DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0567/19/COND
Proposal: Discharge of Condition 3: Treatment of Unexpected Land Contamination - on approved permission ST/0754/16/FUL for erection of a combined heat and power (CHP) and boiler house building with associated plant/equipment, including erection of 22metre high flue, and ancillary accommodation. The proposal shall provide heat and power and utilise free heat for domestic hot water. The new plant will look to burn gas to generate electricity.
Location: South Tyneside District Hospital
Harton Lane
South Shields
NE34 0PL

Site Visit Made: N/A

Relevant policies/SPDs

1 DM1(M) - Management of Development

Description of the site and of the proposals

These details have been submitted to discharge condition 3 (treatment of unexpected land contamination) attached to a previous planning permission (Application Ref: ST/0754/16/FUL) for the erection of a combined heat and power (CHP) and boiler house building with associated plant/equipment, including the erection of a 22 metre high flue.

The site is located at South Tyneside District Hospital, Harton Lane, South Shields.

Publicity / Consultations (Expiry date: 02/09/2019)

1) **Neighbour responses**

None consulted

2) **Other Consultee responses**

Environmental Health Team

Initial Submission

I have reviewed the information submitted:

- Phase 4 Validation – Topsoil Contamination Assessment Report prepared for land at South Tyneside Hospital by Solmek for South Tyneside NHS Foundation Trust. Revision final Jan 2019, ref S180824/VAL
- WAC report – Prepared by Envirolab for Ian Farmer Associates

The submitted report relates to the topsoil assessment which states that no exceedances were found at the samples tested and that they were suitable for use.
However, we are aware that unexpected contamination was discovered during redevelopment of the site. The reports submitted do not address this unexpected contamination or provide

validation that the “contamination” was managed. I have no record that a remediation strategy been formally submitted or approved and it is therefore unknown by the authority what the remediation at the site has been and if the “contamination” has been fully addressed. The validation of this remediation is also missing and therefore cannot be confirmed.

Due to the missing information, I am unable to recommend the discharge of condition 3 at this time.

Amended Report received 20/09/2019

I am in receipt of the following:

- Phase 3 remediation statement for land at South Tyneside Hospital prepared by Solmek for South Tyneside NHS Foundation Trust. S180824, Sept 2019

This has been read alongside:

- Phase 4 Validation – Topsoil Contamination Assessment Report prepared for land at South Tyneside Hospital by Solmek for South Tyneside NHS Foundation Trust. Revision final Jan 2019, ref S180824/VAL
- WAC report – Prepared by Envirolab for Ian Farmer Associates

The practice of moving potentially contaminated material is not considered as best practice without the use of the Claire protocol. However, as the material has been tested and the levels are not exceeding, I am happy to accept the relocation of the waste material in its current state. I am therefore happy that sufficient information has been provided in order to discharge condition 3 – treatment of unexpected land contamination.

Assessment

Planning permission was granted on 19 December 2016 for the following development:

“Erection of a combined heat and power (CHP) and boiler house building with associated plant/equipment, including erection of 22metre high flue, and ancillary accommodation. The proposal shall provide heat and power and utilise free heat for domestic hot water. The new plant will look to burn gas to generate electricity.”

Condition 3 states:

“In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. Sufficient detail identifying how the unexpected contamination will be dealt with shall be submitted to and approved in writing by the Local Planning Authority and the site shall be remediated in accordance with the approved details.

To ensure that the site is suitable for the proposed end use in accordance with Core Strategy Policy EA5 and Development Management Policy DM1 of the South Tyneside Local Development Framework.”

The details for the treatment of the unexpected contaminated material found on the site have been assessed by the Council’s Environmental Protection Team. As the material has been tested and does not exceed appropriate levels, the Environmental Protection Team have advised that the relocation of the waste material is acceptable. They have therefore advised that sufficient information has been provided and that condition 3 may be discharged.

It is considered that sufficient detail has been provided to identify how the unexpected contamination will be dealt with. As such, it is considered that the the site is suitable for the proposed end use in

accordance with Core Strategy Policy EA5 and Development Management Policy DM1 of the South Tyneside Local Development Framework.

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

List of approved plans for standard note

Plan Reference

Final Test Report received 05/07/2019

Phase 3 Remediation Statement (Rev 1) - September 2019 (Ref: S180824) received 20/09/2019

Phase 4 Validation Topsoil Contamination Assessment Report - January 2019 (Ref: S180824/VAL) received 05/07/2019

Case officer:
Signed:
Date:

Authorised Signatory:
Date: