

# MEMORANDUM

Department of Environmental Services  
Director: Shona I C MacDougall



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My Ref: i:\s\_admin\sm 2008\smacd\contaminated land\memo p&t re 061065 pp - rof m8 junction.docx  
Your Ref:  
Ask For: Mrs S MacDougall  
Date: 1 December 2008

**To:** Bob Darracott  
Director of Planning & Transport

**From:** Shona I C MacDougall  
Director of Environmental Services

**Subject:** 06/1065/PP – M8 Junction Application, Royal Ordnance Factory, Bishopton

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This is an extensive development proposal which is associated with bringing a closed and undeveloped site into suitable use, addressing contamination arising from the previous industrial use of that site as a munitions production facility. Due to the size of the proposed development and the volume and complexity of the issues raised, a significant proportion of the work undertaken has relied on support from external specialists particularly on contaminated land issues. Recommendations have also been made in respect of conditions to be applied concerning Air Quality and Noise issues.

Environmental Services commissioned Atkins to undertake a peer review of this application for the construction of a motorway junction associated with the regeneration of the former Royal Ordnance Factory at Bishopton. This was to advise on the decontamination, remediation and regeneration proposals submitted by the applicant in the form of:

- An audit and validation of all site investigations and their methodology;
- An audit and validation of the proposed remediation strategies and other related activities;
- Establishing that all remediation works being proposed could be implemented without unacceptable risks to human health and the wider environment from the contamination on the site, both during the restoration period and for the final end use; and,
- Verification that all remediation activities proposed by the applicants comply with principles and procedures set out in PAN33 (in particular Annex 2) and that all other legislative and regulatory requirements are being complied with - resulting in the site ultimately being suitable for the proposed use(s) as specified in the Masterplan outline application.



During Atkins review of the application, they were in contact with Environmental Services, BAe and SEPA to resolve a number of issues relating to this, and the other planning applications for the site.

The reports submitted in support of the application are generally of good quality and have been written in accordance with relevant guidance available at the time of writing the various reports. The reports take cognisance of PAN33, PAN51 and Part IIA of the Environmental Protection Act, 1990. Works have also been completed in accordance with BS10175, BS5930, and CLR7-11 as well as other relevant technical guidance available at the time of writing the various reports. Although not always directly referenced consideration of the then Scottish Executive's statutory guidance to Part IIA is also apparent within the reports.

The physical site investigations and the associated reports and risk assessment undertaken for the site provide suitable information to assist in progressing the planning application for the Motorway Junction

Generally, Atkins considers that the reports submitted as part of the application provide appropriate information to support the planning application in relation to contaminated land. However, further information is required and the attachment of appropriate conditions to any consent granted would be a means of obtaining this information. Atkins were consequently commissioned by Environmental Services to draw up conditions which might be used in the event of Planning consent being granted. This was to ensure that potential contamination issues were properly addressed from a policy and regulatory perspective.

However, Atkins could not comment on or confirm that the remediation is appropriate at this stage as the exact remediation strategy, including proposed methods, clean up standards and mitigation measures are still to be designed. In addition, Atkins cannot comment on the likelihood of unacceptable risk to human health and the wider environment during the remediation process and upon final regeneration of the site. This can only be determined once additional relevant information is submitted.

The recommended conditions below are largely based on those drafted by Atkins and also take cognisance of issues raised by SEPA which were discussed in drafting possible Planning conditions. In addition, the Bishopton Action Group submitted an objection to the associated outline Application late in 2006. Atkins were commissioned to review and comment on the contents of that objection and, so far as was feasible from a Planning perspective, ensure that cognisance was taken of these concerns in the drafting of possible Planning conditions.

The suggested conditions, which are detailed below, refer to air quality, noise and land contamination. Reports which would be submitted in compliance with some conditions recommended by Atkins/SEPA would not have any Environmental Services input and these are included in the Appendix to this memo for your information.

- (1) The applicant or their successors carrying out the development, shall undertake noise assessments to determine the impact of road traffic noise on existing residential properties (relevant properties) using the principles set out in 'Calculation of Road Traffic Noise' (DoT/Welsh Office, HMSO, 1988).. The assessments shall be carried out at intervals coincidental with the completion of each phase of development (as defined within Table 3.1 Proposed Development Phasing of the Transport Assessment) or after 15 years of the completion of the motorway junction, whichever is the sooner. The assessments shall take account of the assessment criteria as set out in extant Noise Insulation (Scotland) Regulations, to determine the entitlement of relevant properties to noise insulation treatment.

**REASON:** To ensure that residents of existing properties are not affected by excessive traffic noise as a consequence of the development.

- (2) The design of the proposed development shall take into consideration its interaction with any residual contamination being left *in situ* so that significant pollutant linkages are not created to human health, the Water Environment, proposed structures, services, hard and soft landscaping, existing features that are proposed to remain on the site, and any other receptor.

**REASON:** To ensure that existing and proposed structures, drainage schemes and networks, utility equipment, landscaping, existing local water features, etc are not impacted during and after the development by any residual contamination proposed to be left *in situ*.

- (3) No development shall commence until a Final Detailed Method Statement has been submitted to and approved by the Planning Authority in liaison with SEPA. This shall provide further details regarding the excavation and removal of soils, spoil and waste materials from the site, transportation of materials, the reinstatement of the land where the proposed scheme encroaches on the existing landfill, proposed drainage, proposals for additional monitoring, and working methods for the construction of the Motorway Junction.

**REASON:** To ensure that consideration is given to construction close to and across the existing landfill and that works are undertaken accordingly.

- (4) Prior to the commencement of development, a Monitoring Plan shall be submitted to and approved by the Planning Authority. This shall cover all works being proposed and shall include; groundwater and surface water sampling and monitoring proposals; drainage details, location of air, dust, vapour, gas, odour and noise monitoring equipment, type of equipment to be used, frequency of monitoring, and details of an Action Plan to be implemented should monitoring indicate conditions likely to cause disamenity to local residents and/or the Water Environment.

**REASON:** To safeguard the amenities of nearby residents and the Water Environment during development.

- (5) Before any demolition, clearance, building or other works commence a Water Management Plan to protect the groundwater and the local surface water features on and immediately surrounding the site from materials during remediation, excavation and demolition shall be submitted to and approved by the Planning Authority in liaison with SEPA. This shall be fully compliant with The Water Environment (Controlled Activities) (Scotland) Regulations 2005 and take cognisance of relevant SEPA PPG notes.

**REASON:** To ensure satisfactory means of drainage and prevent pollution of local water features and be protective of the general Water Environment.

- (6) Prior to the commencement of development, a Scheme for the Provision and Implementation of Pollution Control of The Water Environment, which shall include drainage, shall be submitted to and approved by the Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans.

**REASON:** To ensure a satisfactory method of drainage and to prevent the increased risk of pollution to The Water Environment.

- (7) Prior to the commencement of development a Logistic Management Plan shall be submitted to and approved by the Planning Authority. This shall detail controls and monitoring of vehicle deliveries to the site including the use of wheel washing equipment and material removals from the site.

**REASON:** To protect the amenity of local residents and businesses and in accordance with the proposals in the Final Detailed Method Statement.

- (8) A Materials Handling Method Statement outlining the provisions for the storage of any demolition materials generated, excavated spoil and imported materials shall be submitted to and approved by the Planning Authority.

**REASON:** To prevent the increased risk of cross contamination of materials during development, reduce any potential impact of storage of materials on The Water Environment, and reduce any potential impact of storage of materials on the local community via airborne dust generation and surface water run off on to adjacent properties.

- (9) Prior to the importation of any topsoil materials, details of the supplier and confirmation on the source(s) of any topsoil material shall be supplied in writing to the Planning Authority. The topsoil shall be free from metals, plastic, wood, glass, tarmac, paper and odours associated with contaminated soils as specified in BS 3882:2007 – Specification for Topsoil. A description of the soil materials shall be forwarded to the Planning Authority based on BS5930: Code of Practice of Site Investigations.

**REASON:** To ensure that no contaminated materials are brought on to the site.

- (10) Any earthwork materials brought on to the site shall be subject to appropriate sampling and analysis by a suitably qualified person. Details of the sampling and analysis shall be submitted to and approved by the Planning Authority as part of the Validation Report. (Sampling and analysis certificates submitted by the supplier of the soil material will not be accepted.)

**REASON:** To ensure that any materials brought onto the site are not contaminated.

- (11) Sampling of earthwork material imported onto the site of the development site shall comprise a random sample for every 500m<sup>3</sup> of material from a single source. Material from a single source means the location at which the material was loaded on to the truck prior to delivery at the site.

**REASON:** To check the quality of soils and materials being imported on to the site.

- (12) Prior to the commencement of development, details of an accredited laboratory, the analytical suite to be utilised in testing, and the appropriate target levels, shall be submitted to and approved by the Planning Authority and such details shall thereafter be submitted in accordance with the Final Detailed Method Statement.

**REASON:** To check the quality of soils and materials being imported onto the site.

- (13) At any such time as may be specified by the Planning Authority before completion of the proposed development in application 06/0602/pp, the applicant shall undertake an Air Quality Survey which satisfies the Planning Authority that the Local Air Quality Management Objectives for the pollutants specified in the Air Quality Regulations, made under Part IV of the Environment Act 1995, will not be exceeded at any relevant location as a consequence of this application or application 02/0602/pp. The survey and report shall use a method based on the principles set out in the Scottish Government Publication "Local Air Quality Management Technical Guidance LAQM.TG(03)" or a method that has been agreed with the Planning Authority.

**REASON:** To protect Local Air Quality and to safeguard neighbouring residential amenity.



**Shona I C MacDougall**  
**Director of Environmental Services**

## **Appendix**

- a) Before any works commence on site, details shall be submitted to and approved by the Planning Authority specifying points of construction access, the parts of the site to be used for site huts, storage of materials and plant and parking of employee's cars during the demolition and construction period, and any proposal for fencing of a site compound.

**REASON:** To ensure satisfactory provision in relation to adjoining properties and circulation within the site.

- b) Prior to the commencement of demolition \ construction works an Ecological Management Plan (EMP) for the various areas of the site shall be agreed in writing with the Planning Authority. The EMP shall include details on:

- mitigation during site preparation and demolition \ construction works to ensure minimal impact upon habitats and wildlife, such as timing and methodology of work;
- management measures including a work program to maintain and enhance the value of the site for wildlife once the demolition \ construction works are completed;
- sensitive planting plans including appropriate locally native species that will be of benefit to wildlife. To include details for providing plants of a local provenance, ideally from seed collected from suitable habitats in the surrounding area;
- a monitoring program that establishes appropriate baseline information on species, including fish and aquatic invertebrates, in order to ensure that mitigation and enhancement is successful, and to guide future management of the site against agreed objectives for key species and habitats;
- The appointment of an Ecological Clerk of Works to ensure that all staff working on-site are familiar with appropriate Environmental and Wildlife legislation and are suitably briefed of the site's sensitivities.

**REASON:** In the interests of safeguarding the long terms benefits of the local wildlife at the site and in accordance with advice within the Wildlife and Countryside Act 1981.