



Delegated Report

Planning Application

Application no:	20211464
Location:	The Builders Yard Lower Range Road Gravesend Kent
Description:	Application for approval of condition 7 (i), (ii) and (iii) attached to planning permission reference number 20190520 relating to the details of the risk assessment and contamination.
Applicant:	DCB Kent Ltd
Site Visit Date:	N/A

Planning permission was granted under ref. 20190520 for the erection of a three storey building to form 14no. two bedroom self-contained flats on 18 February 2020. This was granted subject to conditions including no. 7 which is as follows:

No development approved by this planning permission shall commence until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

(i) A preliminary risk assessment which has identified all previous uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors, and potentially unacceptable risks arising from contamination at the site.

(ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

(iii) The results of the site investigation and the detailed risk assessment referred to in (iii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

(iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Consultations

Environmental Protection (Regulatory Services)

Comments in relation to the discharge of Condition 7, Part (i) and (ii) of permission 20211464 relating to contaminated land risk assessment and remediation.

The applicants have submitted a Phase 1 Geo Environmental Desk Study along with a Phase 2 Report on

The submitted report provides an adequate risk assessment which highlights the potential risk of elevated PAH's and Asbestos Fibres found in the area. The risk assessment indicated that remedial action will be necessary in areas of proposed gardens. Elevated carbon dioxide emissions emanating from the underlying soil were also discovered at the site and this service anticipates to see further remedial action including gas protection measures to be implemented.

Section 12 of the report provides a series of recommendations, comprising a suitable remedial method statement. We would expect all of the recommendations set out in the aforementioned report to be incorporated. Any works identified as being required shall be carried out prior to construction of the development. Details of completed works must be submitted to the LPA by means of a Verification/Closure Report prior to occupation.

The submitted report provides an adequate risk assessment and sets out a clear remedial method statement for the subjected development which in turn satisfies the discharge of **Part 1 ,2 and 3 of Condition 7**. This service will now await the Verification Report which, once approved, will allow for the full discharge of condition **(7)**.

Analysis

The information submitted for the approval of condition 7 (i), (ii) and (iii) is:

- Application form;
- Phase 1 Geo Environmental Desk Study and Phase 2 Report on Subsoil Investigations by R. Carr Geotechnical Services, Ref: 3825/20, dated December 2020; and
- Appendix C Environmental Information Search.

Regulatory Services have reviewed the report, it is noted that remedial action is said to be required including in the areas that will be the gardens and also gas protection measures. They advise that the recommendations stated will need to be carried out prior to construction of the development with a verification report submitted but sufficient information has been submitted to discharge parts i, ii and iii of condition 7. It should be noted that as originally submitted the application was for approval of condition 7 as a whole (all parts). The agent was asked to amend the description for approval of parts i, ii and iii only to allow those parts to be discharged and then once the mitigation measures are complete and data collected to demonstrate this then approval of part iv can be applied for. The agent has agreed to this change in description and so on the basis of parts i, ii and iii the information submitted is sufficient to discharge those parts of condition 7 of permission ref. 20190520.

Recommendation:

Approval of details

See draft Decision

Case Officer:	Ms Rebecca Harrison	Team Leader:	Miss Faye Hobbs
Signed:	<i>Rebecca Harrison</i>	Signed:	
Dated:	25th January 2022	Dated:	28 January 2022