

ACD/17-04137

22 October 2018

Ms June Pagdin  
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LONDON  
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Dear Ms Pagdin,

**Re: Application to Discharge Condition 13 in respect of Full Planning Permission for Change of Use of Former Roche Products Factory (Class B Offices, Research and Manufacturing) to Provide 34 Residential Units (Class C3) Across Basement, Ground and First to Third Floors, with External Alterations Including Additional and Altered Fenestration to the Northern and Southern Elevations, Creations of Additional Car Parking and Associated Landscaping, Together with Internal Alterations including the Subdivision and Reconfiguration of Floorspace, the Introduction of 5 New Spiral Staircases and Provision of Servicing within the Building at the Former Roche Products Site, 40 Broadwater Road, AL7 3AY.**

I act on behalf of Oakbridge Homes Ltd and am instructed to submit a discharge of condition application seeking approval of details reserved by a condition in respect of the above development.

The application was formally approved by Welwyn Hatfield Borough Council on 9 November 2017 following the completion of a Section 106 agreement, on 18 October 2018.

The application was approved with a number of planning conditions attached to the permission requiring discharge. Accordingly, we seek to discharge the following condition:

Condition	Topic	Status of Condition
13	Contamination Investigation and Risk Assessment	Pre-commencement

The discharge of condition application was submitted to Welwyn Hatfield Borough Council via the Planning Portal (Ref PP-07315225) on 22 October 2018 with the following documents enclosed:

- Phase I and II Geo-Environmental Assessment.

The planning application fee in the amount of £116 will follow. In addition to the above, the specific information in respect of this condition is provided below.

### **Condition 13**

*No development other than that required to be carried out as part of an approved scheme of remediation shall commence until conditions A to D have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition D has been complied with in relation to that contamination.*

#### *(a) Site Characterisation*

*An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The contents of the scheme and the written report are subject to the approval in writing of the Local Planning Authority. The report of the findings must include:*

*(i) a survey of the extent, scale and nature of contamination*

*(ii) an assessment of the potential risks to:*

- human health*
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes*
- adjoining land*
- groundwaters and surface waters*
- ecological systems*
- archaeological sites and ancient monuments*

*(iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.*

#### *(b) Submission of Remediation Scheme*

*A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must 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 of the land after remediation.*

#### *(c) Implementation of Approved Remediation Scheme*

*The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.*

#### *(d) Reporting of Unexpected Contamination*

*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 in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, 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 in accordance with condition C.*

*(e) Long Term Monitoring and Maintenance*

*Where indicated in the approved remediation scheme, a monitoring and maintenance scheme to include, monitoring the long-term effectiveness of the proposed remediation over the agreed period of xxx years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.*

In this regard, the submitted Phase I and II Geo-Environmental Assessment confirms that no contamination was present on site and therefore no remediation is required.

We look forward to confirmation of early validation and determination of the application, however, should you require any further information or have any queries in respect of the submitted documentation, please contact the undersigned in the first instance.

Yours sincerely,

**Andrea Herrick**

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Senior Associate - Town Planning

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