DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/1057/18/COND
Proposal: Application for Discharge of Condition 4: Remediation Strategy - In relation to previously approved planning application ST/0322/17/FUL.
Location: Land at the junction and bounded by Whitburn Road and Moor Lane East Boldon.
(Vacant formerly Vinci Construction UK Ltd Moor Lane)

Relevant policies/SPDs

1 DM1 - Management of Development

2 LDF CS EA5 - Environmental Protection

Description of the site and of the proposals

Planning permission for the demolition and clearance of existing vacant industrial buildings/infrastructure and the erection of 18 residential properties with associated access, open space and landscaping was granted consent on 24 November 2017. This permission was granted subject to a number of planning conditions. This report relates to the submission of details in respect of condition 4.

Condition 4 stated;

A detailed Remediation Strategy for the proposed remedial works shall be submitted to, and approved by the Local Planning Authority prior to commencing remedial works. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. Where remediation of gas has been identified as necessary by the site investigation a gas verification plan shall be submitted for the proposed gas protection measures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. Development shall be carried out in accordance with the approved details.'

To ensure that risks from land contamination to the future users of the development site and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors, in accordance with Policies DM1 and EA5 of the South Tyneside Local Development Framework.

Publicity / Consultations (Expiry date N/a **)**

1) Neighbour responses

N/a

2) Other Consultee responses
(e.g. relevant comments from consultees such as archaeologist, EA, Historic buildings officer etc)

Environmental Health Officer –

I can confirm that the remediation strategy proposed for this development is acceptable and therefore recommend that this condition can be discharged.

Assessment

The Council's Environmental Health Officer has been consulted on the submitted details and has confirmed that these are acceptable.

A report (Gas Addendum Report produced by Roberts Environmental Ltd, received 19/01/2018) was submitted in respect of condition 3, relating to additional gas monitoring visits. The report recommended that gas protection measures should be installed.

The Remediation Strategy submitted in respect of condition 4 identifies that in specified areas of future soft landscaping, that impacted soils are either removed from site and or a 600mm clean soil cover layer be provided. The report identifies gas / vapour protection measures through the installation of a membrane to future residential properties. The report concludes by identifying future validation / verification requirements.

Environmental Health have identified that a verification report will be required and a condition was attached (condition 5) to the original grant of planning permission. A further condition relating to any previously unidentified contamination (condition 6) was also attached to the grant of planning permission. These conditions will need to be addressed and complied with. An informative has been attached to notify the applicant of the requirements of condition 5.

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

Informatives

1 In dealing with this application the Council has implemented the requirements of the National Planning Policy Framework to seek to approve applications for sustainable development where possible.

2 NOTE TO APPLICANT

Your attention is drawn to the requirements of condition 5 attached to the grant of planning permission (application reference: ST/0322/17/FUL).

List of approved plans for standard note

Plan Reference

Remediation Strategy, Roberts Environmental Ltd, dated 13/11/2018 and received 22/11/2018

Case officer: Helen Lynch
Signed:
Date: 08/01/2019

Authorised Signatory:
Date: