DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0062/24/COND
Proposal: Partial Discharge of Condition 4: verification report (that demonstrates the effectiveness of the remediation carried out), relating to planning permission ST/0914/19/FUL.
Location: Land to the West of Victoria Road West
Hebburn
NE31 1UJ

Nightingale Avenue, Redwing Walk, Reyburn Wynd, Robin Close, and 1-39 (odd) & 2-24 (even) Swallow Drive

Site Visit Made: N/A

Relevant policies/SPDs

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

Description of the site and of the proposals

Planning permission ST/0914/19/FUL was granted on 28/08/2020 for the erection of 159 dwellings with associated infrastructure, including vehicular access from Victoria Road West and landscaping.

This planning permission relates to, approximately; the southern half of a larger site and that has already been subject to previous planning permissions for housing development.

Condition 4 of the of the planning permission states:

> *Following the completion of measures identified in the approved Remediation Strategy (as set out in the preceding condition), a Verification Report (or reports) that demonstrates the effectiveness of the remediation carried out must be produced; and is subject to the approval in writing of the Local Planning Authority prior to any part of the site being occupied (to which the report or reports relate). The Verification Report (or reports) shall (when taken as a whole) demonstrate that the whole site has been remediated.*
>
> *To ensure the site is suitable for the proposed end use in accordance South Tyneside Local Development Framework Policies EA5 and DM1(M).*

The applicant is seeking a partial discharge request, for plots 101, 103-106, 123-126 (inclusive); and has submitted a verification report for those plots.

Publicity / Consultations

1) **Neighbour responses –**

Not applicable

2) Other Consultee responses

Environmental Protection -

I have formally reviewed the validation document relating to the plots 101, 103-106 and 123-126 inclusive and I can confirm that I am happy with the remediation carried out which includes 1000mm of clean imported soils (at least 850mm subsoil comprising of a brown slightly sandy slightly gravelly clay and 150mm topsoil comprising of a grey sandy slightly gravelly clayey topsoil). Imported soils have been tested and the results produced to confirm that the soils are suitable for use in the garden areas of the above residential plots.

I can therefore confirm that I am happy with the content of these validation certificates and that the plots can be discharged.

Assessment

Having regard to the amended submitted details and the consultation response from Environmental Protection in relation to them, it is considered that sufficient information has been submitted to enable this condition to be partially discharged for plots 101, 103-106 and 123-126 (inclusive); in accordance with LDF Policies DM1(M) and EA5.

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 on decision

- Ergo Environmental Ltd. report ref. 19-535-LR27 (dated 21/12/2023) “Garden Validation Assessment – Victoria Road, Hebburn, Plots 101, 103-106 and 123-126”, received 31/01/2024

Case officer: Emma Thomas
Signed: E. Thomas
Date: 13/02/2024

Authorised Signatory: Seán Gallagher
Date: 13/02/2024

«END»