

## **CHANGES TO BUILDING REGULATIONS: IMPACT ON CONTAMINATED LAND**

### **Approved Document C; Site preparation and resistance to contaminants and moisture**

Approved document C has “resistance to contaminants” added to its title in recognition of the expanded guidance on dealing with contaminants. There are several changes to this document; the main changes associated with contaminated land are noted below.

#### **Change for the Sake of Change?**

The most significant changes concern contaminated land and the need to come into line with Part IIA of the Environmental Protection Act 1990.

#### **Scope**

It is not just the building footprint but “the ground covered, or to be covered, by the building and any land associated with the building”.

#### **What is Contaminated Land?**

It does not have to be the old town gas works or glow in the dark to qualify. The term “contaminated land” is defined in Part IIA of the Environmental Protection Act 1990 as “any land which appears to the local authority in whose area it is situated to be in such a condition, by reason of substances in, on or under the land, that significant harm is being caused, or there is a significant possibility of such harm being caused, or pollution of controlled water is being or is likely to be caused.” This harm can be to any thing.

Part C defines “contaminant” as “any substance which is or may become harmful to persons or buildings, including substances which are corrosive, explosive, flammable, radioactive or toxic.”

#### **How are Sites to be De-Contaminated?**

The specifics will obviously vary from site to site but the guidance on resistance to contaminants now follows a risk based approach. New treatment techniques have been added to the list of possible remedial measures. Development of a clean up strategy will be preceded by a desk top study, site walk over and intrusive site investigation.

#### **Risk Based Approach**

The risk from contamination must be reduced to an acceptable level for the proposed use. Hence the requirement to apply the regulations if a change of use introduces a residential component.

#### **In Conclusion**

The above are, of course, just “edited highlights”, designed solely to create awareness. If you would like to discuss either the issues raised or a specific project please contact me, Peter George on 077 6523 2995 or pdg@gosolve.co.uk