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 **ENVIRONMENTAL HEALTH**

 SUPPORTING COMMUNITIES

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| **To:** | Jonathan McClue, Planning Officer, Development Management, 5 Pancras Square N1C |
| **From:** | *Julien Diaz BFA (Hons), MSc, MCIEH, CenvH (Environmental Health Team Leader – Noise and Pollution Team*) |
| **Date:** | 16/12/2020 |
| **Address:** | Murphy's Yard Kentish Town NW5  |
| **Proposal:** | Request for scoping opinion under Regulation 15 of the Town and Country Planning Environmental Impact Assessment (EIA) Regulations 2017, for proposed development comprising 17 development plots with circa 750-825 homes (including a proportion of affordable housing), circa 95,000sqm of commercial floorspace including up to approximately: 40,700sqm industry (Classes B2, B8 and E(g)(i)); 38,000sqm flexible office and research and development (Classes E(g)(i) and (ii)); 20,000sqm research and development (Class E(g)(ii); 6,000sqm of retail/leisure (Classes E(a), (b), (d) and Sui Generis); 16,000sqm residential institution (Class C2) and 1,230sqm community uses (Class F1/F2).  |
| **Reference:** | 2020/5774/P |
| **Key Points:** | Recommend approval subject to conditions below  |

# ENVIRONEMTAL HEALTH OBERVATIONS

**PART 1 - Introduction**

The following documents were reviewed in preparation for the comments below:

* In-house contaminated land characterisation
* Archaeological Desk Based Assessment – Dated December 2019
* Preliminary Ecological Appraisal – dated November 2020
* Contamination Assessment Report – dated February 2019
* Report on Ground Investigation – dated July 2019

**PART 2 – Comments**

**2.1 Land contamination**

The report on ground investigation identified widespread contamination across the entire site. The contaminants identified include:

* TPH and PAH compounds
* VOCs and SVOCs
* lead
* organic contaminants in groundwater
* elevated levels of methane gas.
* ground gases

The Conceptual model produced is comprehensive and the initial investigation satisfactory. The need for a remediation strategy to be designed and approved by the LPA has been successfully identified and any full application would be expected to provide full details of the remediation measures required and how they are to be undertaken. A verification to demonstrate that the works set out in the remediation strategy are complete and identify any requirements for the longer monitoring of pollution linkages, maintenance and arrangements for contingency action should also be provided. As already stressed in the past, ground gas monitoring and subsequent assessments should also be fully considered. Any investigation and risk assessment must be undertaken in accordance with the requirements of the Environment Agency’s Model Procedures for the Management of Contamination (CLR11 / now LCRM )

**2.2 Radon**

Paragraph 8.7.9 of the report on ground investigation reads that “the site lies within an area where radon protective measures are not required.” If redevelopment of Murphy’s Yard commences above formation level, I agree the radon risk is negligible and no radon protection measures are necessary. However, if redevelopment has basement provisions, this raises health concerns for the occupants. This concern is based on the Radon guidance BR 211 (2015), which notes that all basements are at increased risk of elevated levels of radon regardless of geographic location, because more walls are in contact with the ground as well as the floor, and reduced natural ventilation below ground level increases the risk of elevated radon levels.  In addition, the Management of Health and Safety at Work Regulations (1999) require the assessment of health and safety risks and both the Health and Safety Executive (HSE) and Public Health England (PHE) state that this should include the measurement of radon for occupied below ground workplaces (occupied for more than 1 hour per week/52 hours of the year), irrespective of whether a site is situated in a radon affected area.  This is the responsibility of the Employer.  For residential developments Public Health England advise that consideration should be given to testing for radon if the basement includes rooms regularly used.

UK Radon recently confirmed it is feasible to monitor radon levels in the field, but there is no established way of interpreting the results.  Radon levels in soil gas are typically 1000’s Bq m-3 but cannot be used to predict the likely radon level in a building on the same site.  To put field levels into perspective the radon Action and Target levels in homes are 200bq m3 and 100bq m3 -  Public Health England, advices if the action level is exceeded then levels should be reduce to the target level or below.  By contract if an employer has a workplace level above 300bq m3 (Ionising Radiations Regulations 2017) they are required to limit employee exposure to radon, which usually means building mitigation work.  Radon measurements taken in unoccupied buildings (or unoccupied areas of buildings) can give unrepresentative results – too high or too low – and cause problems with interpreting results around the Action Level for homes or IRR17 threshold for workplaces.  Whilst the guidance advocates radon testing (which can take 3 months to complete) to establish whether radon protection is necessary, representative monitoring can only be undertaken post construction and whilst the building is occupied.

If applicable and the proposal has basement provisions the potential radon risk can also be addressed via condition.

**2.3 Asbestos**

The contamination assessment report confirms that asbestos surveys were carried out for all buildings on site and the relevant risk was “moderate”. A full application would be expected to contain an appropriate mitigation scheme to control risks to occupiers. The scheme must be written by a suitably qualified person and submitted to the Local Planning Authority (LPA) for approval. The scheme should detail removal or mitigation appropriate for the proposed end use and shall be independently verified.

**2.4 Unexploded Ordnances**

The Archaeological Desk Based Assessment confirms that the site appears to have been impacted by UXO during WW2, but no further comment was offered. It is therefore recommended that a detailed UXO assessment is undertaken and provided to the main contractor who is responsible for the health & safety of site workers and the public under the Construction (Design and Management) Regulations.