

**Chris Carter
Assistant Director (Planning)**

Reply To: address as below
Direct Tel: 01707357000
Email: planning@welhat.gov.uk

Mr Harry Capstick
Build Studios
203 Westminster Bridge Road
Lambeth
London
SE1 7FR

25 November 2022

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (ENGLAND) ORDER 2015**

Dear Mr Capstick,

Application Reference: 6/2022/1749/COND

Proposed development at: Shell Welwyn Garden City Stanborough Road Welwyn
Garden City AL8 6XA

Proposal: Submission of details pursuant to conditions number 3 (remediation strategy), 4 (monitoring and maintenance plan), 6 (material samples), 10 (external lighting), 13 (remediation verification report), 14 (unexpected contamination), 15 (borehole installation scheme) and 16 (intrusive groundwork consent), on planning permission 6/2021/2260/FULL

Thank you for your application requesting confirmation of compliance with the above condition.

Condition 3 of 6/2021/2260/FULL states:

'No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the local planning authority:

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*
- potentially unacceptable risks arising from contamination at the site.*

b) A site investigation scheme, based on (a) 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 (b) 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 (c) 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 express written consent of the local planning authority. The scheme shall be implemented as approved. REASON: To ensure that the development does not contribute to and 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 and Policies R2 and R7 of the Welwyn Hatfield District Plan 2005.'

The submitted documentation is considered acceptable by the Council's Environmental Health Officer pursuant to the above requirements of condition 3.

Condition 4 of 6/2021/2260/FULL states:

'No development should take place until a long-term monitoring and maintenance plan in respect of contamination including a timetable of monitoring and submission of reports to the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the Local Planning Authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports. On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the Local Planning Authority. REASON: To ensure that the site does not pose any further risk to the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 174 of the National Planning Policy Framework and Policies R2 and R7 of the Welwyn Hatfield District Plan 2005.'

The submitted documentation is considered acceptable by the Council's Environmental Health Officer pursuant to the above requirements of condition 4.

Condition 6 of 6/2021/2260/FULL states:

'No development above ground level in any phase of the development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby granted have been submitted to and approved in writing by the Local Planning Authority. The development shall be

implemented using the approved materials and subsequently, the approved materials shall not be changed.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.'

The material samples provided comprise of Kingspan KS1000 RW profile with XLF Forte Merlin Grey external finish for the roof panel and Kingspan CS1100 Flat profile with XL Forte White external finish for the wall panel. I am pleased to confirm that sufficient information has been submitted pursuant to the requirements of condition 6 and the proposed materials are considered to be acceptable. In order to fully comply with the requirements of the condition, the development shall be implemented using the approved materials and subsequently, the approved materials shall not be changed.

Condition 10 of 6/2021/2260/FULL states:

'No development above ground level shall take place until details relating to the external lighting (including vertical lux diagrams which show potential light trespass into windows of nearby residential properties) have been submitted to and agreed in writing by the Local Planning Authority. This scheme must meet the requirements within the Institution of Lighting Professionals guidance notes for the reduction of obtrusive lighting. The agreed lighting shall subsequently be implemented.

REASON: To protect the amenity of existing residential properties in the near vicinity to the development in accordance with Policies D1 and R20 of the Welwyn Hatfield District Plan and the National Planning Policy Framework.'

The submitted lighting details comprising of drawing Nos. SH71.1 & SH71.2, and the Lighting Specification by GWLC) is considered acceptable by the Council's Environmental Health Officer pursuant to the above requirements of condition 10.

Condition 13 of 6/2021/2260/FULL states:

'No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

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 line with paragraph 174 of the National Planning Policy Framework.'

The submitted documentation is considered acceptable by the Council's Environmental Health Officer pursuant to the above requirements of condition 13.

Condition 14 of 6/2021/2260/FULL states:

'In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared and submitted which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.'

REASON: To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 174 of the National Planning Policy Framework.'

The submitted documentation is considered acceptable by the Council's Environmental Health Officer pursuant to the above requirements of condition 14.

Condition 15 of 6/2021/2260/FULL states:

'A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of any part of the permitted development.'

REASON: To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 174 of the National Planning Policy Framework and Position Statement N Groundwater resources of 'The Environment Agency's approach to groundwater protection'.'

The submitted documentation is considered acceptable by the Environment Agency pursuant to the above requirements of condition 15. Please note that the development must not be carried out other than in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Condition 16 of 6/2021/2260/FULL states:

'Piling, deep foundations and other intrusive groundworks using penetrative measures shall not be carried out other than with the written consent of the

local planning authority. The development shall be carried out in accordance with the approved details.

REASON: To ensure that any proposed piling, deep foundations and other intrusive groundworks do not harm groundwater resources in line with paragraph 174 of the National Planning Policy Framework and Position Statement N. Groundwater Resources of the 'The Environment Agency's approach to groundwater protection'.

The submitted documentation is considered acceptable by the Environment Agency pursuant to the above requirements of condition 16. Please note that the development must not be carried out other than in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Should you require any clarification regarding the contents of this letter, please do not hesitate in contacting me at r.lee@welhat.gov.uk and I will be pleased to advise you further.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'R Lee', written in a cursive style.

Mr Raymond Lee
Senior Development Management Officer