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Lydia Burrows

Our Ref: 20/11368/PLAN

5th October 2020

Your Ref: CONNIN/20/0636

Dear Lydia

PLANNING REF: Discharge of Condition 10 (Decontamination Verification) 20/0636 for Phase 1 of Permission 13/1279 for a development of 251 dwellings and associated works. Land to the South of Glan Usk Primary School, Herbert Road, Newport, South Wales.

CONTAMINATED LAND CONSULATION

Further to your consultation please find as follows our comments regarding the above referenced Planning application. Please note our comments are specific to contaminated land matters only.

It is understood that an application has been made to discharge Condition 10 of permission granted under planning ref: 13/1279. Condition 10 relates to contaminated land matters, specifically 'Verification'. The following documents have been submitted to support the application and have been reviewed by WRS:

- Radbar Amber 1 Data sheet for gas membrane and drawing showing ground floor details (Drawing ref: (21) 100 B dated 17th March 2017.
- Validation of Capping Report – Phase 1 Herbert Road, Newport. ref: RH/120032P1/ Validation by Terra Firma Wales Ltd dated 30th July 2018.
- Covering letter from Asbri Planning dated 15th July 2020 ref: 16.563 – Re: Discharge of Condition 10 (Verification) for Phase 1.

It is noted that the following documents have also been submitted under application 20/0636. Clarification should be provided by the applicant regarding their relevance to Phase 1. It is noted that some of the reports listed have been submitted previously to the LPA to support the discharge of Condition 20 which relates to importing suitable soil/ materials to site.

- Imported Fill Validation Report October 2016/2032/VR1 by Terra Firma
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- Appendices to Geotechnical and Environmental Report Parts 1 to 4 by Terra Firma dated March 2013
- Preliminary Interim Earthworks dated June 2016 ref 12032/ER1
- Imported Fill Validation Report dated September 2016 ref 12032/VR1 by Terra Firma
- Earthworks Validation Report Phase 2 to 4 dated October 2017 by Terra Firma
- Settlement Report dated August 2018 ref: 12032/SR

WRS understand that Condition 10 was partially discharged by Newport City Council for the wider development in April 2017 under application ref 17/0082 with the following wording by Newport City Council:

'Condition 10 has been agreed in relation to fill material that has been imported onto the site so far. Other elements of contamination (Verification plan – gas protection and final filling) remain to be discharged. Condition 10 can be discharged in part.'

WRS note that a remedial strategy report for the wider development area dated August 2015 and produced by Terra Firma was approved by Newport City Council under 17/0082 (Condition 3).

Summary of Validation of Capping Report Phase 1

It is stated in the validation report that Phase 1 comprises 3 apartment buildings with landscaped communal gardens to the front and a landscaped area to the south. Terra Firma previously completed an investigation of these areas in February 2017 (ref: 12032P1) and concluded that no remedial measures were required. It is stated that Engie Regeneration Ltd specified a 600mm clean capping layer should be placed within the front communal gardens with a no dig barrier.

WRS understand that the investigation referred to by Terra Firma in the report has been submitted previously to the LPA under 18/1057 in relation to Condition 11 (Groundwater assessment) and Condition 12 (Testing of Imported Soils.)

A volume of <250m³ of topsoil was imported for garden and landscaped areas, pre import chemical test data for 4 samples confirmed that the soil was suitable for use. Additional sampling was undertaken by Terra Firma from stockpiled imported material and landscaped areas. The results of the analysis have been compared to S4ULs and C4SLs for a residential end use without plant uptake.

A site inspection was undertaken which confirmed that the front gardens had been excavated to a depth of 600mm and a no dig barrier placed. Photographic evidence has been provided in the report.

WRS Comments

WRS concur with the consultant that based on the laboratory results the topsoil is considered to be suitable for placement within communal garden and landscaped areas. WRS note however that at the time the verification was undertaken topsoil had not been placed within proposed communal garden areas to the front of the apartments.

Verification that the imported topsoil has been placed at the proposed depth of 600mm has therefore not been provided. Photographs provided in the report show the no dig membrane however the depth of this layer and the base of the proposed capping layer is not clear from the evidence provided. Further clarification should be provided regarding this matter.

It is noted that one of the soil samples was obtained from the landscaped area (presumably to the south of the apartments). WRS note that no photographic evidence or further details have been provided regarding verification of the capping layer in this landscaped area. Confirmation should be provided regarding this matter and appropriate evidence provided.

Gas Protection Measures – Summary

A BDA Certificate and specification details for a Radbar Amber 1 gas membrane have been provided as part of the verification information for the gas protection measures installed. It is stated within the specification for the membrane that it is suitable for resistance against radon gas.

Drawing ref: (21) 100B dated March 2017 has been submitted which shows typical ground floor details. It is stated on the drawing that the proposed membrane is a 2000 gauge DPM and radon barrier.

WRS Comments

Limited verification information has been provided regarding the gas protection measures installed. No details of any inspections/ test certificates or photographic evidence taken during installation of the membrane has been provided. Clarification should be provided regarding this matter and the relevant information submitted.

Based on the approved Remedial Strategy produced by Terra Firma dated 15th August ref 12032/RS, it is understood that gas protection measures are required for all buildings within the development, this is due primarily to elevated concentrations of methane and carbon dioxide being generated from underlying peat deposits within the Alluvium. WRS understand this applies to all phases of development. It is stated within the RS that a 2000 gauge membrane suitable for the protection against: ground gases, radon and PCBs should be installed in all buildings with passive underfloor venting. It is however stated that further monitoring is proposed post placement of fill and following piling activities and that more robust protection measures may be deemed necessary following a review of this data.

WRS understand that a focussed geo environmental and geotechnical investigation of Phase 1 was undertaken by Terra Firma in in February 2017. The investigation included ground gas monitoring, however at the time the report was issued only 1 of the 6 monitoring events had been completed. The site was characterised as CS2 due to slightly elevated CO2 concentrations, initial recommendations were made for the installation of a 2000 gauge DPM/ reinforced gas membrane with underfloor venting. It is stated in the report that classification of the ground gas risk will be reviewed on completion of all gas monitoring events and amended where necessary.

In relation to ground gas concentrations recorded historically, within the wider development area, and in 2017 within Phase 1, WRS note that gas concentrations identified in the 2017 investigation were significantly lower than those identified prior to this date within the wider

development area, as detailed in the RS dated August 2015. Concentrations of 80% v/v methane and 22% v/v carbon dioxide have been recorded within the wider development site.

Recommendations for remedial measures in relation to ground gases in the 2017 report deviate from those detailed in the approved RS dated August 2015. Clarification should be provided therefore regarding the ground gas risk within Phase 1 with all appropriate gas monitoring data obtained to date (gas monitoring proposed post filling, during piling and as part of the focused phase 1 investigation) submitted as suitable evidence.

WRS are not able to comment on the suitability of the membrane installed within the buildings in Phase 1 until further evidence is provided regarding the ground gas risk, as detailed above.

Given the above, the verification information provided does not provide sufficient lines of evidence that the remedial measures have been undertaken in accordance with the Remedial Strategy (dated August 2015). WRS advise that no further parts of Condition 10 are discharged for Phase 1 of the development at this stage.

If you have any further queries regarding this matter or information provided in support of the application requiring comment by the Land and Air Quality Team please do not hesitate to contact us via wrsenquiries@worcsregservices.gov.uk or 01905 822799 quoting the above reference number.

Yours sincerely

**Land & Air Quality Team
Worcestershire Regulatory Services**