

## **Aylesbury Vale District Council's Standard Contaminated Land Conditions**

The following contaminated land conditions are applied to any planning application which the Planning and/or Environmental Health and Licensing Department consider to have a potential risk to the new end users of a site or to the wider environment due to the presence of potentially contaminated land.

**CON 1** Development shall not commence until a contaminated land assessment and associated remedial strategy, together with a timetable of works, has been submitted to and approved in writing by the Local Planning Authority. The agreed remediation works shall be fully completed before any other construction work commences. The assessment / strategy shall include the following:

a) The contaminated land assessment shall include a desk study which shall detail the history of the site uses. Where the desk study of previous site uses indicates that a site investigation is required then a site investigation strategy based on the relevant information discovered by the desk study must be produced.

b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.

c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters. The Local Planning Authority shall approve in writing such remedial works as required prior to any remediation works commencing on site.

Reason: To ensure that the potential contamination of the site is properly investigated, the risks to the planned end user group(s) quantified, and its implication for the development approved fully taken into account in accordance with the National Planning Policy Framework. This is required prior to the commencement of development to avoid any unnecessary risk of introducing new contamination pathways or enabling contamination to be disturbed and further distributed as a result of any works being undertaken on the site that may cause potential harm to human health, property and the wider environment.

**CON2** Prior to the first occupation or use of any part of the development, the agreed approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.

If during the works contamination is encountered which has not previously been identified then this additional contamination shall be fully assessed in accordance with the requirements of Condition 1 (c) above and an appropriate remediation scheme shall be submitted to and agreed in writing by the Local Planning Authority.

Prior to the first occupation or use of any part of the development, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include details of the completed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to demonstrate that the site has reached the required clean-up criteria shall be included in the validation report together with documentation detailing the type and quantity of waste materials that have been removed from the site.

Reason: To ensure that the potential contamination of the site is properly dealt with and the risks to the planned end user group(s) minimised in accordance with the National Planning Policy Framework

Informative:

Guidance on how environmental consultants and developers can meet the contaminated land conditions has been produced by the Environmental Health and Licensing Department. This guidance entitled “Briefing note on the Assessment and Remediation of Potentially Contaminated Land – Guidance for Environmental Consultants and Developers” is available on the Council’s website [www.aylesburyvaledc.gov.uk](http://www.aylesburyvaledc.gov.uk).

Planning Practice Guidance has also been produced by the Government which must be referred to when development takes place on land affected by contamination. This guidance is available on the planning practice guidance website [www.planningguidance.planningportal.gov.uk](http://www.planningguidance.planningportal.gov.uk).

### **Standing advice for development sites where there is no known historical contamination**

For development sites where there is no known historical contamination the following advice will be given by the Planning and/or Environmental Health and Licensing Department;

If during development works contamination is encountered which has not been previously identified please contact the Environmental Health department immediately at [envhealth@aylesburyvaledc.gov.uk](mailto:envhealth@aylesburyvaledc.gov.uk). Works must cease on site until an appropriate remediation scheme is submitted to and agreed in writing by the local planning authority.

Failure to remediate site contamination during development could result in serious long-term health impacts to future users of the development.