## DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

**Ref No:** ST/0552/21/COND
**Proposal:** Discharge of Condition 7 - Investigation and Risk Assessment - relating to previously approved Planning Application ST/0955/20/FUL
**Location:** St Wilfrids RC College
Temple Park Road
South Shields
NE34 0QA

## Relevant policies/SPDs

1 LDF CS EA5 - Environmental Protection
2 DM1 - Management of Development

## Description of the site and of the proposals

Planning permission was granted on 05/03/2021 for a two storey extension to the existing school building, to provide 6 new teaching classrooms and additional dining space. Ancillary storage, plant, circulation and W.C.s to be provided internally. Externally the current covered walkway is to be removed and the current catering pod to be relocated to the edge of the Memorial Garden. Hard landscaping is to be provided, to enable external dining and existing paths to be widened and re-alignment of fence lines. Some existing soft landscaping is to be removed but re-provided in planters and borders at St Wilfrids RC College, Temple Park Road, South Shields.

Planning permission was granted subject to conditions.

Condition 7 stated;

*'Notwithstanding details submitted, the development hereby permitted must not commence until an investigation and risk assessment has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:*
*(i) a survey of the extent, scale and nature of contamination;*
*(ii) an assessment of the potential risks to human health and property (existing or proposed); and*
*(iii) an appraisal of remedial options, and proposal of the preferred option(s).*
*This must be conducted in accordance with DEFRA and the Environment Agency's 'Land Contamination: Risk Management'.*

*To ensure that risks from land contamination to the future users of the land are minimised, and to ensure that development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors, in accordance with adopted South Tyneside LDF Core Strategy Policy EA5 and adopted South Tyneside LDF Development Management Policy DM1.'*

A Supplementary Ground Contamination Risk Assessment has been submitted for consideration to discharge the condition.

## Publicity / Consultations (Expiry date 23/07/2021)

### 1) Neighbour responses
None

**2) Other Consultee responses**

Environmental Protection -

This has been read in conjunction with the previously submitted and commented on full Geo-Environmental Investigation report (GEOL20-9553 – November 2020)

The previous report had found elevated concentrations of Dibenz(a,h)anthracene and as a result, a DQRA utilising bio-accessibility testing was carried out to assess the overall risk to the end users. The bio-accessibility testing mimics how the digestive system would process the contaminants and be absorbed into the body should the soil be ingested therefore gives a more detailed assessment on hotspots of contaminated soils.
Additional sampling did show higher total concentrations of Benzo(a)pyrene, Benzo(b)fluoranthene and Dibenz(ah)anthracene than previously recorded – however, when the bio-accessibility tests were carried out, they do not exceed the labs limit of detection therefore are not at risk to the end user.

I am happy to accept this detailed assessment of the soils at the site and therefore am happy to discharge condition 7 – risk assessment and site investigation.

**Assessment**

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

The Council's Environmental Protection Section has assessed the details submitted and have advised that the proposals would be acceptable.

As such, it is considered that the proposed landscape maintenance schedule is acceptable and in accordance with Local Development Framework (LDF) Policies EA5 and DM1.

It is recommended that Condition 7 be discharged.

**Recommendation**
Approve Details of Condition

**Informatives**

1 NOTE TO APPLICANT
For the avoidance of doubt this decision relates to the Supplementary Ground Contamination Risk Assessment (Project no: GEOL20-9553), received on 19/05/2021

**Case officer:** Emma Thomas
**Signed:** Emma Thomas
**Date:** 13/07/2021

**Authorised Signatory:**
**Date:**

«END»