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Our ref. KB/LP1916/CLO1

Dear Gurpreet

30-32 Blyth Road, Hayes
Response to Contaminated Land Officer Comments

Bellway Homes Ltd (North London) has received comments from the Contaminated Land Officer (CLO) (ref. 68974/APP/2019/1119 dated 2 April 2019) on an unsuccessful application to discharge Condition 19 (Contamination) of Planning Permission 68974/APP/2018/2146 for the redevelopment of 30-32 Blyth Road, Hayes, Middlesex, UB3 1BY.

Bellway appointed Leap Environmental Ltd (**LEAP**) to provide a response to the following comment included within the issued document:

The report titled Remediation Method Statement; Ref LP1624/RMS specifies chemical concentrations for contaminants within soil and subsoil materials for importation. Please clarify / amend, because the values, including for the POSresi land use scenario, would facilitate import of some materials having significantly elevated concentrations of contaminants, in comparison with existing materials previously identified at site during the site investigation phase. Import of such materials would effectively preclude future discharge of condition 20 which states:

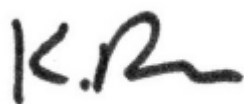
"No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. All imported soils shall be tested for chemical contamination, and the results of this testing shall be submitted to and approved in writing by the Local Planning Authority".

In response, the values specified in Table B2 are derived for the generic land use for public open space near residential properties (POSresi) which is accepted by Defra¹ as representing an acceptably low risk. The values are appropriate to be used under the planning regime². The majority of the values in Table 2 are Suitable 4 Use Levels (S4ULs)³ which provide an additional level of conservatism by using minimal risk toxicological values in their calculation. As such, the concentrations do not pose an unacceptable risk to future site residents in the context of exposure in soft landscaped areas, and do not represent 'contaminated land' in the context of Part 2A of the Environmental Protection Act 1990, being well within Category 4.

Notwithstanding this justification, if manufactured topsoil is imported to site this will not contain levels of contaminants approaching the concentrations allowable under the POSresi land use scenario. If natural materials such as topsoil are imported onto site, under the CL:AIRE Definition of Waste Code of Practice (DoWCoP)⁴, the material must have been proven to be clean on the site of origin or be sourced from a greenfield site not subject to past contaminative use. Again, in practice this would result in levels of contaminants well below the concentrations allowable under the POSresi land use scenario being imported in order to meet the requirements of DoWCoP.

To provide additional reassurances to the CLO, we recommend a secondary check of the imported materials to ensure that the concentrations of contaminants are comparable with the existing concentrations detected during the previous investigations.

Yours sincerely



Kate Baker
Principal Consultant

¹ Department of Environment, Food and Rural Affairs (Defra) '*SP1010: Development of Category 4 Screening Levels for Assessment of Land Affected by Contamination – Policy Companion Document*' December 2014.

² Home & Communities Agency (HCA). '*Guidance on dereliction, demolition and remediation costs*'. March 2015.

³ Land Quality Management Ltd. (LQM). '*The LQM/CIEH S4ULs for Human Health Risk Assessment*'. 2015

⁴ CL:AIRE '*The Definition of Waste: Development Industry Code of Practice*'. Version 2, 2011.

