

Contaminated Land Strategy

2024



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Contents

1. Overview

Responsibilities of Local Authorities
Definition of Contaminated Land
Health Effects and Significant Harm

2. Context of Strategy

3. Strategic Aims

4. Background Information

Characteristics of local area
Geology
Regulatory Context
Categories of Land
National Planning Policy Framework
Role of the Environment Agency

5. Objectives of the Strategy

- 1) Identifying Contaminated Land:
 - a) Identification of Sources
 - b) Identification of Receptors
- 2) Remediation of Contaminated Land through the Planning Process
- 3) Contaminated Land Inspection Strategy: Inspection of Sites for contamination
- 4) Supporting Objectives for Achieving the Strategic Aims

6. Enforcement

7. Responsibilities

- a) Monitoring
- b) Consultation
- c) Communication
- d) Implementation

8. Glossary

9. References

1. Overview

The purpose of the contaminated land legislation is to ensure that contaminated land is cleaned up and used in such a way that it is safe, suitable for a beneficial use, and does not pose a risk to health or the environment.

The Part 2A regime (also referred to as Part IIA) provides a risk-based approach to defining and identifying contaminated land and a means to remediate land that poses a significant risk to human health or the environment.

a) Responsibilities of Local Authorities

Under Part IIA of the Environmental Protection Act (EPA) 1990, Local Authorities in England are given responsibilities for regulating contaminated land. Each authority has a statutory duty to prepare, implement and keep under periodic review its Contaminated Land Inspection Strategy.

b) Definition of Contaminated Land

The Environmental Protection Act (EPA) 1990 Part IIA provides the legal definition of contaminated land is:

“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

- a) significant harm is being caused or there is a significant possibility of such harm being caused or
- b) significant pollution of controlled waters is being, or is likely to be caused”

The above definition reflects the regulatory role regarding contaminated land which is to enable the identification and remediation of land where contamination is causing unacceptable risks to human health or the environment. It does not necessarily include all land where contamination is present. For land to be defined as contaminated land under Part IIA three elements must all exist in relation to a particular area of land (contaminant linkage):

- **The source** – The cause or source of the contamination is identified. For example, the source might be a leaking tank or contaminated ground or water. The location of the contamination is identified, such as in soils, ground or surface waters.
- **A pathway** – The pathway is the route the source takes to reach a given receptor. Pathways include, for example, air, water, soil, animals, vegetables and eco-systems.
- **A receptor** – If contamination is to cause harm, it must reach a receptor. A receptor is a person, animal, plant, eco-system, property or a controlled water. Each receptor must be identified and their sensitivity to the contaminant must be established.

c) Health Effects and Significant Harm

The following health effects are considered to constitute significant harm to human health: death; life threatening diseases (e.g. cancers); other diseases likely to have serious impacts on health; serious injury; birth defects; and impairment of reproductive functions.

To reduce significant harm the guidance requires that SKDC reduces the significant possibility of significant harm, to determine this SKDC uses a risk assessment approach, considering both the severity and the likelihood of the potential harmful effect.

2. Context of Strategy

The overarching aims of the government's policy on contaminated land and the Part 2A regime are set out in statutory guidance¹: (Statutory Contaminated Land Guidance from Defra published April 2012)

- a) To identify and remove unacceptable risks to human health and the environment.
- b) To seek to ensure that contaminated land is made suitable for its current use.
- c) To ensure that the burdens faced by individuals, companies and society as a whole are proportionate, manageable and compatible with the principles of sustainable development.

Land may have become contaminated because of a current or historic land use. Examples of potentially contaminating land uses include industrial and waste disposal sites. Spills and leakages of substances may also lead to contamination. Part 2A regime provides a risk-based approach to defining and identifying contaminated land and a means to remediate land that poses a significant risk to human health or the environment.

The management of contaminated land includes working closely with the planning and development control processes to ensure that potentially contaminated land is identified and risks do not arise from redevelopment through the monitoring of applications and changes of land use.

The purpose of this strategy is to ensure a rational, ordered, timely and efficient approach to dealing with potentially contaminated sites within the South Kesteven district.

Land should be considered not contaminated unless there is reason to consider otherwise. Part 2A is intended to deal with the highest risk sites where no appropriate alternative solution is available.

The Council must always consider the benefits and costs of taking action under Part 2A to ensure intervention is both precautionary and proportionate.

The Contaminated Land Strategy has been prepared in the context of the council's vision and corporate priorities as set out in the Corporate Plan 2020-23, in particular the provision of a clean and sustainable environment.

3. Strategic Aims

The aims of the strategy are:

1. To identify contaminated land sites and any potential contaminated sites within the district by logical and efficient investigation for the purpose of removing unacceptable risk to human health and the environment.
2. To ensure that Part 2A procedures are well integrated and consistent with the planning process
3. To demonstrate how SKDC will meet its obligations under Part 2A of the EPA 1990 to prepare, implement and keep under periodic review its Contaminated Land Inspection Strategy

This updated strategy supersedes all previous versions.

4. Background Information

a. Characteristics of local area

South Kesteven is one of seven districts in the county of Lincolnshire. It covers 365 square miles and has a population of approximately 141,853². At its centre is the largest town of Grantham and also includes the towns of Stamford, Bourne and Market Deeping. Grantham is the district's most important road and rail link, served by the A1 and the London-Edinburgh East Coast main rail line.

Stamford lies in the southwest of the district. Bourne and Market Deeping are small market towns to the south-east of South Kesteven, located on the edge of the fens.

South Kesteven's rural landscape is dominated by agriculture. Central and western parts of the district consist of low undulating terrain with occasional sharp escarpments of limestone. Much of the area is high quality farmland, interspersed with numerous areas of woodland. The rolling landscape gives way to the flat lands of the Fens in the eastern part of the district. The Fens are characterised by flat open country with few trees, and peat bogs with networks of straight drainage channels.

Industrial activity is mainly responsible for the legacy of contaminated land that we are now seeking to address. Former South Kesteven's Contaminated Land Strategies have identified land used for industries that could have caused contamination.

In comparison to many areas of England, South Kesteven has little in the way of present potentially contaminative industry. Current employment is dominantly in the service sector, for example local government, distribution, catering, banking, finance and retail. However, employment in manufacturing industry is above the national average, and above the average for Lincolnshire. For a rural district, employment in agriculture is low (less than 5%). Principal industries are heavy engineering, food processing, distribution, cold storage, agriculture and agricultural engineering and tourism.

South Kesteven District Map



b. Geology

Geology is important in the assessment of contaminated land because it can be a cause of contamination (a source), a means for contamination to move from one place to another (a pathway) or the reason for the existence of something that could be harmed by contamination (a receptor).

The rocks of South Kesteven are predominantly limestones, sandstones and clays^{3,4}. Their geological age is Jurassic, meaning between approximately 195 and 135 million years old. Overlying the solid rocks in places are much younger sediments deposited by glaciers and ancient rivers. The glacial sediments are often either gravels or boulder clay. Within the last 10,000 years or so, modern rivers have deposited alluvium consisting of clays, silts, sand and gravels within their floodplains and peat has formed in the Fens. The Jurassic rocks are tilted downwards (dip) towards the east-south-east, resulting in the oldest layers (strata) being exposed at the surface in the west-north-west of the district and the youngest in the east south-east. This means that in general, the rocks get younger towards the east. The limestone layers are often more resistant to weathering than other rocks, and these form several escarpments. Low-lying areas are often formed by softer clays.

Some of South Kesteven's rocks contain iron, and in places there is sufficient for iron ores to be mined. Ironstone mining has taken place mainly in particular iron-rich layers of rock, including the Marlstone Rock Bed and the Northampton Sand Formation. These outcrop in northern and western parts of the district. Mining has generally been carried out by opencast methods. Notable areas where ironstone mining has occurred are around Caythorpe, just south of Woolsthorpe by Belvoir, south of Harlaxton and west of Colsterworth.

Radon is a naturally occurring radioactive gas. It is emitted by some rock types, and its occurrence is thus determined by the geology. If allowed to accumulate inside buildings, exposure to radon can increase cancer risk.

Some areas of South Kesteven are in a risk category for radon, and surveys have been carried out to identify properties that may be at risk. Radon is not included as a “contaminant” in the contaminated land legislation – so ground that may emit radon will not be “contaminated land”. South Kesteven District Council manage risks from radon under different legislation.

c. Regulatory Context

Section 57 of the Environment Act 1995 (Env Act) created Part IIA of the EPA and together with the Contaminated Land (England) Regulations 2006 is the legislative framework for the contaminated land regime.

The legislation places responsibility on South Kesteven District Council (SKDC) as a regulator to:

- Identify any contaminated land within its boundaries⁵
- Require remediation of contaminated land⁶ unless deemed a “special site”, in which case the Environment Agency (EA) becomes the enforcing authority
- Establish responsibility, in line with current guidance, for the remediation of contaminated land⁷
- Ensure that any necessary remediation action takes place via voluntary action, agreement or enforcement action
- Determine liability for the costs of any remediation and
- Maintain a public register of contaminated land matters, as may be prescribed⁸

However, development or a change of land use also provides the opportunity to deal with land contamination. Other legislation continues to be applicable and may still be used and even take precedence over Part 2A:

- Building Regulations 2010 (as amended);
- Environmental Damage (Prevention and Remediation) Regulations 2009;
- Pollution Prevention and Control Act 1999;
- Water Resources Act 1991;
- Town and Country Planning Act 1990;
- Radiative Substances Act 1993;
- Waste management licencing (Part II of the EPA); and
- Statutory nuisance (Part III of the EPA)

As the Part 2A regulatory requirements is one of several ways in which land contamination can be addressed, the Contaminated Land Statutory Guidance¹ (the guidance) states that “enforcing authorities should seek to use Part 2A only where no appropriate alternative solution exists”

The guidance explains that Part 2A is concerned with identifying and dealing with land only where there are unacceptable risks posed by land contamination and that the starting point should be that land is not contaminated unless there is reason to consider otherwise. It goes on to explain the “suitable for use” approach. This introduces the concept of risk assessment on a site-by-site basis, where the level of contamination is assessed based on the current use and circumstances of the land, and a wide range of environmental factors.

The guidance does not apply to radioactive contamination of land, which is now covered by separate statutory guidance published by the Department of Energy and Climate Change in April 2012. Both sets of guidance will apply if land is affected by radioactive and non-radioactive contaminants.

d. Categories of Land

Within the guidance there is a four category system to help local authorities determine whether land is or is not contaminated based on a significant possibility of significant harm to human health.

It is the responsibility of SKDC to decide, in accordance with the guidance, whether land in the district is contaminated land. Where the potential receptors are human or controlled waters, the guidance requires the use of 4 categorisations:

- Categories 1 and 2 “encompass land which is capable of being determined as contaminated land on grounds of significant possibility of significant harm to human health”, or “cases where the authority considers that a significant possibility of significant pollution of controlled water exists”.
- Categories 3 and 4 “encompass land which is not capable of being determined on such grounds” (human health), or “cases where the authority considers that a significant possibility of such pollution does not exist”.

Part 2A makes this decision a “positive legal test”, and so the starting assumption should be that land is not contaminated unless there is reason to consider otherwise (rather than assuming that all land is contaminated and then demonstrating that it is not).

Where the potential receptors are ecological systems or property, the guidance does not require 4 categorisations. It does however clarify what receptor types are relevant, and what should be considered “significant harm” or “significant possibility of significant harm”.

A similar system can be used for determining whether a significant possibility of significant pollution of controlled waters exists. This is described in detail in the guidance.

e. National Planning Policy Framework

On 27th March 2012, the former Planning Policy Guidance Notes and Planning Policy Statements (PPS) were replaced by the National Planning Policy Framework (NPPF)⁹. This included the withdrawal of PPS23: Planning and Pollution Control that gave legislative and technical guidance in relation to development on land affected by contamination.

The underlying principle in the new NPPF is a presumption in favour of sustainable development. Regarding land contamination, the NPPF states that planning policies and decisions should ensure that new development is appropriate for its location and that developers and/or landowners are responsible for securing the safe development of land. The NPPF encourages the re-use of previously developed (brownfield) land, provided it is not of high environmental value. As a minimum, land should not be capable of being determined as contaminated land under Part 2A after it has been remediated via the planning process.

f. Role of the Environment Agency

When contaminated land is identified, the local authority must ensure it is managed and dealt with in an appropriate manner. Other agencies and authorities can also have a role. In certain cases, the Environment Agency (EA) will provide site-specific guidance to local authorities on land contaminated and will assist in identifying contaminated land where there is a risk of pollution of controlled waters.

The EA can take over as the enforcing authority where the local authority identifies a “special site”, as defined in the legislation¹⁰. These can be described as sites which are likely to present the greatest threat to health or the environment.

The Environment Agency will be consulted on applications on contaminated land that poses potential risk to sensitive controlled waters such as groundwater and surface waters.

5. Objectives of the Strategy

A. Identifying Contaminated Land Sites.

i. Identification of Sources

SKDC have identified land uses which may have resulted in contamination having occurred via land use data from Ordinance Survey. This data is maintained by the Environmental Protection Team within the corporate GIS system, to which information has been added as it becomes available.

The Ordinance Survey data is purely based on historic mapping – no further assessment of the site has been made. This enables an initial assessment of risk to be carried out, based on historic land use and current receptor information. There were a number of potential sources of contamination identified for South Kesteven, ranging from former industrial sites to infilled ponds.

Using this method SKDC have identified the potential sources of contamination that may exist. In summary, these are:

- Railways and railway land: oils, fuels, asbestos, metals, coal ash
- Heavy engineering and metals sites: oils, solvents, metals, fuels, coal ash
- Other manufacturing industry: variable depending on industry, fuels and coal ash common
- Transport and distribution sites (including petrol stations): oils, fuels
- Sewage works: sewage sludge, metals, methane, radioactivity
- Old landfill sites: landfill gas, leachate, waste, radioactivity
- Farms: biocides, fertilisers, fuels
- Ironstone mining areas: metals, radioactivity
- Town gas manufacturing sites: tars, spent oxides – cyanides, sulphur
- Military sites: munitions, fuel, oils, radioactivity

In general, the potentially contaminated sites from the sources identified are likely to coincide with the areas of the main towns, with the exception of ironstone mines, military sites and farms these are readily identified. Farms are widely distributed and numerous, but not likely to be a priority as their use of hazardous substances is already controlled by the Environment Agency under the Groundwater Directive.

ii. Identification of Receptors

Important potential receptors are:

- Residential areas
- Sports fields (including schools)
- Other amenity areas
- Footpaths and unofficial play areas on derelict/contaminated land
- Lincolnshire Limestone aquifer – particularly within a source protection zone
- River Gravel aquifer – particularly within a source protection zone
- Rivers used for drinking water supplies (Welland, Witham)
- All other surface water bodies
- Sites of Special Scientific Interest
- Buildings within Conservation Areas
- Scheduled Ancient Monuments

This data has been compared to receptor information to give a prioritisation list for further assessment, based on the potential for contamination, along with the distance to, and sensitivity of, receptors. This list is purely based on land use data, and the presence of a site on the list does not mean contamination will have occurred. The data has also not been checked against other records held; we may hold information demonstrating that sites have already been assessed and remediation undertaken or been identified as not being required.

To date, no further assessment of these sites has taken place.

In the main, we expect the sources and receptors to exist in the same location in the main towns. There will be exceptions, however we expect that most of these will be in places where we are already aware of the possible existence of the source – good examples are military land, ironstone mines and filled-in railway cuttings.

B. To ensure that Part 2A procedures are well integrated and consistent with the planning process: Remediation of Contaminated Land through the Planning Process

The Department for Environment, Food and Rural Affairs (Defra) have advised that they expect the vast majority of contaminated land to be remediated through the planning process, where after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part 2A of the EPA. This has been, and continues to be, SKDC's preferred means of dealing with potentially contaminated sites.

Guidance is provided to developers to enable them to assess the risk from contaminated land and to propose suitable remedial measures. A guide 'Development on Land Affected by Contamination'¹¹ is available to give technical guidance for developers, landowners and consultants. It has been updated by the Yorkshire and Lincolnshire Pollution Advisory Group¹², a copy is available on the SKDC website.

Relevant applications for planning consent are scrutinised by officers within Environmental Protection. Where these coincide with data held on potentially contaminated sites, or information within the application indicates contamination is a possibility, appropriate action is taken to ensure the site is assessed to ensure it is suitable for the intended use. Such assessment and action is required either during the application process or placed as conditions on the planning approval which can only be discharged when satisfied.

Furthermore, review, analysis and comment is made on a substantial amount of data in relation to developments of all sizes throughout the district, including desk study, site investigation, remediation and verification reports. Therefore, a proportion of the prioritised sites have been investigated through the planning system and, where necessary, undergone some form of remediation to make the site “suitable for use”.

It should be noted that in some cases the remediation required may be limited, for example, residual contamination may well remain at a site intended for commercial use and further remediation would be necessary if the site was to be used for a more sensitive land use, such as housing with gardens.

The Strategic Housing Land Availability Assessment¹³ (SHLAA) identifies over 700 potential brownfield sites or mixed sites for development which will require an assessment on development. Where there is a risk to contamination of the land from previous activities this is indicated on the full register of potential sites. SKDC is currently revising the SHLAA for its local planning authority area.

The SHLAA 2021 will form part of the evidence base for the review of the Council’s Local Plan Review which is due to be completed by 2024. The SHLAA will also update the Local Authorities previous SHLAA, which was completed in 2015.

C. Contaminated Land Inspection Strategy: Inspection of Sites for contamination

Part 2A of the EPA requires that local authorities cause their areas to be inspected with a view to identifying contaminated land and to do this in accordance with the statutory guidance.

Two types of inspection are intended, they are:

- **Strategic inspection:** collecting information about previous land uses and prioritising them for further detailed inspection; and
- **Detailed inspection:** taking soil samples and carrying out risk assessments in order to make determinations about the site in relation to contaminated land.

The detailed inspection of sites through intrusive investigation, analysis of samples (soil, water and gas), risk assessment and remediation is beyond the technical capability of SKDC and the resources available. Such work would be contracted out to consultants, is expensive and might commonly cost tens of thousands of pounds with upper bound cost estimates for site remediation of several hundred thousand pounds not being uncommon.

Defra has removed grant funding for new cases, though the statutory duty for local authorities to inspect land for land contamination remains. Furthermore, Defra suggests that local authorities seek to minimise unnecessary burdens on the taxpayer.

Given the above situation SKDC will not pursue site inspections beyond the strategic inspection stage. That is to say that SKDC will not undertake intrusive sampling (soil, water or gas), risk assessments or remediation exercises unless they are funded by a third party or unless appropriate funds are otherwise allocated. In exceptional circumstances SKDC will carry out and fund the works as necessary and seek recompense where appropriate. These cases will be reviewed and authorised on an individual basis.

D. Supporting Objectives for Achieving the Strategic Aims

To assist the aims of this strategy in identifying actual and potential contaminated sites by rational, ordered and efficient investigation and remove unacceptable risk to human health and the environment as well as prevent the creation of new contaminated sites, SKDC will:

- Reinforce a “suitable for use” approach enabling developers to design and implement appropriate and cost-effective remediation schemes as part of their redevelopment project of contaminated sites to bring damaged land back into beneficial use;
- Identify sites which do not come under the EPA, Part 2A but could still be contaminated, to ensure that the land is suitable for its current use or can be made suitable for its intended future development use, where a receptor may be introduced;
- Record information on a public register stored as part of the corporate geographical information system (GIS), showing the sites identified under Part 2A of the EPA; and
- Continue to provide specialised knowledge and guidance when requested as part of the established formal review mechanism in place between Environmental Protection, Planning Development Control and Building Control departments. This review mechanism is intended to enable effective monitoring of contaminated land sites undergoing redevelopment or with permission for redevelopment. ¹⁴

6. Enforcement

Under the EPA, SKDC is the local enforcing authority for contaminated land in the South Kesteven district.

If land is identified which poses a risk of significant harm or the pollution of controlled waters, SKDC may instigate appropriate enforcement action to clean up the land, to protect residents and the wider environment.

The enforcement role applies only to sites that are identified as contaminated land. When such a site is identified, the authority will:

- Establish who is responsible for the contamination
- Decide what remedial action is required
- Ensure that the remedial action is carried out
- Determine who should bear what proportion of the costs of the remediation
- Record information about the regulatory action on a public register

All enforcement action is taken in accordance with the relevant legislation and guidance¹⁵ and in accordance with the corporate enforcement policy: [Policies and procedures | South Kesteven District Council](#)

There are at present no sites identified as contaminated land which require enforcement. The legislation outlined in the Regulatory Context Section continues to be applicable and is used to manage the risk from contaminated land.

7. Responsibilities

Coordination of the delivery of the contaminated land strategy sits within the Environmental Protection Unit which in turn is within the Public Protection Service.

South Kesteven District Council will act in accordance with guidance and standards set out in this strategy, and any supplementary policies.

A review of the strategy will be carried out every five years or should any changes in legislation or relevant codes of practice or guidance require it to be updated sooner. Any review and updated strategy will be published on the SKDC website. This strategy and any updates or changes to it will be ratified in accordance with the SKDC constitution.

Glossary

The full list of definitions under the EPA Part 2A (Contaminated Land) are available at section 78A of the legislation.

Categories of Land

It is the responsibility of SKDC to decide, in accordance with the guidance, whether land in the district is contaminated land. Where the potential receptors are human or controlled waters, the guidance requires the use of 4 categorisations:

Categories 1 and 2 *“encompass land which is capable of being determined as contaminated land on grounds of significant possibility of significant harm to human health”, or “cases where the authority considers that a significant possibility of significant pollution of controlled water exists”.*

Categories 3 and 4 *“encompass land which is not capable of being determined on such grounds”* (human health), or *“cases where the authority considers that a significant possibility of such pollution does not exist”.*

Part 2A makes this decision a “positive legal test”, and so the starting assumption should be that land is not contaminated unless there is reason to consider otherwise (rather than assuming that all land is contaminated and then demonstrating that it is not).

Where the potential receptors are ecological systems or property, the guidance does not require 4 categorisations. It does however clarify what receptor types are relevant, and what should be considered “significant harm” or “significant possibility of significant harm”.

Contaminated Land

As defined under the EPA Part 2A section 78A “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:

- (a) significant harm is being caused or there is a significant possibility of such harm being caused;
or
- (b) pollution of controlled waters is being, or is likely to be, caused.”

Although a site may contain contaminants, it will not necessarily meet the definition of “contaminated land” under EPA Part 2A section 78A. This decision is based on the potential which any contamination has to cause harm, under the current use of the land.

The EPA s78A (2) defines contaminated land as “.... any land which appears to the local authority in whose area the land is situated to be in such a condition, by reason of substances in, on or under the land, that:

- (a) *significant harm is being caused or there is a significant possibility of such harm being caused; or*
- (b) *significant pollution of controlled waters is being caused, or there is a significant possibility of such pollution being caused.*

The terms “current use”, “harm”, “significant harm” and “significant possibility of such harm” have specific meanings in the guidance.

Contaminated Land Statutory Guidance

Statutory contaminated land guidance was published by Defra in April 2012.

Controlled waters

“Controlled waters” are all natural inland and near coastal waters, including groundwater. Therefore, all ponds, lakes, rivers, streams, estuaries and coastlines are controlled waters. Pollution of controlled waters means the addition of any “poisonous, noxious or polluting matter or any solid waste matter”.

Pollutant Linkage

The guidance defines what is meant by a “contaminant linkage”. This linkage must occur for the land to be defined as contaminated land under Part 2A and all three elements must exist in relation to a particular area of land:

- The source – The cause or source of the contamination is identified. For example, the source might be a leaking tank or contaminated ground or water. The location of the contamination is identified, such as in soils, ground or surface waters.
- A pathway – The pathway is the route the source takes to reach a given receptor. Pathways include, for example, air, water, soil, animals, vegetables and eco-systems.
- A receptor – If contamination is to cause harm, it must reach a receptor. A receptor is a person, animal, plant, eco-system, property or a controlled water. Each receptor must be identified and their sensitivity to the contaminant must be established.

Significant harm

This is defined in the statutory contaminated land guidance. In summary this is harm which results in an irreversible adverse or other substantial change, in the functioning of the ecological system or harm which significantly affects any species of special interest

Significant possibility of significant harm

In determining whether there is a significant possibility of significant harm, the local authority will use a risk assessment approach, considering both the severity and the likelihood of the possible harmful effect. This will involve establishing:

- The nature and degree of harm predicted
- The susceptibility of the receptors to which harm might be caused
- The timescale within which the harm might occur More details are available in the statutory contaminated land guidance.

Source Protection Zones

An area around a major groundwater abstraction (drinking water source) where ground contamination may result in the contamination of the water source. Source protection zones are defined by the EA and there are restrictions on development of some kinds (e.g. landfill sites) within them.

Special Site

A contaminated land site that is regulated by the EA instead of the Local Authority. The definition is given in Section 78C (7) and 78D (6) of the Environmental Protection Act 1990

References

- 1 Statutory Contaminated Land guidance from Defra published April 2012, available at www.gov.uk/government/publications/contaminated-land-statutory-guidance
- 2 Office for National Statistics (ONS) Census 2021
- 3 British Geological Survey Geological map Grantham, Sheet 127, 1:50,000
- 4 British Geological Survey Geological map Bourne, Sheet 143, 1:50,000
- 5 EPA s78B
- 6 EPA s78E
- 7 EPA s78F
- 8 EPA s78R
- 9 National Planning Policy Framework is available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf
- 10 17 Definition of 'special sites' is included under the EPA 1990 Part 2A section 78. See glossary for more details.
- 11 Development on Land Affected by Contamination
[The Investigation, Assessment and Clean-Up of Land Contamination \(southkesteven.gov.uk\)](http://southkesteven.gov.uk)
- 12 Yorkshire and Lincolnshire Pollution Advisory Group is a regional grouping encompassing local authorities from the Yorkshire and Lincolnshire area
- 13 Strategic Housing Land Availability Assessment
southkesteven.gov.uk/sites/default/files/2023-08/SHLAA_2017_Compressed.pdf
- 14 Environmental Protection Act 1995 Part 2A section 78A
www.legislation.gov.uk/ukpga/1995/25/section/57
- 15 Corporate Enforcement Policy
[Policies and procedures | South Kesteven District Council](#)

Contact Details

**Alternative formats are available on request:
audio, large print and Braille**

South Kesteven District Council
01476 40 60 80
 www.southkesteven.gov.uk



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**