

APPLICATION DETAILS

No: 09/0591 Ward: **ST JULIANS**

Type: DISCHARGE OF CONDITIONS

Expiry Date: 10/08/2009

Applicant: **NORWEST HOLST**

Site: **YSGOL GLAN USK SCHOOL DEVELOPMENT SITE BANK STREET NEWPORT SOUTH WALES**

Proposal: **DISCHARGE OF CONDITION 7 (CERTIFICATION REPORT FOR SCHOOL SITE ONLY) OF PLANNING PERMISSION 00/0768 FOR THE ERECTION OF A REPLACEMENT PRIMARY SCHOOL. ALL WEATHER PITCH, SOFT AND HARD PLAY AREA AND RESIDENTIAL DEVELOPMENT**

INTRODUCTION

This application seeks to fully discharge Condition 07 of planning permission 00/0768 in relation to Phase 1 of the development (the school site). Condition 07 requires a certification report to be provided to confirm that the approved remediation works for this site have been completed. A report has been submitted to confirm that those works have been fully completed for Phase 1 of the site (the school site).

RELEVANT SITE HISTORY

00/0768	Replacement primary school, all weather pitch, soft and hard play areas and residential development.	Granted with Conditions
03/1531	Erection of a replacement primary school, all weather pitch, soft and hard play areas and residential development.	Granted with Conditions
06/0170	Partial discharge of Condition 06 (Contamination Remediation) of planning permission 00/0768 for erection of replacement school and residential development.	Approved
07/0820	Partial discharge of Condition 06 (Contamination Remediation) of planning permission 00/0768 for erection of replacement school and residential development - amendment to partial discharge under reference 06/0170.	Approved
07/0939	Partial discharge of Condition 06 (Contamination Remediation relating to residential) of planning permission 00/0768 for the erection of replacement school and residential development.	Approved

POLICY CONTEXT

Newport Unitary Development Plan 1996 – 2011 (Adopted May 2006)

Policy H1 allocates 2.8 hectares of land at the Glebelands for housing.

Policy CF15(1) allocates land at the Glebelands for a new primary school.

Policy CE6 only permits development which would affect a nationally designated site where the proposal would not have an adverse effect on the nature conservation interest of the site and the reasons for the development of the site clearly outweigh the value of the site itself.

Policy U13 states that proposals affecting a site that is known to be contaminated will need to be the subject of a comprehensive site assessment in order to establish the nature and extent of the problem. Development will not be permitted unless effective measures are taken to ensure that occupiers of the development along with adjacent uses are not exposed to unacceptable risk, and the contamination of any watercourse or aquifer does not occur. Usually contamination should be treated on site. Remedial measures must be agreed as the first step in the carrying out of development.

CONSULTATIONS

HEAD OF PUBLIC PROTECTION AND ENVIRONMENTAL SERVICES (ENVIRONMENTAL HEALTH): The remediation strategy consisted of several key elements, they were:

- the removal of PCB containing drums and PCB impacted soils;
- contamination capping consisting of hardcover or imported clean capping material to a minimum thickness of 600mm in all soft landscaped areas;
- gas protection measures for all site buildings;
- re-en realignment and lining (to be completed at a future phase).

A total of 778 drums containing PCB type material were removed during remediation and disposed of off-site. In addition over 2000 tonnes of impacted soil type materials were also removed. Each excavation was also chemically validated on each pit face and base to ascertain if all PCB impacted soil material had been

removed. The entire PCB identified area was then subject to another geo physical survey which aimed to identify if any undiscovered drums remained. The results of the survey showed a large decrease in the presence of metallic objects with remaining objects being previously identified as other metallic waste objects such as redundant cables, corrugated sheets, etc. It therefore appears that the PCB removal has been conducted successfully.

In order to reduce risk from the remaining contaminants identified within the buried waste the site was remediated by capping of hardcover layer (roads, structures, etc) or imported clean inert material in all soft landscaped areas. This capping layer was required to reach a minimum thickness to 600mm and was separated from the underlying waste by a geo textile membrane which provides a visual indicator of the waste/cap interface.

Once the imported gravel material and topsoil layer had been placed, a number of trial pits were dug across all landscaped areas to record the capping material depth. All locations recorded the capping layer to have a minimum 600mm thickness with the majority of the locations demonstrating a depth significantly more than the 600mm required.

The original ground gas assessment suggested that a 'two phase' gas mitigation method would be sufficient to reduce the risk of ground gas and vapour ingress to buildings located on the site. This would have included a impermeable gas membrane above a vented void cavity below the concrete slab to allow the dispersal of any gases that may accumulate. However it was decided that active rather than passive gas protection measures were required and therefore a 'Clean Air Blanket Gas Protection System' was installed. This system pumps clean air through a layer of gravel material below the concrete slab at a positive pressure which reduces the upward movement of ground gases and removes any gases that do accumulate below the slab laterally around the edges of the building. The system contains a probe which can be used to periodically test its effectiveness. It has been tested and certified as working correctly.

The validation report also outlines several ongoing management considerations for the site. This is largely based around maintaining the integrity of the capping layer during any future works or activities at the school, in addition to the site operators being aware of the potential risks from the landfill materials below the capping layer.

From the information submitted it appears that the remediation strategy has been followed and the requirements within it have been met. Therefore recommends that the condition is discharged in relation to the school site.

ENVIRONMENT AGENCY: No objection to discharge of condition for school site only (Phase I).

ASSESSMENT

"Condition 07 of planning permission 00/0768 states:

On completion of the works of remediation the applicant shall provide a certification report, compiled by a suitably qualified engineer who has supervised the works, which confirms that the remediation works have been completed fully in accordance with the approved remediation strategy.

Reason: To ensure that the remediation strategy is effectively implemented in the interest of residential amenities and to safeguard the interests of future users of the site."

At this stage, the school development is substantially complete. The residential development subject to the same outline planning permission is pending.

Remediation has, to date, occurred on the school site only. The school site is defined as land north of Loterys Reen. The scope and content of remediation has been approved by the Local Planning Authority under Application Nos 06/0170, 07/0820 and 07/0939. The approved remediation document is E3808/GO/PSS-REMSTRAT/JAN06/V2 prepared by White Young Green. The strategy forms Appendix G of the document entitled "Report on a Ground Investigation at Durham Road" Volumes 1 to 3 prepared by Norwest Holst.

The phasing of remediation has been agreed in writing by the Local Planning Authority. Therefore, the Head of Public Protection and Environmental Services is correct in referencing agreement to a phased approach to remediation, the boundary of which is the Loterys reen. The latter will be subject to realignment as part of Phase 2 remediation works for the housing site.

The Certification Report now submitted has also been prepared by White Young Green, suitably qualified engineers that have supervised the works of remediation on the school site. Based on the findings of the ground investigations and subsequent detailed quantitative risk assessment, a number of pollutant linkages were identified. The remediation strategy described risk management and remedial activities designed to break the pollutant linkages and control to a level acceptable to all parties, in the site specific development context, the associated risk to human health and the wider environment.

The risk management and remedial strategy consists of the following actions considered necessary to meet the requirements of the UK Contaminated Land Regime:

- protection of human health through the removal or severance of significant pollutant linkage between identified contamination on the site and future site users;
- protection of controlled waters through the removal or severance of significant pollutant linkage between identified contamination on the site and the River Usk.

The Head of Public Protection and Environmental Services is satisfied with the information provided however notes that the controlled waters risk assessment in relation to the presence of the ree was based on the assumption that the ree would be lined with an impermeable layer preventing leachate moving from the landfill waste into the ree and then into the River Usk. These works have not been undertaken yet but are planned as Phase 2. This does not affect the integrity of the remediation works to Phase 1 and the school site is fully remediated and ready for occupation.

The Environment Agency also acknowledges this phased approach to remediation and certification and has confirmed that the certification report submitted does confirm that the remediation has been completed in accordance with the approved strategy insofar as it relates to the school site (Phase I) only. It is not sufficient to resolve the condition for Phase II. This accords with the comments made within the certification report and acknowledgement by White Young Green that the certification report is not intended to fully discharge the condition for the whole of the site subject to the outline planning permission.

On the basis of the above, the information provided is acceptable and the condition can be fully discharged for Phase I (school site) only.

RECOMMENDATION

APPROVED

NOTE TO APPLICANT

01 This decision relates to the document entitled *Vinci Construction UK Limited: Glan Usk School Newport Remediation Validation Report volumes 1 and 2 (November 2009)*.

02 The development plan for Newport is the Newport Unitary Development Plan 1996 – 2011 (Adopted May 2006). Policies H1, CF15, CE6 and U13 were relevant to the determination of this application.

03 This decision relates to Phase I (school site) only and does not confer any approval for works undertaken in Phase II (residential site).

04 The approved remediation document is E3808/GO/PSS-REMSTRAT/JAN06/V2 prepared by White Young Green. The strategy forms Appendix G of the document entitled "*Report on a Ground Investigation at Durham Road*" Volumes 1 to 3 prepared by Norwest Holst.
