DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0877/17/COND
Proposal: Discharge of Condition 3 - Investigation and Risk Assessment, 4 - Remediation Strategy and 5 - Verification Report: relating to previously approved Planning Application ST0335/17/FUL
Location: Land Adjacent 40 Falstone Avenue
South Shields
NE34 6SB

Relevant policies/SPDs

1 DM1 - Management of Development (M)

2 LDF CS EA5 - Environmental Protection

Description of the site and of the proposals

ST0335/17/FUL granted the construction of 3 bedroomed dwelling on land adjacent to 40 Falstone Avenue, new vehicle and pedestrian access and off street parking.

This discharge of condition request relates to condition 3 (land contamination investigation and risk assessment), 4 (remediation strategy) and 5 (verification report) of the planning permission.

Publicity / Consultations

1) **Neighbour responses:** N/A

2) **Other Consultee responses:**

Environmental Health:

"… I am in receipt of the following information:

- *Phase 2 Site Investigation Report (S170402/SI)*
- *Ground Gas Risk Assessment (S170402/GAS)*

This information has been considered alongside previously submitted information:

- *Desk Study Report (S170402)*

The site investigation report details test results used to determine the nature and extent of made ground contaminants on site, the ground water regime and ground gas monitoring and I am satisfied that these results indicate that this site is low risk and does not pose a risk to human or environmental receptors or controlled waters. Test data supports the decision to not proceed with a remediation strategy or works and subsequent verification report.

I therefore confirm that all 3 conditions may be discharged on this application. …"

Assessment

The response from Environmental Health has advised that these planning conditions may be discharged. It also makes it clear that, based on the submitted information as mentioned above; there is no need for a remediation strategy (with regard to condition 4) or a subsequent verification report (with regard to condition 5).

It is therefore considered that sufficient information has been submitted to enable these three conditions to be discharged in accordance with LDF Policies DM1(M) and EA5.

An informative is suggested given that the submitted information and response from Environmental Protection in this instance mean that no remediation strategy (condition 4) or subsequently verification (condition 5) would be needed. However, if any unexpected contamination were found during development then condition 7 (unexpected contamination) would need to be considered.

In assessing this application due regard has been had to the requirement of section 149 of the Equality Act 2010.

Recommendation

Approve Details of Condition

Informative to be included on decision letter

In this instance, both the submitted information and consultation response from Environmental Health mean that no remediation strategy or verification report was needed to discharge these planning conditions. However, please note that this determination does not affect the status of condition 7 (unexpected contamination) of the planning permission and which should be borne in mind by the applicant/developer.

List of approved details for standard note on decision letter

- Phase 2 Site Investigation Report (S170402/SI) received 06/09/2017
- Ground Gas Risk Assessment (S170402/GAS) received 06/09/2017

Case officer initials: G.S.
Date: 06/10/2017

Authorised Signatory:
Date:

«END»