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For the attention of Richard Baker

GATEWAY 36, PHASE 2 AREA

SUMMARY NOTE RELATING TO PLANNING CONDITION 24

Dear Richard,

Please find attached a note detailing work that has been completed in relation to planning condition 24 (mining and land stability issues) of decision notice 2019/1573 for the Gateway 36 development Phase 2 area.

We trust that the enclosed provides sufficient information, but if additional details are required, please do not hesitate to contact us.

Yours sincerely

For RSK Environment Limited

Frances Clayton

Principal Environmental Consultant

Gary McGuicken

Director

Enclosures: 1. Note concerning planning condition relating to mining and land stability issues for Phase 2 land, Gateway 36



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Note concerning planning condition relating to mining and land stability issues for Phase 2 land, Gateway 36

Land known as Phase 2 of the Gateway 36 development is subject to planning decision notice 2019/1573. It should be noted that this document relates to the Phase 2 area only. A separate note has been prepared to provide equivalent information for the Phase 3 area.

This note has been prepared to clarify the situation in respect of discharge of planning condition 24, which relates to mining and land stability issues.

This note is submitted with the first reserved matters submission that seeks approval of development details within a limited area of the Phase 2 site only. This note provides confirmation that planning condition 24 will have been satisfactorily discharged in full, following the required verification works. There will be no requirement for additional work in relation to planning condition 24 in subsequent development and landscaping phases.

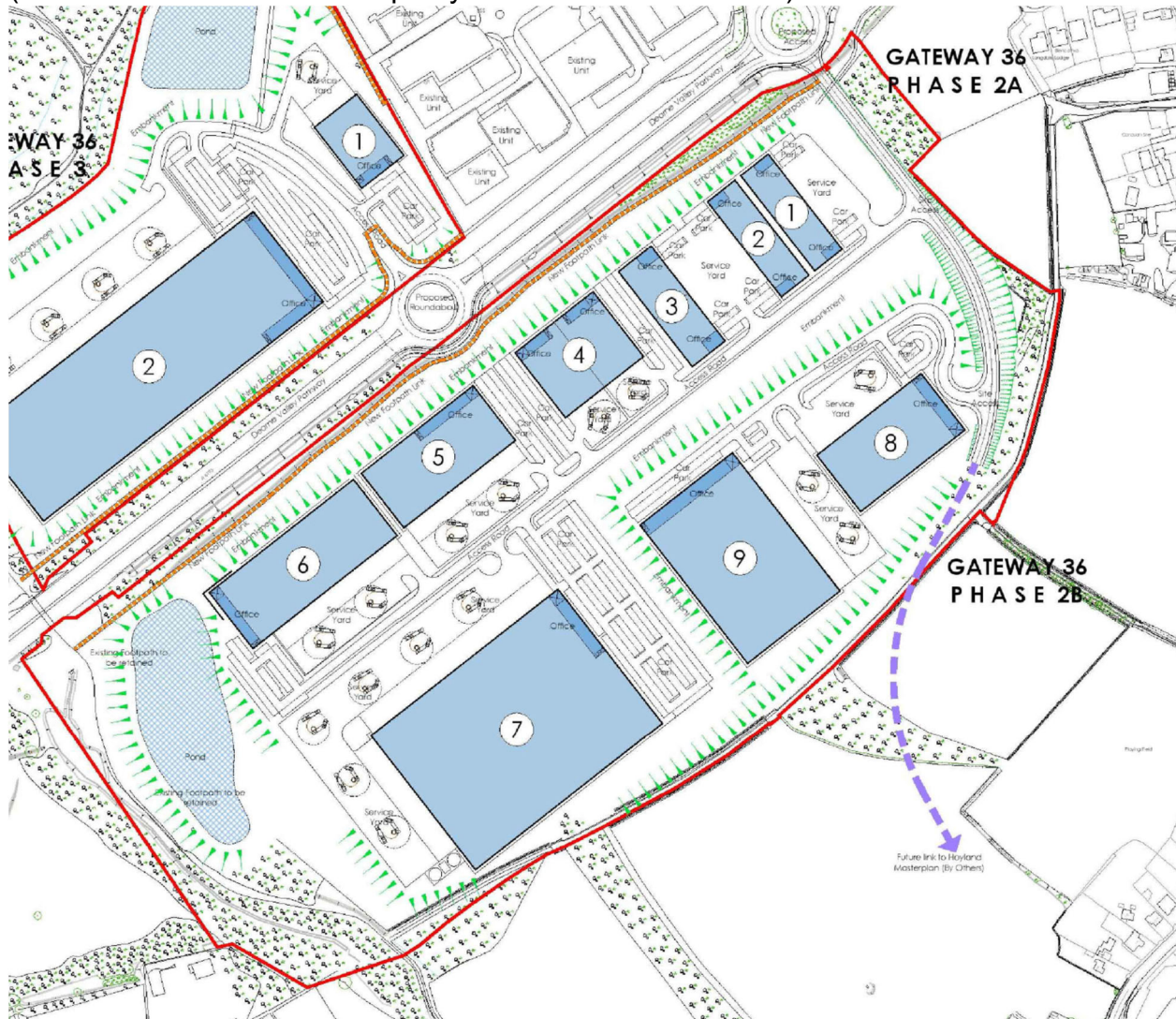
A site plan showing the boundary of the Phase 2 area is provided overleaf.

A copy of the original text of planning condition 24 is provided in italics. Following that, requirements of the condition are addressed separately in Sections 1 to 4, with comments from RSK provided on work that has been completed (or still requires completion) in connection with the relevant issues. A summary is then provided of the remaining work required to satisfy the planning condition.

RSK have produced two reports for Phase 2 and 3 of the Gateway 36 development, as listed below:

- Gateway 36, Phase 2 and Phase 3: Geo-environmental and geo-technical site investigation, RSK report reference 322638-R02 (revision 01), dated May 2020; and
- Gateway 36, Phase 2A, 2B and Phase 3: Remediation Strategy, RSK report reference 322638-R04 (revision 00), dated May 2020.

Plan showing boundary of Phase 2 area
 (Phase 3 is the smaller area partly visible to the north west)



Planning condition 24 (decision notice 2019/1573):

The first reserved matters submission shall be accompanied by a report of intrusive site investigations undertaken to locate mine entries identified in Phase 2 Geo-environmental and Geotechnical Site Investigation, dated May 2020 by RSK. The report shall establish the exact situation in respect of coal mining legacy features on the site and will be accompanied by a plan which identifies:

- (a) the location of the mine entries established as being present on the site*
- (b) any no build zones deemed necessary*
- (c) identify the highwall/fault present on site in order to demonstrate that built development avoids this area.*

Where the findings of the intrusive site investigations identify that coal mining legacy on the site poses a risk to surface stability, no construction works shall commence until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to and approved in writing by the Local Planning Authority. Following implementation and completion of the approved remediation scheme, a verification report shall be submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details prior to the first occupation of the development in that area. Responsibility for securing a safe and development rests with the developer and/or landowner".

Reason- To satisfactorily deal with unstable land, in accordance with Local Plan Policy CL1 Land stability NPPF sections 178 a,b,c. 179 and 170 e & f.

Assessment of work completed in relation to Phase 2, Gateway 36

RSK comments relating to planning condition 24 are provided below in blue text. Sections of the planning condition are in italics.

1. Site investigation report

The first reserved matters submission shall be accompanied by a report of intrusive site investigations undertaken to locate mine entries identified in Phase 2 Geoenvironmental and Geotechnical Site Investigation, dated May 2020 by RSK.

The report referenced here is the Geo-environmental and geo-technical site investigation report (RSK reference 322638-R02(01), dated May 2020), which deals with both Phase 2 and Phase 3 areas. However, it is confirmed that there are no mine shafts located within the Phase 2 area. This information is detailed in Section 3.3 of the report referenced, and Figure 8 corroborates this.

2. Coal mining legacy features

The report shall establish the exact situation in respect of coal mining legacy features on the site and will be accompanied by a plan which identifies:

(a) the location of the mine entries established as being present on the site

This is not applicable to the Phase 2 land area, see note for Section 1, above.

(b) any no build zones deemed necessary

There are no mine shafts within the Phase 2 area, and consequently there are no requirements for no build zones relating to mine entries (see above). See the following point for comments relating to no build areas along the highwall area.

(c) identify the highwall/fault present on site in order to demonstrate that built development avoids this area.

This issue is dealt with in the report referred to by the planning condition, the geo-environmental and geo-technical site investigation report (RSK reference 322638-R02(01), dated May 2020).

Section 4.3.3 of the report indicates that the location of the Elsecar fault has been identified within the Phase 2 area, and that highwall areas are present as a result of opencast works in the vicinity of the highwall. The report text notes that although buildings would not be recommended in the highwall area, it would be possible to position roads, car parking or landscaping in this area, with appropriate engineering controls. Section 11.6 provides further advice on the issue, with suggested amendments to the development layout as a result of greater confidence in the known location of the highwall. Figure 8 in the report shows the approximate location of the highwall, superimposed on the original proposed development drawing.

Consultation with the most recent development plan (document 20191573 12006-1-111 J Phase 2 Site Plan rec 17 7 20, saved on the planning portal) shows that this adjustment has been incorporated into the development design, with the building in Plot 4 being located at a greater distance to the east of the highwall area.

With respect to the current reserved matters application, including the proposed layout for the Phase 2 area, the issues covered by planning condition 24 have been addressed satisfactorily to allow this aspect of the planning condition to be discharged.

3. Remediation scheme in relation to surface stability

Where the findings of the intrusive site investigations identify that coal mining legacy on the site poses a risk to surface stability, no construction works shall commence until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to and approved in writing by the Local Planning Authority.

RSK prepared a ground treatment strategy to cover work required for Phase 2 and Phase 3 areas of the Gateway 36 development, which will operate as the detailed remediation scheme required by the planning condition. Without ground improvement works, the backfill material placed in the areas of opencast mining would have posed a risk to the future development in terms of ground stability. The ongoing ground treatment will ensure that the site conditions on completion are satisfactory to support the proposed buildings.

This document was titled Ground Treatment Specification – Development Platforms (RSK reference 322638-R03 (revision 02), dated 8 September 2020). For work in the Phase 2 area, earthworks and ground treatment are currently underway, with completion expected during summer 2021. RSK are involved in full-time supervision of the works to ensure that they are completed in accordance with the strategy document. A verification report for the works will be produced and will be submitted to the planning authority in support of discharging planning condition 24 when completed.

In addition to the report on the ground treatment strategy for the development platforms, a separate document containing the strategy for roundabout access areas and adoptable roads was produced (report reference 322638-R07 (revision 01), dated 29 October 2020). Works within the Phase 2 area that are covered by this specification document will also be incorporated into the verification report for the site in order to discharge the planning condition.

4. Verification of remediation scheme

Following implementation and completion of the approved remediation scheme, a verification report shall be submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details prior to the first occupation of the development in that area. Responsibility for securing a safe and development rests with the developer and/or landowner

On completion of ground treatment works within the Phase 2 area, a verification report will be produced, as detailed in Section 3. Ground treatment works are expected to be completed in summer 2021, and the verification report will be prepared after all site works are complete. The verification report will be submitted to the planning authority in order to allow this aspect of planning condition 24 to be discharged.

5. Summary of remaining actions

With respect to the first sections of the planning condition (covered by Sections 1 and 2, above), it is considered that sufficient information has been submitted to the planning authority to show that mine shafts are not present within the Phase 2 area and that the area of highwall is fully understood and has been taken into consideration by the proposed development. As such, no further action is required in relation to these sections of the planning condition.

Work is currently underway to complete earthworks and ground treatment phases in accordance with the ground treatment strategy referenced in Section 3, above. On completion of these works, a verification report will be produced to confirm that all work undertaken was in accordance with the appropriate strategy. The verification report will then be submitted to the planning authority to allow planning condition 24 to be discharged.

It should be stated that this note relates to planning condition 24, as affecting Phase 2 only. A separate note has been prepared detailed equivalent information for the Phase 3 area (RSK letter reference 325389L02rev01 Phase 3).