

Time Limit Expires: 03 April 2019
Application No: DC/19/110865
Delegated / Committee

Fast / Normal:
Ward: Bell
Fee Paid: £0.00

Location: LAND AND BUILDINGS, BECKENHAM PLACE PARK,
BECKENHAM, BR3

Application Dated: 06 February 2019

Agent (if any): Mr Kirk BDP

Applicant: Mrs Taylor Lewisham Council

Proposal: Details submitted in compliance with Condition 5(b) (contamination discovered during works) of application reference number DC/16/099042 (as amended by DC/17/105082) dated 20/10/2017 for "The proposed regeneration of part (west of rail line) of Beckenham Place Park, Beckenham Hill Road, BR3 comprising of: the rebuilding and change of use of the stable block to include a café (A3) and education use (D1); alteration and extension of the Gardener's Cottage for volunteer use; alterations to and refurbishment of Southend Lodge and extension of associated park depot, including the provision of new storage buildings; alterations to and refurbishment of the Gatehouse; demolition of park storage and toilet structures; excavation to provide a lake and wetland area with associated boardwalk areas; relocation and extension of car park; and extensive landscape works including re-contouring of land, re-surfacing of existing paths, provision of new paths, new street furniture, play and gym equipment, boardwalks, lighting, signage and boundary treatment; tree removal and new planting".

Plan Nos: Addendum to remediation strategy - Tennis Courts, reference no. 1C0104645/190101/L3 dated February 2019;
Materials Management Plan;
Remediation Strategy, reference no. 1C0104645p4r2 dated August 2018.

Background Papers: (1) LE/250/D/TP
(2) Development Management Local Plan (adopted November 2014) and Core Strategy (adopted June 2011)

DMLP/CI Information: Area of Archaeological Priority
PTAL 0
PTAL 2
PTAL 3
PTAL 1a
PTAL 1b
Green Chain Walk
Metropolitan Open Land
Green Corridor
Green Chain Area
Site of Nature Conservation Importance
Flood Risk Zone 3
Area of Archaeological Priority

Flood Risk Zone 2
PTAL 5
Flood Risk Zone 2
Flood Risk Zone 3
Area of Archaeological Priority

Earliest Decision: 27/02/2019

OBSERVATIONS

Present Application

Details submitted in compliance with Condition 5(b) (contamination discovered during works) of application reference number DC/16/099042 (as amended by DC/17/105082) dated 20/10/2017 for "The proposed regeneration of part (west of rail line) of Beckenham Place Park, Beckenham Hill Road, BR3 comprising of: the rebuilding and change of use of the stable block to include a café (A3) and education use (D1); alteration and extension of the Gardener's Cottage for volunteer use; alterations to and refurbishment of Southend Lodge and extension of associated park depot, including the provision of new storage buildings; alterations to and refurbishment of the Gatehouse; demolition of park storage and toilet structures; excavation to provide a lake and wetland area with associated boardwalk areas; relocation and extension of car park; and extensive landscape works including re-contouring of land, re-surfacing of existing paths, provision of new paths, new street furniture, play and gym equipment, boardwalks, lighting, signage and boundary treatment; tree removal and new planting".

Discharge of the following conditions is sought:

Condition 5(b) – Contamination discovered during works. Suspected Asbestos-containing cement was discovered during preliminary excavation work in an area of the park that formerly contained tennis courts, which is located on the eastern side of the internal road accessed from Beckenham Hill Road into Beckenham Place Park, approximately halfway along the internal road between the entrance and the Grade II*-listed mansion in the south of park. Subsequent sampling indicated asbestos was detectable in one of four samples collected from the area.

Submitted Information

Approval of Details application form;
Addendum to remediation strategy - Tennis Courts, reference no. 1C0104645/190101/L3 dated February 2019;
Materials Management Plan;
Remediation Strategy, reference no. 1C0104645p4r2 dated August 2018.

Consultation:

Council's consulting Environmental Health Officer (Contamination) has been consulted regarding the submitted details. The assessment of the consultant are incorporated into the assessment below.

The Environment Agency have been recently consulted on a previous application relating to the discovery of asbestos containing material (DC/18/107714). No objection was raised to the methodology to be used in those circumstances. The same methodology for remediating the specific area where asbestos-containing material has been discovered is proposed to be

conjunction with the asbestos in this instance, the site is further separated from water sources, and that the same methodology has been previously approved, no further consultation has been undertaken with the Environment Agency regarding this additional discovery of asbestos-containing material.

Planning Considerations:

Condition 5 – Site contamination:

- (a) No development (with the exception of demolition of above ground structures) shall commence until each of the following have been complied with:-
 - (i) A desk top study and site assessment to survey and characterise the nature and extent of contamination and its effect (whether on or off-site) and a conceptual site model have been submitted to and approved in writing by the local planning authority, in consultation with the Environment Agency.
 - (ii) A site investigation report 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 (whether by remedial works or not) has been submitted to and approved in writing by the Council.
 - (iii) The required remediation scheme implemented in full.
- (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 the terms of paragraph (a), shall apply to the new contamination. No further works shall take place on that part of the site or adjacent areas affected, until the requirements of paragraph (a) have been complied with in relation to the new contamination.
- (c) The development shall not be occupied until a closure report has been submitted to and approved in writing by the Council, in consultation with the Environment Agency.

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 with DM Policy 28 Contaminated Land of the Development Management Local Plan (November 2014).

Assessment:

Council’s Environmental Health (Contamination) consultant has reviewed the submitted information. The consultant has advised that the contamination management and remediation treatment detailed in the submitted documents in relation to the discovered contamination are sufficient to be approved and condition 5(b) discharged in relation to this discovered contamination.

As discussed above, the Environment Agency have raised no objection to the proposed methodology of remediating land at the subject site in this manner where asbestos-containing material has been found.

Conclusion:

The details submitted are sufficient to be approved with respect to satisfying condition 5(b) in relation to the identified new contamination. As such, the details can be approved and condition 5(b) of DC/16/099042 as modified by DC/17/105082 as applicable to the identified new contamination can be discharged.

as applicable to the identified new contamination, of DC/16/099042 as modified by DC/17/105082.

Informatives

- A. Please be advised that the documents submitted with this application, namely:

Addendum to remediation strategy - Tennis Courts, reference no. 1C0104645/190101/L3 dated February 2019;
Materials Management Plan;
Remediation Strategy, reference no. 1C0104645p4r2 dated August 2018

have been assessed only in relation to the conditions as referred to on this application and do not provide acceptance or otherwise pertaining to any other outstanding conditions or subsequent applications.

- B. Please be advised that details pursuant to the following conditions of DC/17/105082 (successor to DC/16/099042) remain to be approved or submitted for approval:

Condition 3(c) - Archaeology

Condition 5(a) - (c) - Contamination. Condition 5(b) in relation to specific instances of discovered condition has been discharged pursuant to DC/18/107764 and DC/19/110865.

Condition 6 - Materials

Condition 7 - Cycle parking

Condition 8 - Hard landscaping

Condition 9 - Tree protection plan

Condition 10 - Soft landscaping

Condition 11 - Boundary treatments

Condition 12 - Bird and bat boxes

Condition 13 - Ventilation plant details

Condition 14 - Lighting

Condition 15 - Deliveries and servicing plan

Condition 16 - Travel plan

Condition 18 - Highways works

Condition 19 - Wayfinding strategy

Condition 20(b) - Electric vehicle charging points

Condition 21 - Drainage

Condition 22 (if applicable) - Impact driving/land stability

Condition 23 - Landscape and ecological management plan

Condition 25 - Parking management plan

Condition 26 - Refuse details

Condition 28 - Cycle management plan

- C. The applicant is advised that the approved document 'Addendum to remediation strategy - Tennis Courts, reference no. 1C0104645/190101/L3 dated February 2019' contains a typographical error (page 2, section 2), where it states 'A total of 3no. soil samples were collected from the stockpiled material (SP1 ES701A, SP2 ES703, SP2 ES706).' In terms of the last reference the lab certificate is actually referenced SP2 ES705.

- D. The applicant is reminded of the need to verify the correct carrying out of remediation measures by suitably qualified personnel in order to be able to prepare the necessary documentation to discharge condition 5(c) (contamination closure report).

