

**From:** Naomi Hart  
**Sent:** 05 May 2022 08:32  
**To:** DC Admin Planning  
**Subject:** FW: 22/00659/FUL - Land off Bradfield Road, Wix

**Categories:** Consultees

Good morning,

Please may you attach EP comments below to application 22/00659/FUL?

Thanks

Naomi Hart (BA Hons) (MSc)  
Planning Officer  
Planning Department  
Tendring District Council  
Town Hall, Station Road, Clacton on Sea, CO15 1SE

Web: [www.tendringdc.gov.uk](http://www.tendringdc.gov.uk)  
[Planning PublicAccess](#)

The above is an informal officer opinion only, based upon the information submitted and does not constitute a formal determination of the Council.

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**From:** Katie Wesley-Smith [REDACTED]  
**Sent:** 04 May 2022 17:29  
**To:** Naomi Hart [REDACTED]  
**Subject:** 22/00659/FUL - Land off Bradfield Road, Wix

Good Afternoon Naomi – with reference to the above application, I can advise I have had the opportunity to review the proposal and submitted documents; the EP Team would request the below is conditioned, and is included with any possible, subsequent approval decision notice:

**Contaminated Land:** Given the sites proximity to historical agricultural land, we are requesting a Watching Brief be conditioned and adhered to throughout the construction phase -

We request that the LPA are contacted in the event of unexpected ground conditions being encountered during construction and that the below minimum precautions are undertaken until such time as the LPA responds to the notification. I would also advise that the developer is made aware that the responsibility for the safe development of the site lies with them.

Minimum requirements for dealing with unexpected ground conditions being encountered during construction.

1. All site works at the position of the suspected contamination will stop and the Local Planning Authority and Environmental Health Department will be notified as a matter of urgency.

2. A suitably trained geo-environmental engineer should assess the visual and olfactory observations of the ground and the extent of contamination and the Client and the Local Authority should be informed of the discovery.
3. The suspected contaminated material will be investigated and tested appropriately in accordance with assessed risks. The investigation works will be carried out in the presence of a suitably qualified geo-environmental engineer. The investigation works will involve the collection of solid samples for testing and, using visual and olfactory observations of the ground, delineate the area over which contaminated materials are present.
4. The unexpected contaminated material will either be left in situ or be stockpiled (except if suspected to be asbestos) whilst testing is carried out and suitable assessments completed to determine whether the material can be re-used on site or requires disposal as appropriate.
5. The testing suite will be determined by the independent geo-environmental specialist based on visual and olfactory observations.
6. Test results will be compared against current assessment criteria suitable for the future use of the area of the site affected.
7. Where the material is left in situ awaiting results, it will either be reburied or covered with plastic sheeting.
8. Where the potentially contaminated material is to be temporarily stockpiled, it will be placed either on a prepared surface of clay, or on 2000-gauge Visqueen sheeting (or other impermeable surface) and covered to prevent dust and odour emissions.
9. Any areas where unexpected visual or olfactory ground contamination is identified will be surveyed and testing results incorporated into a Verification Report.
10. A photographic record will be made of relevant observations.
11. The results of the investigation and testing of any suspect unexpected contamination will be used to determine the relevant actions. After consultation with the Local Authority, materials should either be: o re-used in areas where test results indicate that it meets compliance targets so it can be re-used without treatment; or o treatment of material on site to meet compliance targets so it can be re-used; or o removal from site to a suitably licensed landfill or permitted treatment facility.
12. A Verification Report will be produced for the work.

*REASON - To ensure that any risks (to future users of the land and neighbouring land and to controlled waters, property and ecological systems) arising from any land contamination are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.*

**Construction Activities:** In order to minimise potential nuisance caused by demolition/construction works, Environmental Protection recommend that the following below is conditioned;

- No vehicle connected with the works to arrive on site before 07:30 or leave after 19:00 (except in the case of emergency). Working hours to be restricted between 08:00 and 18:00 Mondays to Saturdays (finishing at 13:00 on Saturdays) with no working of any kind permitted on Sundays or any Public/Bank Holiday whilst construction works and alterations are being carried out.
- No materials produced as a result of the site development or clearance shall be burned on site.

Adherence to the above condition will significantly reduce the likelihood of public complaint and potential enforcement action by Pollution and Environmental Control. The condition gives the best practice for Demolition and Construction sites. Failure to follow them may result in enforcement action under nuisance legislation (Environmental Protection Act 1990), or the imposition of controls on working hours (Control of Pollution Act 1974).

*REASON:* to protect the amenity of nearby residential premises

Should you have any queries, please do not hesitate to contact me.

Kind Regards

Katie

*Katie W Smith BSc (Hons) MCIEH CEnvH  
Chartered Environmental Health Practitioner  
Environmental Protection Team*

