

From:Bailey, Rowena
Sent:27 Oct 2022 13:10:40 +0100
To:Development
Subject:RE: Planning Consultation - AVA/2022/0863
Attachments:2022 07 19 planning consultation COND 2022 0076.pdf

Anne,

Thank you for consulting me on this application.

The applicant has submitted:

- Deltasimons Geo-environmental Assessment, dated November 2021, ref: 21-1612.01_REP_Fuchs-Site_Belper_GEA_211126
- Deltasimons Additional Environmental Risk Assessment, dated March 2022, 21-1612.02_REP_Former_Fuchs-site_Belper_GEA_220315

These documents were previously submitted for application COND/2022/0076, to discharge conditions 7 and 11 (contamination) of AVA/2021/0421 (see attached email for my previous comments).

From a human health perspective, I am satisfied with the investigations to date, but a remediation method statement with specific details of the approaches that will be taken to address the risks identified is required before development commences. The recommendations for remediation in the Additional Environmental Risk Assessment include removal of the NAPL and subsequent vapour testing within existing buildings. If this vapour testing identifies that there is a human health risk from vapours, then additional remediation will need to be adopted.

I recommend that the following conditions are attached to any permission granted:

Condition 1

- a) No development shall commence until a Remediation Method Statement (the "RMS") to address the risks identified in the Deltasimons Geo-environmental Assessment, dated November 2021, ref: 21-1612.01_REP_Fuchs-Site_Belper_GEA_211126 and the Deltasimons Additional Environmental Risk Assessment, dated March 2022, 21-1612.02_REP_Former_Fuchs-site_Belper_GEA_220315 (the "assessment") has been submitted and approved in writing by the Local Planning Authority. The RMS shall include a plan for how the remediation methods will be verified and reported.
- 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 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

Appropriate remedial measures are required to 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.

Condition 2

Prior to the import of soils or other fill materials from outside the application site, documentary evidence that the material is free from contamination shall be submitted to and agreed in writing by the Local Planning Authority. No such materials shall be imported without prior approval.

Regards,

Rowena

Rowena Bailey | Amber Valley Borough Council

Telephone: 01773 841318

From: development@ambervalley.gov.uk <development@ambervalley.gov.uk>

Sent: 26 October 2022 18:30

To: Bailey, Rowena <rowena.bailey@ambervalley.gov.uk>
Subject: Planning Consultation - AVA/2022/0863

Dear Sir/Madam

Our Ref: AVA/2022/0863

Proposal:

Proposed restoration and conversion of existing warehouse and stables building into apartments
(resubmission of AVA/2021/0421)

Development Type:

Major Dwellings 10 or more

Location:

Former Fuchs Site Derby Road Belper Derbyshire

Applicant:

Mr Allister Gardiner
AG Group Ltd. 9 Bridge Street Tutbury Burton-On-Trent DE14 9LZ

Agent:

Mr Mark Reynolds
AG Group Ltd. 9 Bridge Street Tutbury Burton-On-Trent DE14 9LZ

Case Officer Details:

Name: Anne Arkle
Telephone: 01773 84
E Mail: anne.arkle@ambervalley.gov.uk

I enclose details of this application and would be pleased to receive any comments you may have within the next 21 days.

The Application should be available to view on our website within the next 24 hours.

There is a comments button that you can click on to make comments regarding an application (please see the link below that will take you directly to this planning application) or alternatively you can send a direct email to development@ambervalley.gov.uk

<https://www.ambervalley.gov.uk/planning/development-management/view-a-planning-application/?appnumber=AVA-2022-0863>

Please let the case officer know if you cannot reply by then.

Sarah Brooks
Planning Manager