

Item No:	Classification	Committee:	Date:
	Open	Camberwell Community Council	8 September 2011
From:		Title of Report:	
Head of Development Management		Addendum Late observations, consultation responses, information and revisions.	

PURPOSE

1. To advise Members of observations, consultation responses and information/revisions received in respect of the following planning applications on the main agenda. These were received after the preparation of the report and the matters raised may not therefore have been taken in to account in reaching the recommendation stated.

RECOMMENDATION

2. That Members note and consider the late observations, consultation responses and information/revisions received in respect this item in reaching their decision.

KEY ISSUES FOR CONSIDERATION

3. Late observations, consultation responses, information and revisions have been received in respect of the following planning application on the main agenda:

Contamination

4. Council's Environment Protection Team had made comments regarding the potential contamination of the site. There was no assessment or report submitted as part of the application. It was considered that with the extent of demolition, excavation and landscaping, this aspect would need to be explored, with the risks evaluated and remediation treatment proposed. Standard contamination conditions are recommended, which will be number 18:

Contaminated Land Assessment

5. Before any work hereby authorised begins, the owner/developer shall procure at their own cost the services of a suitably qualified and competent consultant in the relevant field, and a Contaminated Land Assessment and associated remediation strategy, together with a timetable of works shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given, which shall include:
 - a) Submission of a detailed site investigation in accordance with the approved methodology to establish the possible or actual presence of contamination and/or pollution in, on, under or over the site, to assess the nature and extent of the contamination or pollution including the actual or potential pollution of the ground and surface water environment. The method and extent of the site investigation shall be in accordance with established code of practice and should be agreed with the Local Planning Authority (Environmental Protection) before commencement of the investigation.
 - b) Submission of a comprehensive report containing the detailed findings of the investigation carried out together with a risk assessment of any pollutant or hazard identified in the report (using the source, pathway and receptor principle), a

remediation scheme setting out the measures necessary to remove, neutralise or otherwise deal with the contamination and/or pollution (including measures to prevent and monitor pollution of ground water and surface water) so that the site may be used for the purposes for which it is being redeveloped. The remediation scheme shall be implemented at the owner/developer's cost in compliance with the reasonable conditions, stipulations, phasing timetable and other relevant matters subject to which such approval is granted.

At any time after the implementation of the approved remediation scheme, if the Local Planning Authority is reasonably satisfied that further remediation works are necessary to remove, neutralise or otherwise deal with any residual contamination and/or pollution in, on, under or over the site, the Local Planning Authority may by written notice require the owner/developer to carry out the remediation steps specified in the said notice which shall also specify the date by which the said remediation steps shall be carried out and completed. The failure on the part of the owner/developer to carry out and complete the said remediation steps to the reasonable satisfaction of the Local Planning Authority by the date specified in the said notice shall be deemed to be a breach of the owner's/developer's obligation under this consent. This does not affect any action that may be deemed necessary under Part II A of the Environmental Protection Act 1990 or other relevant legislation.

- c) Submission of (following completion of remediation work) a detailed consultant validation report confirming that all reasonable skill, care and due diligence has been taken in the carrying out of the investigation, compiling the report, findings and remediation scheme, and ensuring the scheme has been properly implemented (see CLR11 for guidance). Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the validation report together with the necessary documentation detailing what waste materials have been removed from the site.

Once the validation report at c) is submitted to and approved in writing by the Local Planning Authority the condition will be fully discharged.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Saved Policies 3.1 'Environmental Effects', 3.2 'Protection of Amenity' and 3.10 'Hazardous Substances' of The Southwark Plan 2007, Strategic Policy 13 'High Environmental Standards' of the Core Strategy and PPS23 Planning and Pollution Control.

Set back of building

The Officer's report had stated that the set back of the new building would be 12m, but this should read 15m from the kerb on Grove Lane. The original building is set back from the kerb by 12.7m.

Amendment to Condition No. 19

Recommended condition No. 19 (Construction Management Plan) should be amended to include references of properties on Grove Land and details of construction vehicles and routes to be included. This should now read:

The development shall not commence until details of a Construction Management Strategy has been submitted to, and approved in writing by the Local Planning Authority for that part

of the development. The Management Scheme and Code of Practice shall oblige the applicant, or developer and its contractor to use all best endeavours to minimise disturbances and damage including but not limited to noise, vibration, dust, smoke and plant emissions emanating from the site and will include the following information for agreement:

- Prior to commencement of works a photographic survey of the adjacent properties in Grove Lane shall be submitted to the satisfaction of the Local Planning Authority
- A detailed specification of demolition and construction works at each phase of development including consideration of environmental impacts and the required remedial measures.
- The specification shall include details of the method of piling.
- Engineering measures, acoustic screening and the provision of sound insulation required mitigating or eliminating specific environmental impacts.
- Arrangements for publicity and promotion of the scheme during construction.
- A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme registration.
- Following completion of construction but prior to first occupation of the development a further photographic survey of the adjacent properties in Grove Lane shall be submitted to and approved in writing by the Local Planning Authority.
- Details of all construction access routes and access details, type of vehicles and hours of delivery.
- All demolition and construction work shall be undertaken in strict accordance with the approved management scheme and code of practice, unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure that the occupiers of neighbouring premises do not suffer a loss of amenity by reason of pollution and nuisance in accordance with SP 13 High Environmental Standards of the Core Strategy 2011, and saved Policy 3.2 'Protection of Amenity' of The Southwark Plan (UDP) July 2007.

REASON FOR LATENESS

6. The comments reported above have all been received since the agenda was printed. They all relate to an item on the agenda and Members should be aware of the objections and comments made.

REASON FOR URGENCY

7. Applications are required by statute to be considered as speedily as possible. The application has been publicised as being on the agenda for consideration at this meeting of the Sub-Committee and applicants and objectors have been invited to attend the meeting to make their views known. Deferral would delay the processing of the applications/enforcements and would inconvenience all those who attend the meeting.

Lead Officer: Gary Rice, Head of Development Management
Background Papers: Individual case files.

Located at: 160 Tooley Street London SE1P 5LX.