

Lancashire County Council  
Development Management Group  
Environment Directorate  
PO Box 100  
Preston  
Lancashire  
PR1 0LD

**Our ref:** NO/2022/114182/02-L01  
**Your ref:** LCC/2022/0003  
**Date:** 29 July 2022

Dear Sir/Madam

**DEMOLITION OF EXISTING BUILDING AND ERECTION OF PURPOSE BUILT BUILDING  
(AND ANCILLARY STRUCTURES) TO HOUSE HIGH TEMPERATURE TREATMENT  
FACILITY FOR THE MANAGEMENT OF MEDICAL WASTE**

**CULZEAN W2E LTD, TOWER HOUSE, STOPGATE LANE, SIMONSWOOD INDUSTRIAL  
PARK, SIMONSWOOD**

Thank you for re-consulting us on the above application.

**Environment Agency position**

We have no objection to the proposed development but we recommend any subsequent approval is conditioned as follows:-

*Contaminated Land*

The previous use of the proposed development site as industrial units presents a high risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a primary aquifer and secondary aquifer A. In light of this, the proposed development will be acceptable if a planning condition is included requiring the submission of a remediation strategy. This should be carried out by a competent person in line with paragraph 178 of the National Planning Policy Framework.

Without this condition we would object to the proposal in line with paragraph 170 of the National Planning Policy Framework because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

**Condition**

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

Environment Agency  
Ghyll Mount (Gillan Way) Penrith 40 Business Park, Penrith, Cumbria, CA11 9BP.  
Customer services line: 03708 506 506  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)

Cont/d..

1. A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

3. The results of the site investigation and the detailed risk assessment referred to in (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 the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

### **Reasons**

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework. To prevent deterioration of a water quality element to a lower status class in the underlying aquifers

### *Groundwater*

The revised scheme now removes the proposal for an underground effluent storage tank. The proposal is to now store effluent in an above ground tank prior to disposal off site. We have no objection to this approach subject to the applicant complying with the relevant waste disposal regulations. We would also recommend that the storage tank complies with relevant waste regulations with impermeable bunding to an appropriate capacity.

The condition included in our previous response dated 10 February 2022 related to the design and installation of the underground tank, however this is no longer necessary and we withdraw that recommendation.

### *Environmental Permitting*

Our previous comments still apply.

Yours faithfully

**Philip Carter**  
**Planning Advisor**

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