

Online Comment

Application H16-1092-22
Location 1-8 Teagans Close Spalding PE11 1TW
Proposal Details of Verification Report (Condition 7 (iii) of H16-0221-15)

Name Susan Armour
Address SHDC Environmental Protection

Date Submitted 18-01-23
For/Against Comments

I have reviewed the EPS limited letter dated 18th May 2022 ref. UK19.4699b - Topsoil Verification - Hawthorne Bank, Spalding and accompanying test data.

EPS have concluded that the verification has failed and that the data suggest that the soils are not suitable for retention in a residential garden.

EPS make some comments regarding the differing regimes that are used to assess land contamination. To be clear, the Department for Levelling Up, Housing and Communities and Ministry of Housing, Communities & Local Government document 'Guidance Land affected by contamination' revised in 2019, Paragraph: 002 Reference ID: 33-002-20190722 makes it clear that Part 2A of the Environmental Protection Act 1990 must focus on land that cannot be dealt with via any other means, including planning. This site is being dealt with under the planning regime, and therefore planning standards apply.

EPS state that in their opinion the site would not fit the requirements of the definition contaminated land, however through the planning process, land must a) after remediation must not be capable of being determined as contaminated land and b) be suitable for use. Category 4 has been identified as suitable for use.

EPS make two suggestions for remedial action. Has the applicant suggested which option they wish to consider?