



Delegated Report

Approval of Details Application

Planning Application No: 20240260

Location: Land At St Columbas Close Gravesend Kent

Description: Application for approval of condition 4 parts a, b and c only, attached to planning permission reference number 20221179 relating to a strategy to deal with the potential risks associated with any contamination of the site.

Applicant: Mr Sam Duckett

Submitted Documents/Plans

Application Form;
Remediation Strategy Report; and
Phase 1 Preliminary Risk Assessment And Phase 2 Geo-Environmental and Geotechnical Site Investigation Report.

Relevant Planning History

Reference	Description	Decision	Decision Date
20240434	Application for approval of condition 12 attached to planning permission reference number 20221179 relating to details of crime prevention measures according to the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED)	Under Consideration	
20240373	Application for approval of condition 10 attached to planning permission reference number 20221179 relating to details of how the development will offset biodiversity loss/enhance biodiversity.	Under Consideration	
20240372	Application for approval of condition 8 attached to planning permission reference number 20221179 relating to a arboricultural method statement being submitted and approved.	Under Consideration	
20240323	Application for approval of condition 6 attached to planning permission reference number 20221179 relating to the details of the lighting design and biodiversity.	Under Consideration	
20240319	Application for approval of conditions 7, 9 and 27 attached to planning permission reference number 20221179 relating to details of (7) Scheme of sustainable water drainage, (9) Foul and surface water sewage disposal and (27) Infiltration of surface water drainage.	Under Consideration	
20240261	Application for approval of the first part of condition 5 attached to planning permission reference number 20221179 relating to the implementation of an archaeological field evaluation works in accordance with	Under Consideration	

	a Written Scheme of Investigation and timetable.		
20240258	Application for approval of condition 3 attached to planning permission reference number 20221179 relating to a comprehensive Code of Construction Practice covering all environmental impacts of this development.	Under Consideration	
20221179	Demolition of Nos. 1-12 St Patricks Gardens. Nos. 36-41 St Patricks Gardens and Nos. 28-42 even nos. only St Columbas Close, and the caretakers facility. Erection of 2no. 2 storey buildings, 1no. 3 storeys building and 1no. part 3 and part 4 storey building; to provide 46 residential dwellings (Class C3) residential use, with associated vehicle and pedestrian access, amenity space with hard and soft landscaping, car and cycle parking, refuse and recycling storage provision, and other associated works.	Permitted	06.04.2023

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Paragraph 33 of the NPPF (2023) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving Sustainable Development
- Section 4 – Decision-making
- Section 12 – Achieving well-designed and beautiful places

Consultations

Environment Agency

We have reviewed the Remediation Strategy Report produced by Ground and Environmental Services Limited (Ref: 13217/RS, dated March 2024) and have no objection to the discharge of condition 4 for this application.

GBC – Environmental Protection

Condition 4 reads as follows:

Contaminated Land Strategy

4. No development approved by this permission shall be commenced 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:

a) 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.

b) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

c) The results of the site investigation and the detailed risk assessment referred to in (2) 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.

d) 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 (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme shall be implemented as approved.

Parts a) and b) of this condition were addressed with documents submitted with the original application (Phase 1 Preliminary Risk Assessment and Phase 2 Geo-Environmental and Geotechnical Site Investigation Report prepared by RPS Group (Report Ref: JER9191 (Revision 1), dated December 2022).

The 'Remediation Strategy Report' by GES dated March 2024 (Report Ref: 13217/RS) submitted with this application seeks to address part c) of Condition 4. The report has been reviewed and detailed the proposed remediation works for the site, the validation procedure and documents that need to be submitted with the final validation report. The proposal is to remove near surface contaminated soils (which had elevated levels of PAHs) in the areas of CP01 and TP03, remove off site and replace with clean imported sub and topsoils to garden/soft landscaped areas in these locations. A minimum cover system of 600mm will be used. Certification relating to the imported material will be required and validation testing will be undertaken.

A watching brief/discovery strategy is also recommended as part of the remediation in case any unforeseen contamination is found during the works on site.

It is confirmed that the Remediation Strategy is accepted and part c) of condition 4 can be discharged. In addition, if not already done so, parts a) and b) can also be discharged.

Part d) of the condition is still outstanding awaiting completion of the works on site and submission of the Verification Report.

Officer's Analysis

This application is for the approval of condition 4 parts a, b and c only attached to planning permission reference number 20221179 relating to a strategy to deal with the potential risks associated with any contamination of the site.

Submitted Details

The following information has been submitted to discharge condition 4:

Application Form;

Remediation Strategy Report; and

Phase 1 Preliminary Risk Assessment And Phase 2 Geo-Environmental and Geotechnical Site Investigation Report.

Condition 4

Contamination

4. *No development approved by this permission shall be commenced 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:*
- a) *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.*
 - b) *A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.*
 - c) *The results of the site investigation and the detailed risk assessment referred to in (2) 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.*
 - d) *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 (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.*

The scheme shall be implemented as approved.

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 in line with paragraph 174 of the National Planning Policy Framework (2021) and to accord with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).*

In relation to Condition 4, Parts a) and b) of this condition were addressed with documents submitted with the original application (Phase 1 Preliminary Risk Assessment and Phase 2 Geo-Environmental and Geotechnical Site Investigation Report prepared by RPS Group (Report Ref: JER9191 (Revision 1), dated December 2022).

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Part d) of the condition is still outstanding awaiting completion of the works on site and submission of the Verification Report.

The submitted details are considered acceptable and therefore sufficient details have been submitted to satisfy Parts a), b) and c) of Condition 4 of 20221179.

Conclusion Recommendation

Sufficient information has been submitted to discharge parts a), b) and c) of condition 4 of planning approval 20221179.

Recommendation

ADET - Approval of Details

(For detailed conditions / reasons for refusal and informatives, see draft Decision)

Case Officer:	Ms Amanda Cue	Team Leader:	Miss Faye Hobbs
Signed:	<i>A Cue</i>	Signed:	
Dated:	23 rd May 2024	Dated:	23 May 2024