

Committee	STRATEGIC PLANNING COMMITTEE
Report Title	ADDENDUM
Contributors	Lewis Goodley
Date	13 October 2020

**1        ADDENDUM**

1        This report sets out an addendum to the committee agenda published on 06 October 2020 in respect of Strategic Planning Committee on 14 October 2020.

2        The report updates the suggested conditions for both applications, which were subject to negotiation with the Applicant given the pre-commencement nature of these conditions.

**2        AGENDA ITEM 3 – SELCHP WASTE TO ENERGY FACILITY, LANDMANN WAY, LONDON, SE14 5RS.**

3        Further discussions with the Case Officer and the Applicant, with additional review from the Council’s Environment Protection Team resulted in changes to the following suggested conditions:

4        Application DC/20/117728 (Main/ preferred route)

Condition 5 ‘Site contamination’ and Condition 6 ‘Surface Condition and Materials’ (Pages 43, 44 and 45).

5        Application DC/20/117685 (Alternative Route)

Conditions 5 ‘Site Contamination’ and Condition 6 ‘Surface Condition and Materials’ (Pages 79, 80 and 81).

6        The suggested conditions for both applications respectively read:

7        Condition 5 ‘Site Contamination’

8        (a) The development shall be constructed in full accordance with the recommendations stated in section 6.2 of the Phase 1 Ground Contamination Desk Study report ARP/REP/273882/001, Issue 1 , (24 July 2020) are followed as specified.

9        (b) If during any works on the site, contamination is encountered which has not previously been identified (“the new contamination”) the Council shall be notified immediately and a site investigation report shall be submitted to the Local Planning Authority to characterise and risk assess the site which shall include the gas, hydrological and contamination status, specifying rationale; and recommendations for treatment for contamination encountered. No further works shall take place on that part of the site or adjacent areas affected, until the requirements have been complied with in relation to the new contamination.

10        (c) The development or phase of development shall not be used until a closure report for the development or phase has been submitted to and approved in writing by the Council.

- 11 This shall include verification of all measures, or treatments as required in Section (a) and relevant correspondence (including from other regulating authorities and stakeholders involved with the remediation works) to verify compliance requirements, necessary for the remediation of the site have been implemented in full.
- 12 The closure report shall include verification details of both the remediation and post-remediation sampling/works, carried out (including waste materials removed from the site); and before placement of any soil/materials is undertaken on site, all imported or reused soil material must conform to current soil quality requirements as agreed by the authority. Inherent to the above, is the provision of any required documentation, certification and monitoring, to facilitate condition requirements.
- 13 Reason: To ensure that the local planning authority may be satisfied that potential site contamination is identified and remedied in view of the historical use(s) of the site, which may have included industrial processes and to comply DM Policy 28 of the Development Management Local Plan (2014).
- 14 Condition 6 'Surface Condition and Materials'
- 15 The land associated with each phase of development shall be returned and reinstated to its original condition upon completion of that phase. Evidence of this shall be provided upon the completion of each phase and approved in writing by the Local Planning Authority.
- 16 Reason: To ensure that the proposed works provide a satisfactory external appearance and that the quality of the public realm is maintained in accordance with Core Strategy Policy 15 of the Core Strategy (2011) and DM Policy 35 and DM Policy 36 of the Development Management Local Plan (2014).

### ***Officer Response***

- 17 As required by The Town and Country Planning (Pre-commencement Conditions) Regulations 2018 the Local Authority must have written confirmation from the applicant for any conditions it wishes to impose when granting planning permission.
- 18 In this instance, the Applicant did not agree with the proposed pre-commencement conditions relating to land contamination and surface condition and materials.
- 19 The Applicant stated that part (a) of Condition 5 'Land contamination' as originally proposed was onerous and would duplicate work and recommendations already provided in the submitted 'Phase 1 Ground Contamination Desk Study report ARP/REP/273882/001, Issue 1 , (24 July 2020)'.
- 20 Further discussions with the Council's Environmental Protection Team took place and it was confirmed that the construction in accordance with the recommendations of the submitted 'Phase 1 Ground Contamination Desk Study report ARP/REP/273882/001, Issue 1, (24 July 2020)' would be sufficient to safeguard health.
- 21 The Applicant stated that part (a) of Condition 6 'Surface Condition and Materials' would be too onerous and costly. A simple compliance condition is now

proposed. This would ensure that all surface materials would be finished to match existing. The Applicant would still need to enter a 278 Highways Agreement for works to the highway.

- 22 No new material considerations that have not been fully considered or addressed within the published committee report arise from the changes to the suggested conditions for both applications.
- 23 The matters relating to contamination, urban design and surface finish within the Committee Reports are unchanged.