

Redcar and Cleveland Borough Council

Planning (Development Management)

APPLICATION NUMBER: R/2021/0855/CD
LOCATION: LAND AT SOUTH BANK GRANGETOWN
LACKENBY REDCAR AND CLEVELAND
PROPOSAL: PARTIALLY DISCHARGE CONDITION 4
(PARTS 1, 2 AND 3) OF PLANNING
PERMISSION R/2020/0684/ESM FOR
DEMOLITION OF EXISTING REDUNDANT
QUAY STRUCTURES, CAPITAL DREDGING
AND DEVELOPMENT OF NEW QUAY AND
ASSOCIATED WORKS (PHASE 1)

APPLICATION SITE

The application relates to the partial discharge of a condition relating to planning application R/2020/0684/ESM

The planning permission sought consent for demolition of existing redundant quay structures, capital dredging and development of new quay and associated works (phase 1) and was approved conditionally on 19/03/21

CONDITION DETAILS

The following information has been submitted for condition 4

4. Prior to commencement of construction activities/relevant phase, a programme of site characterisation works is to be submitted to ascertain if contaminants are present in concentrations that could result in pollution to controlled waters. The programme shall include the following components:

1. A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

REASON: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

REASON FOR PRE-COMMENCEMENT: A pre-commencement condition is required as the environmental impact of the development will occur on the commencement of development.

Enabling Earthworks and Remediation Strategy - Arcadis (Report No. 10035117-AUK-XX-XX-RP-ZZ-0293-22-South Bank Quay Strategy, May 2021) received by the Local Planning Authority on 12/10/21

Detailed Quantitative Risk Assessment - Arcadis (Document Ref: 10035117-AUK-XX-XX-RP-ZZ-0331-02-SB_DQRA Rev 02, September 2021) received by the Local Planning Authority on 12/10/21

Updated Dig Depths Plan 10035117-AUK-XX-XX-DR-ZZ-0403-01-SB_Quay_Dig_Depth received by the Local Planning Authority on 22/10/21

CONSULTATION RESPONSES

Redcar and Cleveland Borough Council (Environmental Protection) (Contamination)

I note that a Detailed Quantitative Risk Assessment (DQRA) South Bank dated September 2021 together with an Enabling Earthworks and Remediation Strategy Report dated May 2021 have been submitted in support of the partial discharge of condition 4 of planning permission R/2020/0684/ESM for demolition of existing redundant quay structures, capital dredging and development of new quay and associated works (phase 1).

The location plan shows that the discharge condition is for a small portion of land outlined in red on the location plan R/2020/0684/ESM which is included within areas of SBA and SBB.

For Human health, based on the intended industrial / commercial end use of the site, future on-site commercial workers and construction workers are considered as the primary human health receptor. A human health GQRA has been undertaken and is considered to provide an appropriate level of assessment based on what is known of the planned redevelopment scenario. Therefore, human health has not been assessed further within the DQRA. The assessment however recommends that risks to human health are considered at the design stage of any proposed redevelopment with regards to dermal, ingestion and inhalation pathways.

Contamination from the Groundwater Source in the vicinity of SBA_AUK_BH110 is considered to represent contamination associated with SBCO to the south, however the report states that it is understood the SBCO plant to the south is likely to be demolished with a ground investigation and remedial works to be undertaken at the site. It was concluded as likely that, once this has been carried out, contaminant concentrations beneath SBA would decrease, particularly within SBA_AUK_BH110 and the Groundwater Source area.

The DQRA concludes based on the findings of the previous SBA DQRA (Arcadis, 2021d) and the review of the CSM undertaken in this DQRA, the Groundwater Source in the area of SBA_AUK_BH110 (interpreted to be associated with the SBCO), is not considered to present a significant risk to the identified water resource receptor (River Tees).

The findings of the water resource assessment for the Made Ground Source undertaken in this DQRA concludes that the site does not present a significant risk to the River Tees.

The findings of the GQRAs currently provide an appropriate level of assessment of the potential risk to human health based on what is known of the planned redevelopment scenario. The findings of the GQRA indicate the potential risk to human health can likely be managed by pathway management, such as simple cover systems, hardstanding, positioning of on-site buildings and suitable vapour membranes, or by target localised removal of soils.

Sufficient information has been submitted to partially discharge condition 4 of planning permission R/2020/0684/ESM however the applicant is advised that there are a number of conditions on the Outline Approval (R/2020/0357/OOM) that are required to be discharged and complied with in the implementation of the application hereby approved.

The applicant is also advised that further risks to human health are to be considered at the design stage of any proposed redevelopment with regards to dermal, ingestion and inhalation pathways.

PLANNING CONSIDERATIONS


The submitted reports prepared by Arcadis have been considered by the Council's Environmental Protection Section with regard to the partial discharge of condition 4. Based on the information that has been submitted no objection has been raised to the partial discharge of the condition. The limitations of the discharge have been agreed with the applicant in advance of the decision being made, therefore clearly establishing what elements of the condition remain outstanding.

Comments have also been made by the EHO that there are a number of other conditions that remain outstanding on the consent which the applicant/agent are aware of and will discharge at the appropriate time/trigger point.

RECOMMENDATION

Taking into account the content of the report the recommendation is to *partially* discharge condition 4 (Parts 1, 2 and 3) of R/2020/0684/ESM

Case Officer	
Mr D Pedlow	Acting Development Services Manager
<i>David Pedlow</i>	24 November 2021

Delegated Approval Signature	
Adrian Miller	Head of Planning and Development
	1 December 2021