

Our Ref: PC/CL/VoG-13-00632-FUL
Date: 27th August 2014

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Sent Via Email

For the attention of Rebecca Athay, Environmental Health Officer
Public Protection Services, Vale of Glamorgan Council

Dear Rebecca

Re: Con 40 of planning permission 2009/00946/OUT - ASDA, Barry Waterfront

I write with regard to your email of the 4th September 2014 . Our comments regarding the above submission are provided below as requested. These are based on the information provided:

The developers, agent has submitted documentation in pursuant of the discharge of parts 3 and 4 of condition 40 which state the following:

3. *The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and **remediation strategy** giving full details of the remediation measures required and how they are to be undertaken.*
4. ***A verification plan** providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.*

The information provided is:

- Discovery Strategy – Construction Phase
- Specifications for Retail Site Servicing;
- Report on Geotechnical Site Investigation (DTS Raeburn, July 2013)

The documentation submitted does not provide sufficient detail in terms of the overall remediation strategy for the site, nor do they constitute an options appraisal. The Discovery Strategy Document is not fully sufficient and this itself is more of a strategy to deal with any unforeseen areas of contamination that may be encountered during the main works. This document would form a section of the overall Remediation Strategy Report.

Within the letter from RPS it is stated that the developer is ' building the ground level up', and by this wording it would appear the remediation strategy is to provide an engineered capping layer.

There is limited information in terms of the details of the proposed capping works and more details must be provided within a detailed remediation strategy. This should include but not be limited to detailing what the proposed thickness of the capping layer will be, what target concentrations in terms of chemical determinants are being proposed for the capping layer and any final landscaping areas, inclusions of any geotextile marker horizon at the base of the capping layer, etc

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Therefore in order for Part 3 of the condition to be satisfactorily met, a detailed Remediation Strategy document must be produced and include the above mentioned details along with the following where applicable:

- justification for selection and how remediation strategy will deliver overall site remediation criteria;
- technical and scientific basis, effectiveness of combining remedial options, constraints and limitations, expected durability ;
- site plan/drawings (appropriately scaled and annotated) ;
- preparatory works, phasing of remedial works and timescales ;
- consents and licenses (e.g. discharge consents, part B authorisation for mobile plant, waste management licences/ exemptions, asbestos waste removal licence) ;
- site management measures to protect neighbours, environment and amenity during works, including where appropriate ;and
- health and safety procedures, discharges to air, land and water including dust, noise, odour, surface water run off, discharges to groundwater with environmental controls and monitoring

In order for Part 4 of the condition to be satisfactorily met, a Verification Plan needs to be provided (this could be included within the Remediation Strategy) which should detail how the developer will document that the remediation criteria has been met for each relevant pollutant linkage and should include:

- the sampling and monitoring strategy, methods and frequency;
- validation testing of excavations to remove material, treated material, imported material, effectiveness of gas management systems etc;
- water quality testing of background groundwater and proximal surface waters, plus treated waters;
- the use of on-site observations, visual/olfactory evidence;
- schedule of chemical analysis, demonstrating accordance with MCERTS for soils and laboratory QA/QC;
- performance testing methods e.g. for containment barrier (cut off wall, gas membrane) and capping layer;
- confirmation by independent consultant that remedial measures proposed ie for gas, soil or water contaminants are incorporated into the design as planned or as per manufacturers specification. Any deviation to this being justified; and
- proposed actions in the event that verification shows failure of remediation criteria

Not all the above elements may be applicable for the proposed works, but elements which are applicable need to be included.

To confirm the information submitted is not sufficient for the discharge of Parts 3 and 4 of Condition 40 .

The above comments by the City of Cardiff Council have been considered on the basis of the information made available by the Vale of Glamorgan. However any final decision made on the suitability of the development rests solely with the Vale of Glamorgan and the City of Cardiff Council can not accept any liability whatsoever for any loss or damage arising from any future development at this site.

If you wish to discuss any of the above comments please do not hesitate to contact me.

Yours sincerely



JASON BALE
GROUP LEADER – POLLUTION CONTROL

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