

		Why it matters, why it is a material consideration and why it is an objection to TP/ED/26/0104 OR why it demonstrates procedural unfairness or predetermination, and renders TP/ED/26/0104 unlawful			
Objection number	Date sent	Objection or area of objection		Relevant Legislation or Guidance	
634	sent 28 July 26	Geotechnical instability and carbon release from peat dewateringThe applicant’s Phase 2 Ground Investigation Report (Curtins) warns that dewatering up to 4.80m of fibrous peat will cause "excessive settlement... on adjacent connected sites."	Dewatering lowers pore water pressure, causing rapid peat shrinkage and ground collapse. This poses a direct, unmitigated threat of structural cracking, foundation damage, and property devaluation to neighbouring homes on Larkfield Road, Monkland Avenue, and Parkview Court. Furthermore, exposing anaerobic peat to oxygen causes massive greenhouse gas emissions.	National Planning Framework 4 (NPF4) - Policy 5 (Soils) & Policy 22 (Flood Risk and Water Management):Mandates strict protection of carbon-rich soils/peatlands and prohibits development that increases water/ground instability risks to neighbouring properties.	
		Unlawful backloading of hydrogeological and off-site settlement risksThe applicant admits "significant temporary works to shore and dewater" are needed but provides no strategy, off-site risk model, or dynamic hydrogeological assessment.	Deferring the dewatering strategy, temporary shoring design, and peatland impact management to post-consent conditions violates established planning law. A planning authority cannot lawfully grant planning permission when fundamental structural, hydrogeological, and off-site damage risks remain unquantified and unassessed at the point of determination.	Town and Country Planning (Scotland) Act 1997 & Duty of Inquiry (Tameside Duty): Established statutory principle that a planning authority must proactively inform itself of material risks (such as off-site structural settlement) prior to determination rather than acting on incomplete data.	
636	sent 28 July 26	Unlawful groundwater abstraction and toxic discharge risksContinuous dewatering of a 4.8m peat bog requires massive groundwater abstraction and continuous pumping.	Pumping groundwater through contaminated Made Ground A (containing up to 7,700 mg/kg lead and PAHs) risks creating toxic, silty effluent. Discharging this effluent into the Bothlin Burn without advanced, licensed on-site water treatment plants risks an acute pollution incident and severe ecological degradation.	Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR):Regulates groundwater abstraction and temporary dewatering, requiring formal licensing and strict pollution prevention controls for discharges into surface waters.	
		Engineering new pollutant linkages via dewatering Lowering the water table artificially alters the site's hydrogeology and creates new pathways for contaminants.	Dewatering draws mobile contaminants (dissolved heavy metals and free-phase hydrocarbons) out of the shallow, toxic Made Ground A and leaches them down into the underlying peat aquifer and adjacent surface water channels, actively engineering a new, illegal pollution pathway.	Part IIA of the Environmental Protection Act 1990 & Water Environment and Water Services (Scotland) Act 2003 (WEWS):Statutory duty on public bodies to prevent the creation of new pollutant linkages and prevent the deterioration of groundwater/surface water status.	
638	sent 28 July 26	Structural failure of SuDS infrastructure (hydrostatic heave & differential settlement)The applicant proposes burying heavy plastic geocellular SuDS attenuation crates within saturated, highly compressible peat.	Curtins admits the tanks face "serviceability risks of being placed in ground with anticipated high settlements." Unbalanced settlement and upward buoyancy (hydrostatic heave) from the rebounding water table will shear and snap rigid connecting drainage pipes, causing long-term structural failure and leakage of the school's drainage infrastructure. Manufacturers of SuDS tanks will not guarantee taanks when used in unstable ground.	BS 5930 (Code of Practice for Site Investigations) & CIRIA C753 (The SuDS Manual):Requires comprehensive structural, settlement, and buoyancy assessments for drainage infrastructure placed in compressible soils and floodplains.	
		Uncosted "abnormal" construction liabilities and third-party compensation.The requirement to safely excavate in flooded peat generates massive hidden costs entirely omitted from the project's financial feasibility.	The site requires continuous 24/7 dewatering systems, massive steel sheet piling cofferdams, and expensive off-site disposal of saturated hazardous spoil (under WM3 regulations). Combined with the financial exposure to third-party structural damage claims from neighbouring properties, these "abnormals" represent tens of millions of pounds in un-costed liabilities.	Local Government in Scotland Act 2003 - Section 1 (Duty to Secure Best Value):Fiduciary duty requiring local authorities to rigorously evaluate financial and physical risks, and minimize unnecessary public expenditure, before committing public funds to capital projects.	
639	sent 28 July 26				