Our Ref: 24/80445/COND
Your Ref: CONDITION 3

17 January 2025

Mr Andrew Toumazou
MK40 ARCHITECTS LTD
1 St. Minver Road
Bedford
MK40 3DQ

Pathfinder House, St Mary's Street
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Dear Mr Toumazou

HUNTINGDONSHIRE DISTRICT COUNCIL
Application for Discharge of planning condition(s)

Proposal: Discharge of condition 3 (parts a and b site investigation and remediation scheme) of 20/00849/FUL with parts c and d retained.

Site address: Manor Farm Church End Woodwalton Huntingdon

Your client: Mr Benjamin Conway

Please find enclosed our formal decision notice relating to above application for approval of details relating to the above planning condition.

Yours sincerely

Clara Kerr
Chief Planning Officer

Pathfinder House, St Mary's Street
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17th January 2025

Dear Mr Toumazou

Town And Country Planning (Development Management Procedure) (England) Order 2015 (Amended).

Proposal: Discharge of condition 3 (parts a and b site investigation and remediation scheme) of 20/00849/FUL with parts c and d retained.

Site address: Manor Farm Church End Woodwalton Huntingdon

Applicant: Mr Benjamin Conway AGRESERVES LIMITED

I refer to your application above received on 19 December 2024 and the plans, drawings and documents which form part of the application as described below.

The following condition/s are Approved

Condition 3 - Contamination
Condition:

A. Site Investigation Information

No development (except demolition of above ground structures) shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a competent person and shall assess any contamination on the site, whether or not it originates from the site. Moreover, it must include;

(i) details of previous land uses;
(ii) a site investigation survey of the extent, scale and nature of contamination;
(iii) an assessment of the potential risks to;
a) human health,
b) property*,
c) adjoining land,
d) groundwaters and surface waters,

e) ecological systems and
f) archaeological sites and ancient monuments.

* Property (existing or proposed) includes buildings, crops, livestock, pets, woodland and service lines and pipes

B. Submission of Remediation Scheme

Where contaminated is found which poses unacceptable risks, as determined by the local planning authority in its response to (A), no development shall take place until a detailed remediation scheme has been submitted to and approved in writing by the local planning authority. The scheme shall include;

(i) an options appraisal and remediation strategy;
(ii) remediation objectives and remediation criteria;
(iii) remediation works to be undertaken and the order in which the works will be progressed;
(iv) a verification scheme providing details of the data that will be collected in order to demonstrate that the works set out in (iii) have been completed and identifying any requirements for longer-term monitoring of contaminant linkages, maintenance and arrangements for contingency action.

The scheme should be designed to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use.

C. Implementation of Approved Remediation Scheme

Where a detailed remediation scheme has been required and approved under (B), no occupation of any part of the permitted development which has been identified in the scheme as being subject to contamination shall take place until the approved scheme has been implemented and the verification report, including the results of sampling and monitoring carried out in accordance with the approved verification scheme to demonstrate that the site remediation criteria have been met, has been submitted to and approved in writing by the local planning authority. The report shall, if required by the local planning authority, also include a reassessment of the long-term monitoring of contaminant linkages, maintenance and arrangements for contingency action. The long-term monitoring and maintenance proposals shall be implemented as finally approved.

D. Reporting of Unexpected Contamination

If, during development, contamination not previously identified is found to be present at the site;

(i) it shall be reported in writing to the local planning authority within 1 working day;
(ii) no further development (unless otherwise agreed in writing by the local planning authority) shall be carried out until site investigations have been undertaken and a remediation strategy has been submitted to and approved in writing by the local planning authority detailing how this unsuspected contamination will be dealt with;
(iii) the remediation strategy shall be implemented as approved;
(iv) no occupation of any part of the permitted development identified in the remediation strategy as being affected by the previously unidentified contamination shall take place until;

a) the approved scheme has been implemented in full and any verification report required by the scheme has been submitted to and approved in writing by the local planning authority;

b) if required by the local planning authority, any proposals for long-term monitoring of contaminant linkages, maintenance and arrangements for contingency action have been submitted to and approved in writing by the local planning authority.

(v) the long-term monitoring and maintenance plan shall be implemented as approved.

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, ecological systems and heritage assets, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with the National Planning Policy Framework 2021.

N.B, it should be noted that at the agreement of the agent the description of the proposal has been revised to reflect which parts of the condition have been discharged.

Documents reviewed:

*"Preliminary Contamination Risk Assessment" written by Paddock Geo Engineering (report reference P24-294pra, dated December 2024) received by the LPA on the 23rd of December 2024.

*"Site Contamination Risk Assessment" written by Paddock Geo Engineering (report reference P24-294sca, dated December 2024) received by the LPA on the 19th of December 2024.

*"Remediation Strategy " written by Paddock Geo Engineering (report reference P25-294RMS dated January 2025) received by the LPA on the 15th of January 2025.

Consultee comments:

HDC's Environmental Health Team have been consulted and, following a review of the submitted documents raise no objections to the discharge of parts a and b of the condition. As contamination was identified, a remediation scheme (as per part b) was required and has been provided. This has been reviewed and is acceptable. Part c requires the remediation scheme to be implemented and a verification report to be provided for assessment and so is retained pending receipt, review and agreement by the LPA. Part d of the condition is also retained (standard practice) as such matters may not arise until works progress and so cannot be assessed at this stage.

Conclusion:

Given the level of detail provided, alongside the favourable comments from specialists (as above), it is considered that parts a and b of Condition 3 of 20/00849/FUL can be discharged. As detailed above, part c is retained pending the submission of a verification report for approval. Part d is retained for the full period of development of the site.

Where conditions have been discharged by the Local Planning Authority or where the condition details are acceptable but cannot be discharged, the works must be implemented in full accordance with the approved details and the development shall be retained as such thereafter.

Yours sincerely



Clara Kerr
Chief Planning Officer
Date: 17 January 2025
Agent