South Tyneside Council

Reference:	250291
Location:	White Mare Pool Filling Station, Leam Lane, West Boldon, NE10 8YB
Ward:	Fellgate and Hedworth
Description:	Discharge of Condition 3 - Underground Tanks Methodology, 4 - Risk Assessment and 5 - Remediation Strategy relating to previously approved Planning Application ST/0662/24/FUL
Recommendation:	Approve Details of Condition
Case Officer:	Adam Williamson
Case Officer Contact No.:	0191 4247434 or 07741120747

Assessment

Planning permission ref: ST/0662/24/FUL was granted on 03/03/2025, subject to planning conditions-

Condition 3 states:

The underground tanks hereby approved shall not be installed until a methodology for their installation has been submitted to and approved in writing by the Local Planning Authority (in consultation with the Environment Agency). The methodology shall include the full structural details of the installation, including details of excavation, the tanks to be installed, the tank surround, and the associated pipework and monitoring system.

The scheme shall be fully implemented and subsequently maintained, in accordance with the approved details.

To ensure that the underground storage tanks do not harm the water environment in line with Policy DM1 (M) of the South Tyneside Local Development Framework and paragraph 180 of the National Planning Policy Framework and Position Statement D1 - General Principles of pollutant storage and transmission of the 'The Environment Agency's approach to groundwater protection'.

Condition 4 states:

The installation of the underground tanks shall not commence until an investigation and risk assessment is 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 contents of the scheme are subject to the approval in writing of the Local Planning Authority. 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, 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 contamination are minimised in accordance with South Tyneside Local Development Framework Policies EA5 and DM1.

Condition 5 states:

Unless otherwise agreed in writing by the Local Planning Authority, installation of the underground tanks shall not commence until a detailed Remediation Strategy for the proposed remedial works is 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.

To ensure that risks from contamination are minimised in accordance with South Tyneside Local Development Framework Policies EA5 and DM1.

To accompany this application, the applicant has submitted the documents and plans set out at the end of this report.

The Environment Agency have stated that based on the information provided within the document and plans, they are satisfied with the works to be undertaken to remove the existing underground storage tanks and install the new underground fuel tanks.,

The Environmental Protection (Contaminated Land Officer) has been consulted on this application and having reviewed the above reports and following confirmation meetings with the consultants considers that the submitted details in relation to land contamination are acceptable.

Therefore, it is considered that the information required by condition 3 Methodology for the installation of the new fuel tanks, condition 4 Investigation and Risk Assessment for site contamination, and condition 5 remediation strategy, having regard to the consultation responses in regard to the information submitted, and that the proposal would accord with LDF Policy relevant policies DM1 (M) and EA5.

Recommendations

Approve Details of Condition

Plan Reference

Condition 3 Underground Tank Methodology

Tank Installation Details Drg No SSD-3.01-21 received 23/04/2025
Condition 3 Statement by Jennings Design dated 22nd April 2025 received 23/04/2025

Condition 4 Risk Assessment

Phase 1 Environmental Site Assessment prepared by AECOM on behalf of Shell UK Oil Products Limited for Shell Whitemare Pool. Ref: GB-10019383-20190820- SA-1.docm. 21st August 2019.

Comprehensive Groundwater Monitoring Event Report Shell prepared by RSK Geosciences on behalf of Shell UK Oil Products Limited for Whitemare Pool Fuel Retail Station. Ref: 322782 R01 (01). November 2022

Condition 5 Remediation Strategy

Remedial Strategy Plan prepared by RSK Geosciences on behalf of Shell UK Oil Products Limited for Shell Whitemare Pool Fuel Retail Station. Ref: 355792-R02 (04). June 2025.

Case officer: Adam Williamson
Date: 04/07/2025

Authorised Signatory: *G. Simmonette*
Date: 04/07/2025