



**PLANNING APPLICATIONS  
&  
LAND POTENTIALLY AFFECTED BY CONTAMINATION**

**GUIDANCE NOTES FOR APPLICANTS**

This guidance note has been prepared by East Renfrewshire Council to advise all applicants that they have a responsibility to consider potential contamination issues arising from former uses of their site e.g. industrial or manufacturing processes etc. Early consideration of such matters is extremely beneficial to all parties involved in the planning process as it helps to highlight the important issues and costs which may be incurred during development. Consequently, pre-application discussions with the Local authority are advised.

Where contamination of a site is known or suspected East Renfrewshire Council must be satisfied that the land in question is suitable for its proposed use and that any change of use will not result in the land being identified as **contaminated** under Part IIA of the Environmental Protection Act 1990.

Planning Advice Note 33 (PAN 33) issued by the Scottish Executive states:

*“whether confirmed or suspected, contamination is a material planning consideration ... it should be considered as one of the factors in preparation of development plans, as well as in the determination of planning applications”*

When submitting an application for the development of a site which may potentially be affected by contamination, the developer should ensure that:

- The nature, extent and type(s) of any contaminants present on the site have been properly identified.
- The risks arising from the identified contaminants have been properly assessed for all receptors.

Please note that conditions relating to contamination issues may be attached to any consent given. Also, should contamination be encountered unexpectedly during development, East Renfrewshire Council must be contacted immediately. In order to demonstrate compliance with the requirements of PAN 33, a **site investigation report** should be produced in accordance with the British Standard Code of Practice BS10175: 2001 to support the application.

Investigations and reports that do not comply with this code of practice are unlikely to meet the requirements of East Renfrewshire Council and may be **rejected** due to lack of suitable and sufficient information which could have major consequences for the progress of an application or development.

Where risks are identified, site investigation reports must contain a **remediation scheme** detailing and quantifying any works which must be undertaken in order to mitigate the identified risks. These schemes must be approved by East Renfrewshire Council prior to works commencing. On completion of the agreed works, a **completion report** containing an accurate record of all remediation works carried out must be submitted for approval to the Local Authority.

Detailed information and guidance for site assessment and reporting can be found in: -

- **Planning Advice Note 33 2000(PAN 33)** *Scottish Executive Development Department*
- **BS 10175: 2001 Investigation of Potentially Contaminated Sites – Code of Practice** *British Standards Institute*
- **How to ‘Approach’ and ‘Investigate’ Contaminated Land** *Scottish Enterprise.*
- **Guidance for the Site Development of Housing on Land affected by Contamination.** *ISBN 011 310775 NHBC*
- **Scottish Environment Protection Agency website** [www.sepa.org.uk](http://www.sepa.org.uk)
- **Dept. of Environment, Food & Rural Affairs website** [www.defra.gov.uk](http://www.defra.gov.uk)
  - **Contaminated Land Report 7: Assessment of Risks to Human Health from Land Contamination**
  - **DOE Industry Profile Series**

For information and queries on any aspects of land contamination, please contact:

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