

From: [Adrian Greaves](#)
To: [Planning Help](#)
Subject: objection to Application; 19/01788/AS
Date: 17 January 2020 10:36:37

Objection to planning application 19/01788/AS –

Unexploded bombs beneath proposed site for development.

Further to my earlier objection to this application, I should like to post some more supportive facts that are relevant for ABC.

During the Second World War, many aerial dog fights occurred over Tenterden and Luftwaffe bombers dropped their bombs indiscriminately when damaged or attempting to escape. Some bombs exploded, some did not. This was witnessed by local residents who are still alive today.

One V1 German bomb exploded in 1945 by Woodchurch Road on Limes Land, which caused damage to those houses then in existence. A document at Tenterden Museum states;

In 1944 Mrs Jones' mother, Mrs Barnham, came to live in Coney Bank after the death of her husband soon after the VI offensive began and she recounted to the family that a bomb had exploded in the field behind Coney Bank and left a large crater and caused damage to the south windows.

And

Mrs Dorothea Margaret Blackman(nee, Link) now aged 106, can still recall watching German and British planes fighting in the skies over Tenterden in the late summer of 1940.

On one occasion she remembers two German planes flying over Limes Land. Both planes jettisoned bombs. She saw three bombs dropped but can only recall two explosions. She said at the time to her friend who was with her 'what has happened to the other bomb?

In addition, it is known that the 'home guard' was stationed on Limes Land until the war's end when they buried redundant munitions on the site of one crater. It later became a town rubbish site.

With these issues in mind, it is not unreasonable to consider the Limes Land site as contaminated, and therefore undeliverable.

Environmental Protection Act 1990: Part 2A Contaminated Land Guidance.

It is my understanding that the Environmental Protection Act 1990: Part 2A Contaminated Land Statutory Guidance¹ as per the NPPF should be followed in these circumstances.

Part 2A provides a means of dealing with unacceptable risks posed by land contamination to human health and the environment, and enforcing authorities should seek to find and deal with such land.

The Relevant sections of the Act include: Section 78A (2)2 : "contaminated 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; Section 78A (4): "Harm" means harm to the health of living organisms or other interference with the ecological systems of which they form part and, in the case of man, includes harm to his property.

NPPF Policy Ground Conditions and Pollution paragraphs 178 to 183 is very clear on the responsibilities of the developer. The NPPF requires a site investigation report, which includes a risk assessment of land potentially affected by contamination. All investigations of land potentially affected by contamination should be carried out in accordance with established procedures such as BS10175 Investigation of Potentially Contaminated Sites – Code of Practice. 3.

Once Wates have completed the exercise and the report produced, I would request this is made public for scrutiny. I look forward to hearing from you in due course of the action to be undertaken by Wates.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/223705/pb13735contland-guidance.pdf

<https://www.legislation.gov.uk/ukpga/1990/43/section/78A>

<https://shop.bsigroup.com/ProductDetail?pid=000000000030362551>

Dr Adrian Greaves

Woodbury House

TENTERDEN

TN30 7AE

