

Redcar & Cleveland Borough Council
Adults and Communities

Memo

From: Mr Mick Gent	To: Development Department
Job Title: Contaminated Land Officer	
Email:	Name: Mr A Miller
Our Ref: 176977	
Date: 19/04/2023	Your Ref: R/2023/0247/OOM
Tel Ext: 01287 612429	Response: Planning Consultation Con Land

Environmental Protection Planning Consultation Response

Proposal:	OUTLINE APPLICATION (ALL MATTERS RESERVED) FOR THE CONSTRUCTION OF A BOTTOM ASH FACILITY AND ASSOCIATED DEVELOPMENT
Premises:	Land off John Boyle Road, John Boyle Road, South Bank, Middlesbrough

Comments:

With reference to the above planning application, I would confirm that I have assessed the following environmental impacts which are relevant to the development and would comment as follows:

I note that a Contaminated land review has been carried out by Ramboll.

The objective of the review is to demonstrate works completed to date provide the appropriate information to characterise the site and ensure that the remediation carried out to date are fit for future purpose.

The review states at the time of writing that the final design is not known and detailed information on below ground structure are not known or finalised.

It should be noted that at this time of comment the LA is awaiting verification reports to confirm that the prairie site has been remediated in accordance with the Arcadis Remedial Options Appraisal Strategy.

This includes a verification report below,

- [Arcadis \(2021\). Remediation and Earthworks Verification Report. TV ERF plot – Dorman Point, Teesworks. South Tees Development Corporation. 10035117-AUK-XX-XX-RP-ZZ-0351-03-TVERF_Verification¹⁸.](#)

referred to by the review for the ERF site, but not for this application the Bottom Ash Facility, which the review states at the time of writing a verification report was not available.

As such the site currently cannot be deemed as suitable for the proposed purpose.

The review looks at the appropriateness of previous phase1&2 assessments carried out by Arcadis, acknowledges data/assessment gaps and carries out an updated Conceptual model to reflect the current BA development which includes recommendations for further ground gas monitoring and further risk assessment for drinking water and suitability of supply pipes.

The EA also noted that the risk to controlled waters at the site was not acceptable and given the presence of NAPL on parts of the site the review recommends a watching brief and verification sampling to be undertaken on excavation for deeper structures.

Due to the final layout not known at this time the review expects that piles will be installed at the site, and the review recommends a Piling Works Risk Assessment (PWRA) is carried out to ensure that piling or piled foundations will not present a significant risk or preferential pathways to migration of contamination to the ground water.

Prior to any decision I would request all verification reports pertaining to the prairie site are forwarded to the LA for approval

Also because of the Data /Assessment Gaps and the need for the submission of verification data for both the ERF and BA sites, and in order to fully characterise the site, to minimise the environmental impact, I would recommend the inclusion of the following Standard Contaminated Land Condition, incorporating all recommendations made in the Ramboll Contaminated land Review onto any planning permission which may be granted.

I would also recommend the inclusion of a Piling Works Risk Assessment (PWRA) is submitted to the LPA for approval.

Reason : To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

The applicant should be aware of his responsibilities under para 178 of the NPPF

a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation) and

b) that after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.

