



**Planning Guidance in Relation to Ground Contamination:
Guidance Note for Applicants, Developers, Land Owners and Consultants**

Version 2.3
July 2020

IMPORTANT

This Guidance Note is written to serve as an informative and helpful source of advice. Readers must note that legislation, guidance and practical methods may be subject to change. This Council has taken all reasonable care to ensure the information is correct. However, the Council, its officers, servants, or agents, will not accept any liability for loss or damage caused by any person relying on this information, or for any errors or omissions in the information provided.

CONTENTS	page
OVERVIEW	3
1.0 WHAT IS CONTAMINATED LAND?	4
1.1 Definition under Part 2A of the Environmental Protection Act	4
1.2 Planning definition	5
2.0 THE ROLE OF THE DEVELOPER	5
3.0 THE PLANNING PROCEDURE	6
3.1. Formal submission of reports	7
4.0 PHASES OF COMPLIANCE AND REPORTING REQUIREMENTS	7
4.1 Phase I : Preliminary Risk Assessment (PRA)	8
4.2 Phase II : Intrusive Investigation Report	9
4.3 Phase III : Remediation strategy	10
4.4 Phase IV : Validation / Verification / Completion report	11
5.0 GENERIC GUIDANCE	12
5.1 Obtaining representative samples	12
5.2 Sample analysis	12
5.3 Risk assessment	12-13
5.4. Waste Management	13
6.0 ACKNOWLEDGEMENTS	13
7.0 USEFUL REFERENCES	14-15
APPENDICES	
A Flowchart showing idealised example of contaminated land planning procedure	
B Frequently asked questions	

OVERVIEW

Many areas of Tameside have previously been occupied by a variety of industrial activities. Historically, the predominant industries included textile and dye works, heavy engineering works, chemical works, gas works and brickworks. In general, early industrialists had little or no knowledge of the environmental effects of their manufacturing processes or operating practices. Consequently, over a period of time a particular site may have been home to a variety of industries, each of which may have left substances in the ground that may be hazardous to human health and the environment. Additionally, more recent activities may also have had a detrimental impact on the environment. As the Government encourages more redevelopment on brownfield land, developers now have to take into account the possibility of land contamination.

The purpose of this document is to provide important information and guidance on how Tameside Metropolitan Borough Council (TMBC) deals with contaminated land issues under the planning regime, where the planning condition detailed below has been attached to the decision notice of a planning approval. It is therefore vital that you read this information carefully and pass it on to all parties involved with investigations, remediation and development works at the site.

CLS1B(Pre) Main Contaminated Land Condition (Part 1 – ‘Pre-Commencement’)

Part 1 of 2

No development, other than site clearance and site compound set up, shall commence until a remediation strategy, detailing the works and measures required to address any unacceptable risks posed by contamination at the site to human health, buildings and the environment has been submitted to, and approved in writing by, the Local Planning Authority (LPA). The scheme shall be implemented and verified as approved and shall include all of the following components unless the LPA dispenses with any such requirement specifically in writing:

1. A Preliminary Risk Assessment which has identified:
 - All previous and current uses of the site and surrounding area.
 - All potential contaminants associated with those uses.
 - A conceptual site model identifying all potential sources, pathways, receptors and pollutant linkages.
2. A site investigation strategy, based on the Preliminary Risk Assessment in (1) detailing all investigations including sampling, analysis and monitoring that will be undertaken at the site in order to enable the nature and extent of any contamination to be determined and a detailed assessment of the risks posed to be carried out. The strategy shall be approved in writing by the LPA prior to any investigation works commencing at the site.
3. The findings of the site investigation and detailed risk assessment referred to in point (2) including all relevant soil / water analysis and ground gas / groundwater monitoring data.
4. Based on the site investigation and detailed risk assessment referred to in point (3) an options appraisal and remediation strategy setting out full details of the remediation works and measures required to address any unacceptable risks posed by contamination and how they are to be implemented.
5. A verification plan detailing the information that will be obtained in order to demonstrate the works and measures set out in the remediation strategy in (4) have been fully implemented including any requirements for long term monitoring and maintenance.

Note: Due to the ongoing review of contaminated land conditions used by the Council, the condition attached to the decision notice of the above named development site may not exactly match the quoted condition. However, the requirements of any alternative condition will be broadly the same.

CLS1B(Post) – Main Contaminated Land Condition (Part 2 – ‘Pre-Occupation’)

Part 2 of 2

Upon completion of any approved remediation scheme(s), and prior to occupation, a verification / completion report demonstrating all remedial works and measures detailed in the scheme(s) have been fully implemented shall be submitted to, and approved in writing by, the LPA. The report shall also include full details of the arrangements for any long term monitoring and maintenance as identified in the approved verification plan. The long term monitoring and maintenance shall be undertaken as approved.

If, during development, contamination not previously identified is encountered, then no further development (unless otherwise agreed in writing with the Local Planning Authority (LPA)), shall be undertaken at the site until a remediation strategy detailing how this contamination will be appropriately addressed and the remedial works verified has been submitted to, and approved in writing by the LPA. The remediation strategy shall be fully implemented and verified as approved.

The discharge of this planning condition will be given in writing by the LPA on completion of the development and once all information specified within this condition and any other requested information has been provided to the satisfaction of the LPA and occupation of the development shall not commence until this time unless otherwise agreed in writing by the LPA.

Note: Due to the ongoing review of contaminated land conditions used by the Council, the condition attached to the decision notice of the above named development site may not exactly match the quoted condition. However, the requirements of any alternative condition will be broadly the same.

1.0 WHAT IS CONTAMINATED LAND?

Local Authorities are responsible for addressing contaminated land issues under two separate regimes: the Contaminated Land Regime (also known as Part 2A of the Environmental Protection Act 1990) and the Planning Regime (also known as Development Control).

For more detailed information on the underlying principles of the Contaminated Land Regime and the Planning Regime reference should be made to the Contaminated Land Statutory Guidance dated 2012 and also the National Planning Policy Framework updated in February 2019.

1.1 Definition under Part 2A of the Environmental Protection Act 1990

Part 2A of the Environmental Protection Act 1990 (section 78A (2)) defines contaminated land as:

“...any land which appears to the local authority in whose area it is situated to be in such a condition, by reason of substances in, on or under the land, that:

(a) significant harm is being caused or there is the significant possibility of such harm being caused; or

(b) significant pollution of controlled waters is being or is likely to be caused...”

With respect to controlled waters, the Water Act 2003 (Chapter 37, Section 86) has amended the second limb of the definition so that it applies only where:

*“**significant** pollution of controlled waters is being caused, or there is a **significant possibility** of such pollution being caused”*

Part 2A of the Environmental Protection Act 1990, as inserted by Section 57 of the Environment Act 1995, was brought into force on 01 April 2000. It requires all local authorities to identify contaminated land in its area and secure its remediation to a condition suitable for its

current use.

To fall within the Part 2A definition, the land when assessed in the context of its current use must be capable of causing significant harm to human health or other specified receptors and/or pollution of controlled waters. Development of land will have to take into account Part 2A because a change in the use of the land may bring the development inside the statutory definition of contaminated land by creating a contaminant linkage.

A key element of the Part 2A regime is the **Source-Pathway-Receptor contaminant linkage** concept. Each element is defined as follows:

- the **source** is the contamination in, on or under the land.
- the **pathway** is the route by which the contaminated land reaches the receptor; and
- the **receptor** is defined as living organisms, ecological systems or property which may be harmed.

Without the clear identification of all three elements of the contaminant linkage, land cannot be identified as contaminated land under the regime.

1.2 Planning Definition

Paragraphs 178 and 179 of the Revised National Planning Policy Framework dated February 2019, confirms how contaminated land issues are a material consideration during development. The following sections are extracted from this guidance:

178 Planning policies and decisions should ensure that:

- a) *a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);*
- b) *after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990; and*
- c) *adequate site investigation information, prepared by a competent person, is available to inform these assessments.*

179 Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

2.0 ROLE OF THE DEVELOPER

In accordance with the National Planning Policy Framework (NPPF), where development is proposed, the developer is responsible for ensuring that a development is safe and suitable for the purpose for which it is intended. The developer is therefore responsible for determining whether land is suitable for a particular development, or can be made so by remedial action. In particular, the developer should determine:

- i. whether the land in question is already affected by contamination through source – pathway- receptor contaminant linkages;
- ii. whether the proposed development will create new linkages, e.g. new pathways by which existing contaminants might reach existing or proposed receptors; and

- iii. what action is needed to break those linkages and avoid new ones, deal with any unacceptable risks and enable safe development and future occupancy of the site and neighbouring land.

A potential developer will need to satisfy the local authority that unacceptable risk from contamination will be successfully addressed through remediation without undue environmental impact during and following the development.

In doing so, a developer should be aware that actions or omissions on their part could lead to liability being incurred under Part 2A, e.g. where development fails to address an existing unacceptable risk or creates such a risk by introducing a new receptor or pathway.

Where an agreed remediation scheme includes future monitoring and maintenance schemes, arrangements will need to be made to ensure that any subsequent owner is fully aware of these requirements and assumes ongoing responsibilities that remain with the new landowner.

3.0 PLANNING PROCEDURE

The actual or possible presence of contamination is a material planning consideration. All planning applications (and any supporting information) submitted to TMBC are assessed by the Council's Environmental Protection Unit (EPU) in order to determine whether there is the potential for the site to be affected by contamination. As part of this process the EPU may consult with other statutory bodies and local authority departments, including the Environment Agency, British Waterways and the Councils Building Control and Engineering Departments.

Where a potential risk of contamination is identified, or the proposed end use of the site is particularly sensitive, the EPU recommends to the Planning Department that a planning condition relating to contaminated land be attached to the decision notice of any planning approval given.

The principal objective of the contaminated land condition is to ensure that any unacceptable risks to human health, buildings and other property and the natural and historical environment from the contaminated land are identified so that appropriate action can be considered and then taken to address those risks.

It is essential that the developer and their agents comply with the contaminated land condition and provide information at the appropriate stages of development. Failure to comply with the contaminated land condition may result in the site being referred to the Planning Enforcement Team and could result in legal action being taken by the Council. Actions that may be taken to enforce a contaminated land obligation include a breach of condition notice and the power to stop the development, demand that the requested information is provided and in extreme circumstances to criminally prosecute. Failure to comply with the contaminated land condition may also affect the future sale/resale of the property or land. In particular, the EPU may attach a note to land charges undertaken with the Council informing potential purchasers, solicitors etc. that the contaminated land condition has not been complied with.

For large developments on sites where serious contamination is known, or is likely to be present, it is strongly recommended that pre-application consultations with the local planning authority and the EPU are undertaken.

Please note that the EPU will not be in a position to recommend discharge of the contaminated land condition until all information relating to contaminated land issues has been received and agreed and the development as a whole is complete.

A flowchart showing a typical example of TMBC's contaminated land planning procedure can be found in Appendix A.

3.1. Formal submission of reports

All information and reporting relating to the discharge of contaminated land conditions (both pre-commencement requirements and discharge in full) must now be submitted, together with an 'Approval of Details Reserved By Condition Application', of 'Formal Discharge of Planning Condition' to the Councils Planning Department via the planning portal (www.planningportal.co.uk). The Planning Department will then consult directly with the EPU (who, if necessary, will contact the applicant / developer and their agents).

The EPU does not respond to information / reporting where (1) it has been sent directly to Contaminated Land Officers and / or (2) a discharge application has not been submitted to the Councils Planning Department.

4.0 PHASES OF COMPLIANCE AND REPORTING REQUIREMENTS

The guidance contained within this section aims to inform developers of the procedural requirements of a risk based approach to land contamination, as defined in current UK legislation and guidance.

A detailed technical framework for investigating and dealing with land affected by contamination is contained within the Environment Agency's Land Contamination Risk Management (LCRM) guidance, which can be viewed online on the Gov.uk website. The process involves identifying, making decisions on, and taking appropriate action to deal with land contamination in a way that is consistent with government policies and legislation within the UK.

The approach outlined with TMBC's Guidance Note is consistent with LCRM technical framework and is based on a staged or tiered approach to risk assessment.

To fulfil the requirements of a contaminated land condition there are four compliance stages to satisfy:-

Phase I: Preliminary Risk Assessment (PRA)

Phase II: Intrusive Investigation(s)

Phase III: Remediation Strategy

Phase IV: Completion/Validation/Verification Report

The inclusion of the information set out in the following sections will enable the Council to make informed decisions on the suitability of a development and proposed remediation schemes.

Failure to submit adequate information or information that is not of an appropriate standard may result in requests for further details and could prevent the discharge of the contaminated land condition.

The EPU would ask to be informed of relevant dates of intrusive investigations, remediation and validation/verification activities so that officers are given opportunity to comment on and / or attend during site works.

4.1 - PHASE I : PRELIMINARY RISK ASSESSMENT (PRA)
(TO BE SUBMITTED AND AGREED PRIOR TO DEVELOPMENT)

The purpose of the preliminary risk assessment is to develop an initial conceptual site model (CSM) clearly identifying all potential sources, pathways and receptors and all potential contaminant linkages.

The following information should be included within the PRA:-

- 1) The purpose and aims of the PRA.
- 2) Site location and development layout plans clearly identifying the definitive site boundary.
- 3) A description of the site identifying the site size, full details of the current use of the site and surrounding area and any other significant features, including photographs. (The site description should be based on a site walkover to identify any visual evidence of contamination and/or any past activities that may have resulted in contamination).
- 4) Reasonable historical researches to identify past land use at, or within potentially influencing distance of, the site, including an appraisal of historical maps*.
- 5) A review of any previous contamination reports (PRA or intrusive) or remediation works undertaken at, or adjacent to, the site.
- 6) Characterisation of the sites geology, hydrogeology and hydrology.
- 7) Information available from the Local Authority, Environment Agency, The Coal Authority, British Waterways, English Nature etc.... - abstraction points, water quality classification, landfill sites, environmental designations, mining, industry etc....
- 8) Consideration of asbestos – Including copies of demolition reports and asbestos surveys/clearance certificates for all recent demolitions and/or consideration of the potential for asbestos to be present from historical demolition activities/ building damage.
- 9) A site plan clearly identifying the location of all potential point sources and areas of contamination and any significant features.
- 10) An initial CSM based on the identification and establishment of potential source-pathway-receptor (contaminant linkage) relationships at the site and an assessment of risk for each contaminant linkage. This information should be clearly presented.
- 11) Conclusions and recommendations based on the findings of the CSM.
- 12) Where intrusive investigations are recommended, information collected as part of the PRA should be sufficient to inform the requirements of this investigation. FULL DETAILS OF THE PROPOSED INTRUSIVE INVESTIGATIONS, SUPPORTED BY APPROPRIATE JUSTIFICATION, MUST BE SUBMITTED TO, AND AGREED WITH, THE ENVIRONMENTAL PROTECTION UNIT BEFORE BEING UNDERTAKEN.

**Please note that any documentary evidence referenced within the PRA (e.g. plans, historical maps, photographs, Coal Authority Reports etc.) must be included (where necessary, in colour) in order that the EPU can determine how the initial conceptual model has been developed.*

4.2 - PHASE II : INTRUSIVE INVESTIGATION REPORT
(TO BE SUBMITTED AND AGREED PRIOR TO DEVELOPMENT)

The aim of the Phase II investigation is to determine the presence, severity and extent of any contamination at the site, so enabling the risk posed by contamination to be assessed and any necessary remedial measures to be determined.

The Phase II investigation should include the following components:-

- 1) A site investigation methodology, which must be agreed with the EPU prior to being undertaken and must include the following:-
 - a) A summary of the findings of the PRA, including the initial CSM.
 - b) A clear investigation scheme based on the findings of the CSM.
 - c) Objectives of the intrusive investigation.
 - d) Details of any limitations to the investigation (e.g. presence of buildings etc.).
 - e) Details of the methodology and investigation techniques to be used, including justification.
 - f) A scaled plan clearly identifying all potential point sources and areas of contamination at the site, accurately superimposed with all investigation positions.
 - g) Appropriate justification for the positioning of investigation points (e.g. targeting of potential point sources etc.) including confirmation of the density of untargeted investigation to be achieved expressed as a grid size.
 - h) Sampling and analytical strategies supported by justification (including reference to the DoE Industry Profiles).
 - i) Where appropriate, recommendations for ground gas and groundwater monitoring. This should include justification for the number and positioning of installations and the period and frequency of monitoring visits.
- 2) Results and interpretation of the Phase II investigation including:-
 - a) Ground, groundwater and gas conditions encountered.
 - b) Presentation of laboratory analysis results and monitoring data.
 - c) Discussion of any ground / groundwater/ ground gas / surface water contamination encountered (visual, olfactory etc.).
 - d) Appropriate qualitative and quantitative risk assessment criteria.
- 3) Refinement of the initial CSM based on the findings of the Phase II intrusive investigations and subsequent risk assessments.
- 4) Recommendations for further investigation / risk assessment (if required).
- 5) Preliminary recommendations for remediation.

4.3 - PHASE III : REMEDIATION STRATEGY
(TO BE SUBMITTED AND AGREED PRIOR TO DEVELOPMENT)

This is a document detailing the remedial action(s) to be undertaken in order to break contaminant linkages and reduce or remove any unacceptable risks posed by contamination to end users, property or the environment. Please note that Government policy encourages sustainable methods of remediation.

The remediation strategy should include the following components:-

- 1) A summary of the findings of the PRA, intrusive investigations and risk assessments, including confirmation of the CSM.
- 2) Objectives of the remediation strategy.
- 3) A detailed remediation strategy clearly identifying how the remedial actions will appropriately address each of the contaminant linkages identified.
- 4) Detailed descriptions of the remedial works to be carried out, including:-
 - a) A description of the ground conditions (soil and groundwater).
 - b) Type, form and scale of contamination to be remediated.
 - c) Remediation methodology.
 - d) Ground gas / groundwater monitoring proposals.
 - e) Scale site plans / drawings.
 - f) Phasing of works and approximate timescales.
- 5) Consents, agreements and licenses (discharge consents, waste management licenses etc....)
- 6) Site management procedures to protect site neighbours, environment etc.... during works. These should include where appropriate:-
 - a) Health and safety plans and procedures.
 - b) Dust, noise and odour suppression / controls – including monitoring protocols.
 - c) Control of surface water run-off
 - d) Site Materials / Waste Management Plans.
- 7) Details of how any necessary variations from the approved Remediation Strategy (arising during the course of the works) will be dealt with, including notification of the Local Planning Authority / Environmental Protection Unit.
- 8) Details of how the remediation works will be validated / verified in order to ensure that the remediation objectives have been met. This should include details of:-
 - a) Sampling Strategies (for imported soils and in-situ validation purposes etc....).
 - b) Use of on-site observations and visual evidence.
 - c) Chemical analysis / monitoring data.
 - d) Proposed clean-up standards, including justifications.
- 9) A 'post-remediation' conceptual model identifying how the contaminant linkages will be appropriately addressed.

4.4 - PHASE IV VERIFICATION / VALIDATION / COMPLETION REPORT **(TO BE SUBMITTED FOLLOWING REMEDIATION AND PRIOR TO OCCUPATION)**

The aim of the Completion/Verification report is to demonstrate beyond doubt that all remediation actions detailed within the agreed remediation strategy have been appropriately undertaken such that all unacceptable risks posed from contamination have been appropriately reduced/removed and all contaminant linkages have been appropriately addressed.

If submitted with all relevant supporting documents, the submission of a Completion/Verification/Validation Report will assist the Local Planning Authority in discharging the contaminated land condition and aid responses to Local Search enquiries when properties are marketed.

The Completion / Verification / Validation report may include:-

- 1) Supplementary documentation as per Phase III: Items 5 to 9 (above).
- 2) A summary of the remediation works undertaken.
- 3) Confirmation who carried out the remediation works and when the works took place.
- 4) Details and justification for any agreed changes made to the original remediation strategy.
- 5) Full details of any further observations of contamination identified during remediation/development. This should include full details of any further investigation/remediation that was undertaken to deal any additional contamination, supported by appropriate justification.
- 6) Evidence demonstrating that all remediation works have been carried out to the agreed standard including, where appropriate:-
 - a) Laboratory analysis results for imported soils and in-situ sampling.
 - b) Verification of remediation (e.g. capping layer – ground level surveys / hand dug trial pits etc.).
 - c) Photographic and documentary evidence.
 - d) Post-completion analysis and monitoring results for ground gases and/or groundwater.
 - e) Summary of validation data and comparison to assessment criteria/clean up criteria.
 - f) Scaled site plans – of the completed development / validation sample locations / delineating areas of remediation etc. ...
- 7) Full details of any outstanding or ongoing environmental monitoring or works to be undertaken and confirmation of how this information will be reported to the Council so the condition may be discharged.
- 8) Confirmation of the 'post-remediation' CSM.
- 9) Confirmation that all the remediation objectives have been met and that the site is suitable for its intended use.

5.0 GENERIC GUIDANCE

The complexity of contaminated land technical guidance, coupled with individual site variability, makes it difficult to produce comprehensive guidance applicable to every situation.

However, when assessing the adequacy of a site investigation, a number of common problems frequently arise. These generally relate to areas where technical guidance may be complex or incomplete. In an attempt to minimise the occurrence of these problems, the EPU apply consistent criteria for certain technical aspects of a site investigation. This section is intended to highlight recurring problem areas and key points that are of particular importance.

5.1 Obtaining representative samples

All sampling strategies should be designed to provide data that is representative of the site conditions as a whole. In particular, a sufficient density of sampling both horizontally and vertically over the area of the site must be demonstrated. Sampling should be undertaken in accordance with recognised sample collection and methodology and guidance, with reference made to recommendations within BS 10175:2011 (see references section) and other best practice guidance.

Reference to observations made during the site walkover survey and to historical site information is essential to ensure that potential point sources/areas of contamination are appropriately targeted by investigation. The location of all potential point sources/areas of contamination must be clearly identified on a site plan accurately superimposed with the investigation positions. Where potential point sources/areas of contamination are not appropriately targeted an explanation will be required.

Justification for the density of non-targeted investigation (expressed as a grid size) must be clearly set out in the site investigation report, including a discussion of the expected nature of contamination at the site (e.g. whether it is heterogeneous or homogeneous etc.).

5.2 Sample analysis

Justification for the analysis suite must be clearly set out in the site investigation report including reference to relevant DoE Industry Profiles. A suitably accredited laboratory should be used to undertake analysis of samples. In particular, all chemical analysis should conform to the Environment Agency's Monitoring Certification Scheme (MCERTS – see references).

The site investigation report should include a detailed plan showing the location of sampling points and accreditation details for the laboratory used, together with analytical test reports and certificates. A summary of analysis results should also be included.

5.3 Risk assessment

Following completion of the investigation, analysis results need to be compared against suitable assessment criteria. Soil sample contaminant concentrations should be compared to Soil Guideline Values (SGVs) and C4SL Generic Screening Levels that have been developed to be protective of human health. Where these are unavailable for particular contaminants, the LQM/CIEH Suitable for use levels (S4UL), 2015 may be used (see References).

Assessment criteria can also be derived using the Environment Agency's CLEA UK Software. Other risk assessment tools might also be acceptable, but their use must be fully justified and conform to current UK policy. The Environment Agency's 'Remedial Targets Methodology – Hydrogeological Risk Assessment for Land Contamination' guidance should be used for assessing contamination risks to ground and surface waters (please refer to the References

section). The first step of the assessment is to compare water and leachate samples to the appropriate environmental water quality standards. If more detailed assessment is required, it is recommended that the Environment Agency is consulted.

BSI, CIRIA, CIEH, CL:AIRE and NHBC/RSK have all published guidance documents for ground gas risk assessment (see References). Where ground gas issues have been identified on a site, ground gas investigations and risk assessment need to be carried out in accordance with these documents.

5.4 Waste Management

If you intend to move soils around the site and/or cut and fill activities you will need to ensure you have the correct permissions in place. This is to ensure that any soils moved and reused are not classified as a waste material. As consequence, you may need to apply for environmental permits, licenses or exemptions.

The CL:AIRE Development Industry Waste Code of Practice (see references) may provide a suitable route to the reuse of materials on site (or as part of a hub and cluster site) without the need for formal waste exemptions or environment permits. For material to be used within the Code of Practice: the material must be suitable for use, have certainty of use and a defined use. A Materials Management Plan will be required to be approved by a Qualified Person (QP) and the QP's declaration submitted to the National Permitting Centre at the Environment Agency. Please note that the EPU does not regulate waste management issues so you will need to contact the Environment Agency if you have any questions regarding waste management issues.

6.0 ACKNOWLEDGEMENTS

Tameside MBC would like to acknowledge the input of Manchester and Liverpool City Councils in creating this document, the Hertfordshire, Bedfordshire and Neighbouring Authorities Contaminated Land Network. In addition, we would also like to thank the Yorkshire and Humberside Pollution Advisory Council.

7.0 USEFUL REFERENCES

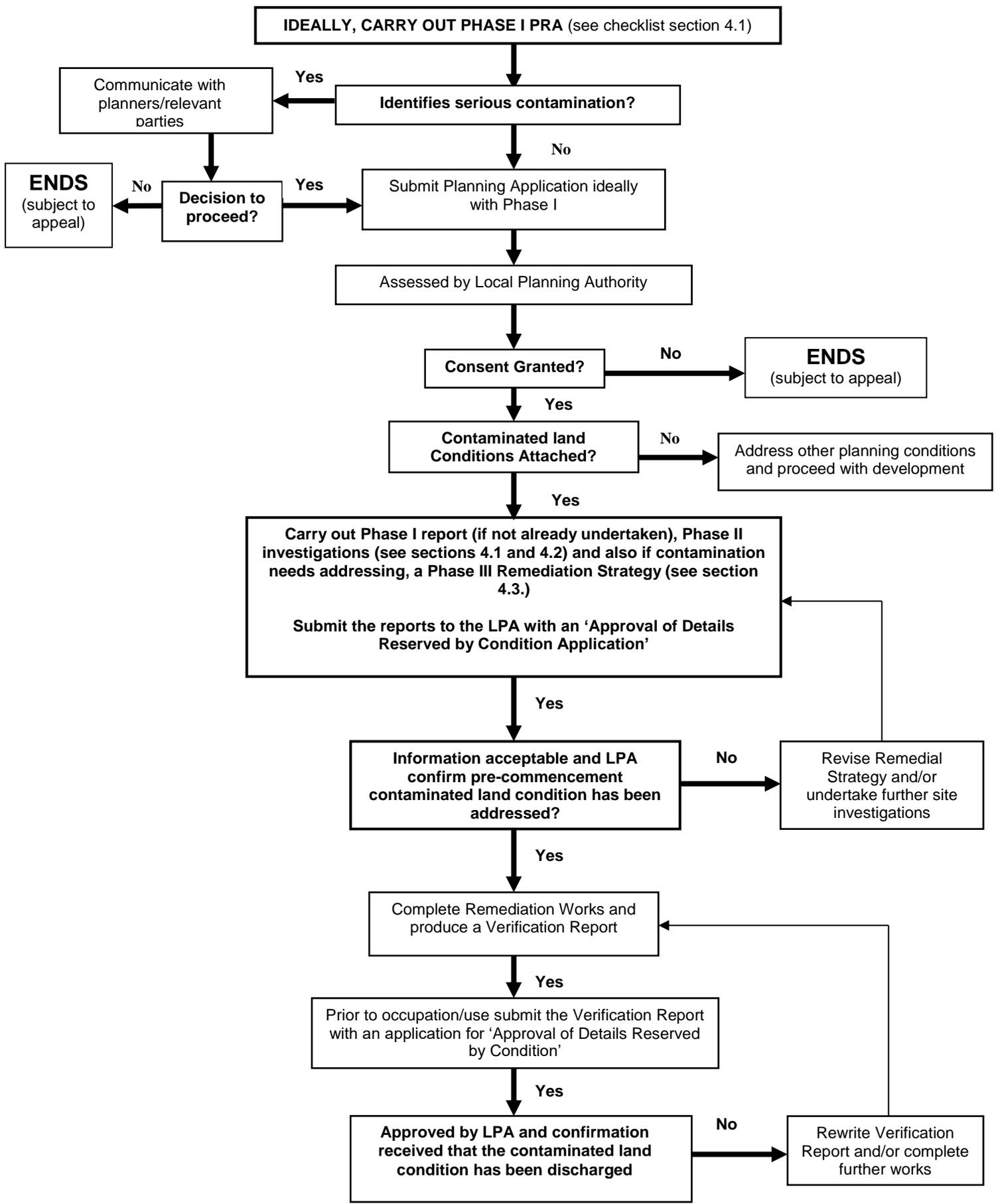
Please note that this list is not exclusive or exhaustive.

1. British Standards Institution (2011). **BS 10175:2011: Investigation of Potentially Contaminated Sites - Code of Practice.** BSI, London.
2. British Standards Institution (2015) **BS3882:2015 2007 Specification for topsoil.** BSI, London
3. British Standards Institution (2015). **BS 5930:2015: Code of Practice for Site Investigations.** BSI, London.
4. British Standards Institution (2015). **BS 8485:2015: Code of Practice for the Characterisation and Remediation from Ground Gas in Affected Developments.** BSI, London.
5. Chartered Institute of Environmental Health, SA Wilson, GB Card & S Haines (2009). **Ground Gas Handbook.**
6. Chartered Institute of Environmental Health and Contaminated Land: Applications in Real Environments (CL:AIRE) (2008) **Guidance on Comparing Soil Contamination Data with a Critical Concentration.**
7. Chartered Institute of Environmental Health (2008) **The Local Authority Guide to Ground Gas.**
8. Construction Industry Research and Information Association (2007). **CIRIA C665: Assessing Risks Posed by Hazardous Ground Gases to Buildings.** CIRIA, London.
9. Construction Industry Research and Information Association (2014). **CIRIA C733: Asbestos in Soil and Made Ground: A Guide to Understanding and Managing Risks.** CIRIA, London.
10. Contaminated Land Applications in Real Environments CL:AIRE (2012) **Pragmatic Approach to Ground Gas Risk Assessment.** CL:AIRE Research Bulletin RB17.
11. Contaminated Land: Applications in Real Environments (CL:AIRE) (2011). **The Definition of Waste: Development Industry Code of Practice Version 2.**
12. Contaminated Land Applications in Real Environments (CL:AIRE) (2014) **Development of Category 4 Screening Levels for Assessment of Land Affected by Contamination (C4SL).**
13. Department of the Environment (1995). **Industry Profiles (Various Titles).** DoE, London (available from: <https://www.gov.uk/government/publications/department-of-environment-industry-profiles>).
14. Department for Communities & Local Government (2012-updated 2019). **National Planning Policy Framework** and associated **National Planning Practice Guidance on Land Affected by Contamination.** Department for Communities and Local Government, London (available from: <http://planningguidance.planningportal.gov.uk/>).
15. Department for Environment Food and Rural Affairs (DEFRA) (2012) **Environmental Protection Act 1990: Part 2A, Contaminated Land Statutory Guidance.**
16. Environment Agency (2015). **Contaminated Land Exposure Assessment (CLEA):**

Software and Relevant Publications. Environment Agency, Bristol.

17. Environment Agency MCERTS scheme (2014 and updated 2018).
18. Environment Agency (2009) **Human Health Toxicological Assessment of Contaminants in Soil (SR2).**
19. Environment Agency (2009) **Human Health Toxicological Assessment of Contaminants in Soil (SR2).**
20. Environment Agency (2006) **Hydrogeological risk assessment for land contamination: Remedial Targets Methodology.** R&D Publication 20.
21. Environment Agency (2019) **Land Contamination Risk Management.**
22. Joint Industry Working Group (JIWG) (2102) **Asbestos in Soil Guidance (CAR SOIL TM)** (Contaminated Land: Applications in Real Environments (CL:AIRE))
23. National House Building Council (2007). **Guidance on Evaluation of Development Proposals on Sites where Methane and Carbon Dioxide are Present.** NHBC, London.
24. National House Building Council, Environment Agency & CIEH (2008). **R & D Publication 66: Guidance for the Safe Development of Housing on Land Affected by Contamination.** NHBC & Environment Agency, London.
25. Nathanail, C.P.; McCaffrey, C.; Gillett, A.G.; Ogden, R.C. & Nathanail, J.F. (2015) **Suitable 4 Use Levels for Human Health Risk Assessment.** Chartered Institute of Environmental Health and Land Quality Management. Land Quality Press, Nottingham.

APPENDIX A – FLOWCHART SHOWING IDEALISED EXAMPLE OF THE CONTAMINATED LAND PLANNING PROCEDURE



APPENDIX B – FREQUENTLY ASKED QUESTIONS

How much of the work can I do without employing a consultant?

Because of the complex and technical nature of contaminated land issues it is strongly recommended that developers employ a suitably-qualified environmental consultant or company. This should save time by helping to ensure that work is carried out to an appropriate standard.

Can the Council advise on employing a consultant or contractor?

The Council cannot recommend any consultant or contractor. A simple search on the internet will identify environmental consultants that can undertake the reporting required.

Contacts at the Environmental Protection Unit

Tameside MBC
Environmental Protection Unit
Room 56
Tame Street Depot
Tame Street
Stalybridge
Tameside
SK15 1St

Telephone 0161 342 3680
 0161 342 2691

When should I contact the Environment Agency?

The Environment Agency regulate when contamination is found to impact on controlled waters. Therefore, if a development is likely to impact on either surface waters or groundwater the advice of the Environment Agency should be sought.