

 Knowsley Council	Planning Consultation Response Environmental Health and Consumer Protection Service
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To:	Planning Services (Planning)	
From:	Environmental Health & Consumer Protection (Helen Bradshawe)	
Planning App. No:	23/02782/FUL	24/04748/PLANNI
Date:	29 October 2024	
Location:	Sovereign Industrial Park, Wilson Road, Huyton, Knowsley	
Proposal:	ERECTION OF 1NO. RETAIL UNIT (USE CLASS E(A) WITH EXTERNAL DISPLAY AREA AND CAR PARKING AND SERVICING ARRANGEMENTS. PARTIAL DEMOLITION, RECONFIGURATION AND REFURBISHMENT OF EXISTING EMPLOYMENT BUILDING TO CREATE 2NO. INDUSTRIAL/ WAREHOUSE BUILDINGS WITH ANCILLARY OFFICES (USE CLASSES E(G)(III), B2 AND B8) WITH SERVICING AND CAR PARKING; RETENTION AND AMENDMENT OF EXISTING SITE ACCESSES ALONG WITH INTERNAL ESTATE ROADS; 2NO. SUBSTATIONS; LANDSCAPING; AND ASSOCIATED WORKS.	

Further Information required

Merseyside EAS have been consulted on behalf of Environmental Health on the report submitted in respect of this application

- Knowsley Council Environmental Health & Consumer Protection Planning Response dated 5th September 2024, annotated by Adept, uploaded on planning portal 3rd October 2024

MEAS have reviewed the response made to the original memorandum dated 5th September 2024. MEAS advise that they still have concerns regarding the scope of the intrusive works undertaken on site. As such, should planning permission be granted, Knowsley's full standard condition should be attached.

Comments and Observations

1. The Preliminary Risk Assessment identified several areas of potential concern including potential shallow workings, a diesel tank (where odours were noted), a boiler house a pump house, a former pond and an electricity substation. All areas within the red line planning boundary must be demonstrated to be suitable for its intended use and does not pose a risk to either human health of the environment. Please confirm that these areas have been adequately assessed (with supporting evidence).

Adept Response

The pond noted within the report was filled in during the 1970's when the site as developed by National Grid. The pond was infilled over 50 years ago and any gassing is likely to have ceased and was in the existing service yard / landscaping to the southwest corner of the site. As this area of the site is remaining as current, is not in defect, and is not being modified or refurbished, we consider its impact very low risk.

The geotechnical boreholes associated with coal mining risk assessment (Arc Env 24-387-01L) were spread across the site with RBH02 in the centre, with RBH01, 03 & 04 concentrated below the new building. This investigation confirmed the site to be low risk of shallow coal mines. The CMRA for phase 1(Tetra tech B029681 CMRA) also confirms the adject site is low risk of shallow coal mining. We therefore consider the risk of shallow coal mining to be low across the Phase 2 site.

The boiler house will be demolished as part of the proposed works. Any contaminated ground noted in the vicinity will be removed from site as part of the Remediation Strategy.

The external diesel and propane tanks will be removed as part of the works. Any contaminated ground noted in the vicinity will be removed from site as part of the Remediation Strategy. These tanks were also supported form slabs which will have prevented the pathway available within the Source-Pathway-Receptor model and therefore, no risk to the proposed end users.

The sprinkler pump house and substation are remaining in place and is considered low risk. All areas of diesel tanks and plant will be bunded to prevent egress of hydrocarbons.

2. The three ground gas monitoring wells are all located in the south east corner of the site, close to the proposed retail store and the inferred coal seams. It is unclear why the rest of the site has not been assessed (including the potential shallow workings located in the centre of the site). As stated above, all areas within the red line boundary must be demonstrated to be suitable for use.

Adept Response

The gas monitoring was concentrated at the southeast corner of the site as this is the only location of any new build works on the project. This is required to confirm the CS level so we can specify the appropriate gas protection to the new construction.

We do not believe it is necessary to undertake gas monitoring around or within the existing buildings as we are only undertaking minor alterations to the frame and refurbishing the internal slabs and external cladding. We are not changing the use of the building. There is no envisaged modifications or penetrations to the existing slabs expect where we are removing sections where building areas are being reduced.

Considering the above, we do not believe it is necessary to undertake additional gas monitoring across the areas of the site where we are refurbishing the existing units.

3. The proposed development to the north did record both elevated methane and carbon dioxide and therefore MEAS advise that 2 additional rounds of monitoring are required from the existing wells (this does not preclude additional investigation in other areas of the site see point 2).

Adept Response

The new building location has been tested in accordance with BS8576 (Figure 6 Decision Matrix for Initial Monitoring and has confirmed low results for Methane and CO2 applying a Characteristic Situation 1 (CS1).

Whilst we appreciate the northern section of the overall site (phase 1) provided higher results for these gases, its reasonable to expect variance across this distance and lower results.

It is also currently proposed to install a membrane below the slab to CS2 level.

We therefore do not believe it is necessary to undertake additional gas monitoring in the existing wells.

Condition

Contaminated Land

A. Risk Assessment

No development shall take place until an assessment of the risks posed by any contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with authoritative guidance (CLR 11), and shall assess any contamination on the site, whether or not it originates on the site.

Moreover, it must include (were relevant):

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and
 - service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments.

B. Submission of Remediation Scheme

Where land affected by contamination is found which poses unacceptable risks, no development shall take place until a detailed remediation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme must include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. As a minimum, the scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to its intended use.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme shall be implemented and a verification report submitted to and approved in writing by the Local Planning Authority, prior to the development (or relevant phase of development) being brought into use.

D. Reporting of Unexpected Contamination

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 immediately to the Local Planning Authority. Development on the part of the site affected must be halted and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to the development (or relevant phase of development) being brought into use.

E. Materials Management Plan

Prior to the reuse of site won materials ('waste' and non-waste) a Materials Management Plan, signed off by a Qualified Person, shall be submitted to and agreed in writing with the local planning authority. The MMP shall demonstrate that any reuse of contaminated materials does not result in increased risk to the environment or human health.

F. Importation of Soil/Material

No soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and evidence submitted to and approved in writing to by the Local Planning Authority.