

David Pedlow
Redcar & Cleveland Borough Council
Redcar & Cleveland House
Kirkleatham Street
Redcar
Redcar and Cleveland
TS10 1RT

Our ref: NA/2021/115684/04-L01
Your ref: R/2021/1048/FFM
Date: 01 July 2022

Dear David

ENGINEERING OPERATIONS ASSOCIATED WITH GROUND REMEDIATION AND PREPARATION OF THE SITE (ADDITIONAL INFORMATION SUBMITTED 29.04.22) FORMER REDCAR STEELWORKS (TEESWORKS) LAND TO WEST OF WARRENBY REDCAR

Thank you for referring the additional information which we received on 29 April 2022. We have reviewed the information submitted and wish to withdraw our previous objection to the proposed development.

Environment Agency Position

We have no objections to the proposal as submitted, and consider the proposed development will be acceptable providing the following **CONDITIONS** are imposed on any grant of planning permission:

Condition 1: Land contamination

An updated remediation strategy to deal with the controlled waters risks associated with contamination of the site in respect of the development hereby permitted, should be submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment (Desk Study) 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. An updated risk assessment should be provided on the completion of outstanding ground investigation in areas that were previously inaccessible.



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 proposal / plan to pre-treat all materials prior to reuse on site to prevent and limit pollution of hazardous and non-hazardous substances to controlled waters This shall include an appropriate sampling and testing regime to demonstrate that the implemented treatment technique is suitable to limit pollution of hazardous and non-hazardous substances.
5. A monitoring and maintenance plan in respect of contamination, including details of reports as specified in the approved plan, and any necessary **contingency action and / or mitigation measures** arising from the monitoring.
6. 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.

Reason(s)

- The submitted Detailed Quantitative Risk Assessment (DQRA) indicates hazardous and non-hazardous substances within groundwater are failing at compliance points at off site locations. Therefore, deterioration could arise from the earthworks associated with the proposed development.
- To prevent deterioration of a water quality element to a lower status class in controlled waters.
- 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 174 of the National Planning Policy Framework (NPPF).

Informative – information for the LPA/Applicant

It is also our understanding that further ground investigation is required to appropriately investigate areas which are currently undergoing demolition. The following information as a minimum are likely to be required;

- An updated Desk Study.
- An updated Risk Assessment report upon the completion of ground investigation.
- An updated Earthworks and Remediation Strategy.
- Monitoring Plan.



- Pre-treatment plan of reused soils for approval.

Condition 2: Verification report

Prior to any part of the permitted development being occupied for built construction activities / brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason(s)

- To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the NPPF.
- To prevent deterioration of a water quality element to a lower status class in controlled waters.

Condition 3: Previously Unidentified Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason(s)

- 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 from previously unidentified contamination sources at the development site. This is in line with paragraph 174 of the NPPF.
- To prevent deterioration of a water quality element to a lower status class in controlled waters.

Condition 4: Decommission of investigative boreholes

A scheme for managing and/or decommissioning any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of any part of the permitted development.



Reason(s)

- To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 174 of the NPPF and 'The Environment Agency's approach to groundwater protection'.

Separate to the above conditions, we also have the following advice/comments to offer:

Model Procedures and Good Practice - Advice to Applicant

We recommend that developers should:

- Follow the risk management framework for dealing with land contamination detailed in Land Contamination Risk Management which is found on Gov.uk and which now supersedes CLR 11, Model Procedures for the Management of Land Contamination.
- Refer to our [Guiding principles for land contamination](#) for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health
- Consider using the [National Quality Mark Scheme for Land Contamination Management](#) which involves the use of competent persons to ensure that land contamination risks are appropriately managed
- Refer to the [contaminated land](#) pages on gov.uk for more information

Requirement for an Environmental Permit - Advice to Applicant

The discharge of groundwater from remediation activities or dewatering purposes, associated with this development will require an environmental permit under the Environmental Permitting (England & Wales) Regulations 2016, from the Environment Agency, unless an exemption applies. The applicant is advised to contact the Environment Agency on 03708 506 506 for further advice and to discuss the issues likely to be raised. You should be aware that there is no guarantee that a permit will be granted. Additional 'Environmental Permitting Guidance' can be found at: <https://www.gov.uk/environmental-permit-check-if-you-need-one>.

The Environment Agency's Approach to Groundwater Protection' (pre-application) - Advice to Applicant

We would like to refer the applicant/enquirer to our groundwater position statements in '[The Environment Agency's approach to groundwater protection](#)', available from gov.uk. This publication sets out our position for a wide range of activities and developments, including:

- Waste management
- Discharge of liquid effluents especially the latter positions on polluted groundwater



- Land contamination
- Ground source heat pumps
- Cemetery developments
- Drainage
- Groundwater resources
- Groundwater flooding

CLAIRE Code of Practice and Materials Management Plan - Advice to Applicant

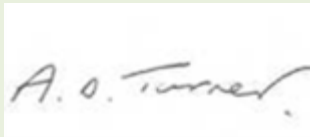
The Applicant should contact the Environment Agency's Waste Team to discuss the CLAIRE Code of Practice and Materials Management Plan.

Decision notice - Information for LPA

In accordance with the planning practice guidance (determining a planning application, paragraph 019), please notify us by email within two weeks of a decision being made or application withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

Please do not hesitate to contact me if you have any questions regarding this letter.

Yours sincerely



Andrew Turner
Environment Manager – Regulated Industry
Direct dial: 07887880632
Direct e-mail Andrew.turner@environment-agency.gov.uk

