



Delegated Report

Application No: 20220980

Location: Site Known As Shawline House, Burch Road, Northfleet

Description: Application for approval of condition 4 (a) attached to planning permission reference number 20170688 relating to the contaminated land details.

Applicant: Mr Rapinder Cheema, Chandan & Bani Properties Limited

Submitted Documents/Plans

Application form
Photographs
Phase 1 Desk Study by Lustre Consulting

Relevant Planning History

20170688 Demolition of existing building and erection of a four storey building with a basement to provide 6no. 1 bedroom self-contained flats and 1no. 2 bedroom self-contained flats.

Approved 10 October 2019

Consultations, Publicity and Representations

Environmental Protection

These comments are in relation to the Discharge of condition 4 (a)(b)(c)(d)(e) and (f) attached to planning permission reference number 20170688.

The applicants have submitted a Phase 1 Desk Study, dated October 2020, Ref: 3748 – 200925 - AP, by Lustre Consulting.

The Phase 1 Desk Study provides an adequate assessment providing:

- previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potential risks arising from contamination at the site

The Desk Study suggests that the potential contaminants within the site boundary may include heavy metals, inorganics, organics, PAH's and Asbestos Fibres.

Section 4 of the report provides a series of recommendations, including the need of a Phase 2 Site Investigation. This Service would therefore expect all of the recommendations set out in the aforementioned report to be completed. Any works identified as being required shall be carried out prior to construction of the development.

This Service is satisfied that **part (a) of condition 4 has been met**. A Phase 2 Site Investigation is now expected as recommended in the Phase 1 Desk Study. This will determine the contaminative status of the site and confirm whether any remedial action is to be carried out.

This service will now await the Phase 2 Site Investigation as recommended in the Phase 1 Desk Study, which once approved, will allow for the discharge of condition 4 (b) and (c).

Analysis

Condition 4 of 20170688 states:

Contaminated Land

4. Following the demolition of existing structures on site no further works shall be commenced prior to a contaminated land assessment (in accordance with the CLEA guidelines and CLR 11 methodology) and if necessary an associated remedial strategy, together with a timetable of works, being submitted to the Local Planning Authority for approval.
 - a) The contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the Local Planning Authority prior to investigations commencing on site.
 - b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.
 - c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.
 - d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance). If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority.
 - e) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the Local Planning Authority. The closure report shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full in accordance

with the approved methodology. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

f) Where applicable, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over an agreed period of time, and the provision of reports on the same, must be prepared and approved in writing by the Local Planning Authority.

Following completion of the measures identified in that scheme, and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the Local Planning Authority.

Reason To ensure that the development does not contribute to, or 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 in line with paragraph 170 of the National Planning Policy Framework.

The application originally sought to discharge condition 4 in it's entirety however, upon visiting the site, it became clear that the building has not been substantially demolished (just some internal demolition). On this basis only part 'a' of the condition can be discharged and therefore the description of the proposal was altered to reflect this.

The submitted document (Phase 1 Desk Study) and accompanying photos are sufficient to discharge this part of condition 4.

Recommendation:

Discharge condition 4a.

See draft Decision

Case Officer:	Team Leader: Richard Hart
Signed: 	Signed: <i>R Hart</i>
Dated: 31 October 2022	Dated: 31 st October 2022