Bailey | Scientific Officer

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Making a Difference for Amber Valley

I work part time and my working days are Tuesday, Wednesday and Thursday mornings



