

LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE

Date : 24th November 2015

Report of
Assistant Director, Planning,
Highways & Transportation

Contact Officer:
Andy Higham
Sharon Davidson
Ms Sharon Davidson

Ward:
Upper Edmonton

Ref: 15/04173/RE4

Category: LBE - Dev by LA

LOCATION: Willoughby Lane Gas Works , Willoughby Lane, London, N17 0RY

PROPOSAL: The remediation of contaminated soils and shallow groundwater and removal of buried structures

Applicant Name & Address:

Mr Marc Clark
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United Kingdom

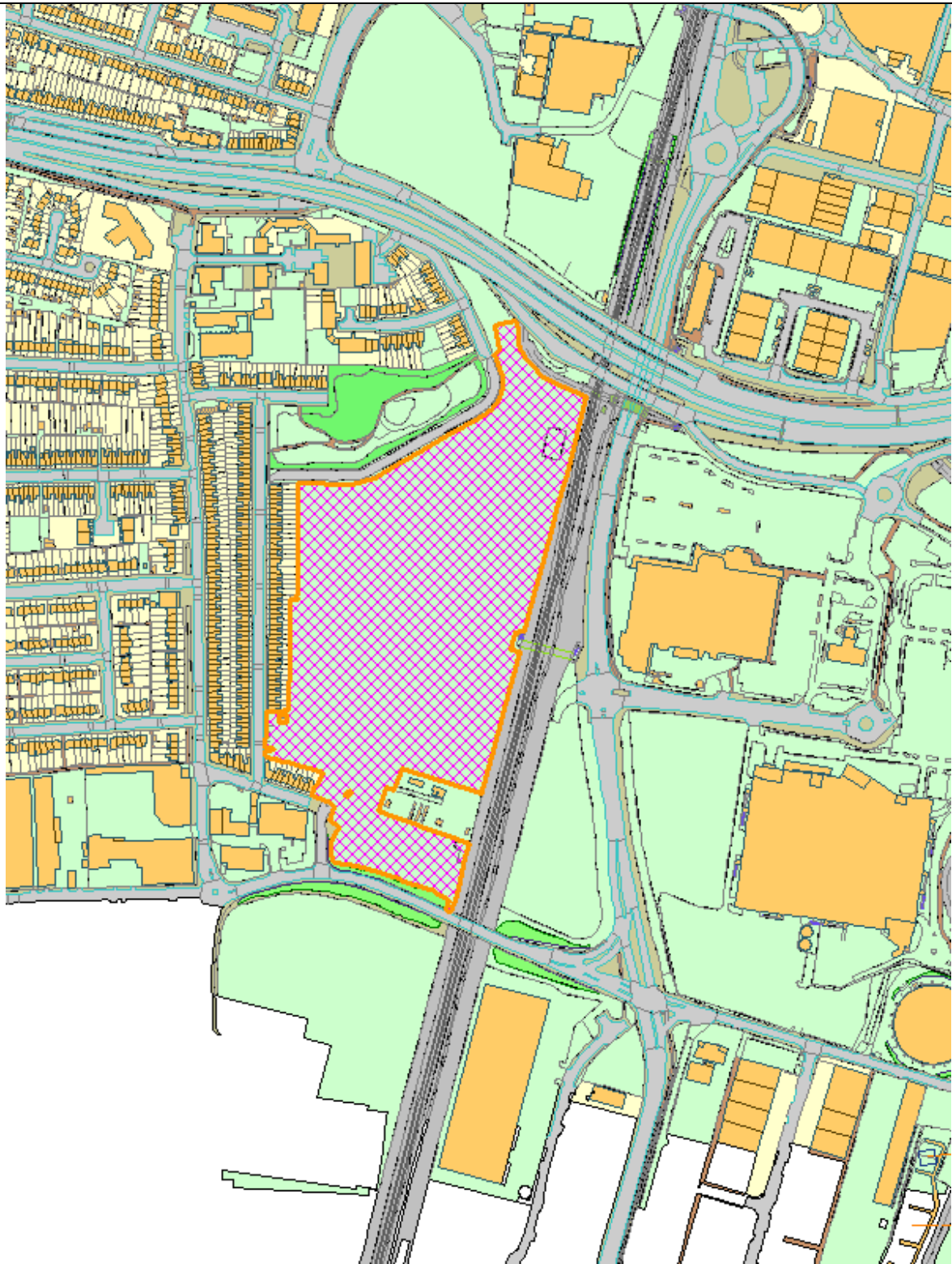
Agent Name & Address:

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RECOMMENDATION:

That planning permission be deemed to be **GRANTED** in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992 subject to conditions.

Ref: 15/04173/RE4 LOCATION: Willoughby Lane Gas Works , Willoughby Lane, London, N17



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Scale 1:5000

North



1 Site and Surroundings

- 1.1 The application site extends to 6.70ha and comprises the former gas works site, now redundant and disused and has been recently acquired by the Council for future redevelopment as part of the wider regeneration proposals for Meridian Water. The gasworks infrastructure has historically covered the majority of the site. Underground structures, including the former gas holder tanks, have undergone various stages of decommissioning and remediation over the years, although numerous underground structures and obstructions, including live gas main remain.
- 1.2 The site extends from the North Circular Road to the north to Leaside Road to the south. It bounds Albany Road and the site of the proposed new Meridian Angel Primary School on Ladysmith Open Space to the north west. Residential properties in Kimberley Road and Willoughby Lane bound the site to the west; the railway line forms the eastern boundary. The site wraps around an operational pressure reduction station (PRS), owned by National Grid Gas, and which will remain in situ and operational.

2 Proposal

- 2.1 This application, and that submitted under reference 15/04050/RE4 reported elsewhere on this agenda, proposes the remediation of contaminated soils and shallow ground water and the removal of buried structures on the site, to prepare the site for redevelopment. The need for the remediation of the deep groundwater beneath the London Clay will be considered following additional investigation and risk assessment and is outside the scope of this current planning application.
- 2.2 The remediation strategy assumes excavation across the site generally to a depth of 1.6m below ground level, where no structure/foundation is encountered, or to groundwater level where this is shallower. This is to reveal (and excavate for processing, remediation or removal from site) gross contamination and structures/foundations. Excavations may be extended deeper than 1.6m to chase out and remove shallow concrete /brick obstructions/structures that continue below this level. Excavations will also be extended to a greater depth than 1.6m to excavate identified gross contamination in the unsaturated zone above groundwater. Excavated material will be recovered, processed and re-used in situ where practical and economically feasible.
- 2.3 Former abstraction wells represent a potential migration pathway between shallow ground and groundwater contamination, and deep groundwater. Former monitoring/abstraction wells are to be identified and then decommissioned (unless otherwise retained for monitoring) in advance of the excavation works to ensure that these wells do not provide a conduit for contamination to enter the underlying Chalk Aquifer.
- 2.4 Shallow ground water will also be remediated
- 2.5 The applicant confirms that the remediation measures included in this planning application have been developed as part of an overall two stage package of measures that are together designed to enable the site to be safely redeveloped. Once the works currently proposed are completed then further measures will be required. These additional measures do not form part of the current proposals. They

will be an integral part of the redevelopment and will be incorporated in a separate application.

- 2.6 The remediation works will generate additional traffic, particularly the requirement to export site material and wastes. The only access to and from the site will be via the existing main site entrance from Leaside Road. The currently estimated volume of contaminated soil to be taken off site for treatment or disposal is approximately 5000m³, which equates to approximately 500 lorry loads involving 1000 lorry movements. If waste disposal occurs Monday to Friday over a 3 month period, this would equate to less than 15 loads per day. There would be a similar rate of import of clean fills into the site as a consequence of the remediation works. Clean topsoils and aggregates for the formation of roads and hardstanding will be imported during the later site development phase.

3 Relevant Planning History

- 3.1 P13-01382PLA - Temporary stockpiling of London Clay for a period of 24 months on western side of the site. Planning permission granted November 2013.
- 3.2 P13-03173PLA - Temporary stockpiling of London Clay for a period of 24 months on eastern side of the site. Planning permission granted November 2013
- 3.3 P13-03564PRI - Removal of 2 no. gasholders and associated booster house building. Confirmed that prior approval not required , December 2013.

4 Consultations

4.1 Statutory and non-statutory consultees

Traffic and Transportation

- 4.1.1 No objections subject to conditions relating to construction management.

Environmental Health

- 4.1.2 No objections. The remediation strategy is acceptable and should ensure there is no risk to human health arising from contamination in the shallow ground. All contaminants potentially below the London clay could pose a risk to controlled waters and the Environment Agency would comment upon this aspect of the strategy. The remediation strategy must be fully implemented in line with the report forming part of the application and a verification report will be required once the remediation works are completed.

Environment Agency

- 4.1.3 No objection to the proposed soils and shallow ground water remediation as a stand alone activity, subject to conditions . The Agency note that this is part of a long- term re-development to be subject of further applications.

Transport for London

- 4.1.4 No objection on the basis that the applicant has confirmed that there will be no more than 16 HGV trips per day as a result of the remediation works. TfL are content that this figure will present minimal impact on the road. TfL are therefore content that the proposal meets the required standards. However, they recommend that a condition

be set to prevent HGV movements to and from the site between 07:00 – 08:00am and 17:00 – 18:00pm. This would further prevent any impact during peak hours

Historic England

- 4.1.5 On the basis of an updated Historic Environment Desk Based Assessment, Historic England confirm that there is now sufficient information to determine the application. They advise that the development is likely to cause some harm to archaeological interest but not sufficient to justify refusal of planning permission provided that a condition is attached to require an investigation to be undertaken to advance understanding. The condition recommended requires no works to take place until a written scheme of investigation has been submitted to and approved.

Network Rail

- 4.1.6 No objections. The application must ensure that the development does not encroach on Network Rail land, affect the safety, operation or integrity of the railway and its infrastructure, undermine its support zone, place additional load on cuttings, over-sail or encroach upon the air-space of any Network Rail land, cause to or obstruct or interfere with any works or proposed works or Network Rail development now or in the future.

London Borough of Haringey

- 4.1.7 No comments received

4.2 Public

- 4.2.1 Letters have been sent to the occupiers of 432 adjoining and nearby properties. No responses have been received.

5 Relevant Policy

5.1 London Plan

- 2.13 Opportunity areas and intensification areas (Upper Lee Valley)
- 2.14 Areas for regeneration
- 5.21 Contaminated land
- 5.22 Hazardous substances and installations.
- 6.3 Assessing effects of development on transport capacity
- 7.8 Heritage assets and archaeology

5.2 Core Strategy

- CP1 Strategic Growth Areas
- CP2 Housing supply and locations for new homes (Central Leaside/Meridian Water)
- CP32 Pollution
- CP37 Central Leaside
- CP38 Meridian Water

5.3 Development Management Document

DMD44	Conserving and enhancing heritage assets
DMD64	Pollution control and assessment
DMD66	Land contamination and instability
DMD67	Hazardous installations
DMD70	Water quality

5.4 Other relevant policy

NPPF
 NPPG
 Central Leaside AAP
 Meridian Water Master Plan

6 Analysis

Principle

6.1 The application site forms part of the Meridian Water regeneration area where the Council expects to see the delivery of at least 5000 new homes along with associated infrastructure and employment opportunities. The remediation of these sites is a necessary initial phase of the regeneration process and therefore this application is welcomed.

Impact on neighbouring amenity

6.2 The key issues arising from the remediation of the site in terms of impact on existing adjoining occupiers relates to general noise and disturbance, dust and traffic impact.

6.3 The applicant acknowledges in their submission that remedial activities such as earthworks or soil processing will generate noise and vibration that could have a potential impact on neighbouring properties and people. However, they advise that they will employ monitoring techniques at the site boundary to determine if corrective measures are required. Corrective measures could include control of working hours, acoustic barriers and/or the use of specialist plant and appropriate working methods. In respect of dust they advise that they would seek to minimise dust generation through positioning and design of material stockpiles, damping down, wheel washes, road sweepers and the location of process plant.

6.4 It is recommended that conditions be attached to control hours of work on site to ensure these are limited to normal working hours Monday to Friday and Saturday mornings, together with a condition covering construction management to deal with noise/ dust control measures.

6.5 Vehicle access to the site would be to the south. From the site entrance it is 200m to the A1055 meridian Way, which leads on to the A406 North Circular Road. Vehicles would not be required to pass through the adjacent residential roads and therefore the development should have limited impact on the amenities of adjoining residents in this respect.

Traffic Impact on adjacent road network

6.6 The applicant has confirmed that the development would generate a limited number of daily HGV movements. This is acknowledged by both Transport for London and

the Council's Traffic and Transportation team who raise no objections to the development in terms of impact on the local highway network, subject to conditions controlling hours of working and construction management.

Environmental Impact

- 6.7 There is both national and local policy support for the remediation of contaminated sites to protect human health and the environment and to bring sites back into beneficial use.
- 6.8 The Environment Agency has confirmed that the proposals are acceptable in themselves. They note that the works proposed seek only to deal with visible gross contamination and this may not preclude the need for subsequent soils remediation based on proposed future development. The applicant acknowledges the potential need for future remediation associated with any redevelopment scheme.

Ecological Impact

- 6.9 The site has been the subject of an Extended Phase 1 Habitat Survey (December 2014) . This identified a possible badger set in the north west part of the site. An updated badger survey was undertaken in July 2015. The survey revealed that the old disused sett was no longer present with no sign of badgers.
- 6.10 The site is considered to have no potential to support priority or legally protected species other than nesting birds and a condition is recommended to ensure works do not disturb birds during nesting season, unless with the advice of a qualified ecologist.
- 6.11 Japanese Knotweed is known to be present on the site. A condition is recommended requiring this to be eradicated in accordance with an agreed strategy.

Flood Risk

- 6.12 The site is more than 1 ha in extent triggering the need for a Flood Risk Assessment. The key findings are that small parts of the site fall within Flood Zone 2, highlighting a low-medium risk of fluvial flooding from Pymmes Brook. However, the site benefits from flood defences along the Brook. There is limited surface water flooding across the site and the risk of groundwater flooding is low. There is a residual risk of flooding as a consequence of reservoir failure. The proposed remediation works are temporary and the limited flood risks will be assessed and managed by the applicant as part of their construction environmental management plan

7 Conclusion

- 7.1 The proposed remediation is welcomed as the necessary first stage for the redevelopment of this site and the longer term regeneration ambitions for Meridian Water.

8 Recommendation:

- 8.1 That planning permission be deemed to be **GRANTED** in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992 subject to conditions:

- 1 No development approved by this planning permission shall take place until a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the submitted remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action has been submitted to and approved in writing by the local planning authority. Any changes to the verification plan require the express written consent of the local planning authority. The scheme to be implemented as approved.

Reason: To ensure full documentation of the work completed and evidence that it will not lead to long-term adverse impact on groundwater quality

- 2 Within 6 months of the completion of the remediation (or another timeframe otherwise agreed in writing with the local planning authority) 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. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved

Reason: To demonstrate that there is not an unacceptable risk to groundwater quality from the site.

- 3 No development should take place until a site-wide groundwater management and 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 demonstrate that the development does not have an adverse impact on groundwater quality.

- 4 No development approved by this planning permission shall take place until a risk assessment is undertaken to quantify the effect of increased infiltration and leaching following the soil remediation.

Reason: To prevent pollution of controlled waters.

- 5 That all open-topped vehicles entering or leaving the site which are carrying materials to be removed from the site shall be fully sheeted to prevent wind entrainment of such materials.

Reason: To safeguard the amenities of the occupiers of adjoining and nearby properties.

- 6 That works in connection with the remediation of the site shall be undertaken only in accordance with the details and particulars forming part of the application hereby approved.

Reason: To safeguard the amenities of the occupiers of adjoining and nearby properties.

- 7 That works in connection with the remediation of the site, including the movement of lorries to and from the site, shall only take place between 0800 to 1800 Monday to Friday and 0800 to 1300 on Saturdays and at no other time except with the prior written approval of the Local Planning Authority. No HGV movements to and from the site shall take place between 07:00 – 08:00am and 17:00 – 18:00pm Monday to Friday.

Reason: To safeguard the amenities of the occupiers of adjoining and nearby properties and to safeguard the free flow of traffic on the adjoining highway.

- 8 That works shall not commence on site until such time as a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority The Plan should include:
- a) Photographic condition survey of public carriageways, verges and footways in the vicinity of the site;
 - b) Map showing routing of vehicles used for the delivery to or removal of material from the site;
 - c) Access arrangements to the site;
 - d) Wheel cleaning methodology and facilities;
 - e) Contractors parking;
 - f) The estimated number and type of vehicles per day/week;
 - g) Details of vehicle holding area;
 - h) Details of the vehicle call up procedure;
 - i) Details of any changes to on- street waiting and loading restrictions that will be required;
 - j) Details of measures to protect pedestrians and other highway users from construction activities on the highway;
 - k) Coordination with other development projects in the vicinity;
 - l) Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including the extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
 - m) measures to control dust and emissions from the proposed remediation works; and
 - n) details of the location of soil processing area

The development shall be carried out in accordance with the approved Construction Management Plan.

Reason: To minimise the impact of construction works upon highway safety, congestion and parking availability and to safeguard the amenities of the occupiers of adjoining and nearby properties and to ensure that material removed from the site is not deposited on local roads.

- 9 Works shall not commence on site until a written scheme of investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority. For land that is included in the WSI, no demolition or development shall take place other than

in accordance with the approved WSI, which shall include the statement of significance and research objectives; and

A The programme and methodology of site investigation and recording and the nomination of a competent person (s) or organisation to undertake the agreed works;

B The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: To ensure the recording of any archaeology on site.

10 No development shall commence until a Japanese Knotweed eradication strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy is to be implemented as approved unless otherwise agreed in writing.

Reason: To ensure that the Japanese Knotweed, identified as an invasive species, is eradicated and does not spread.

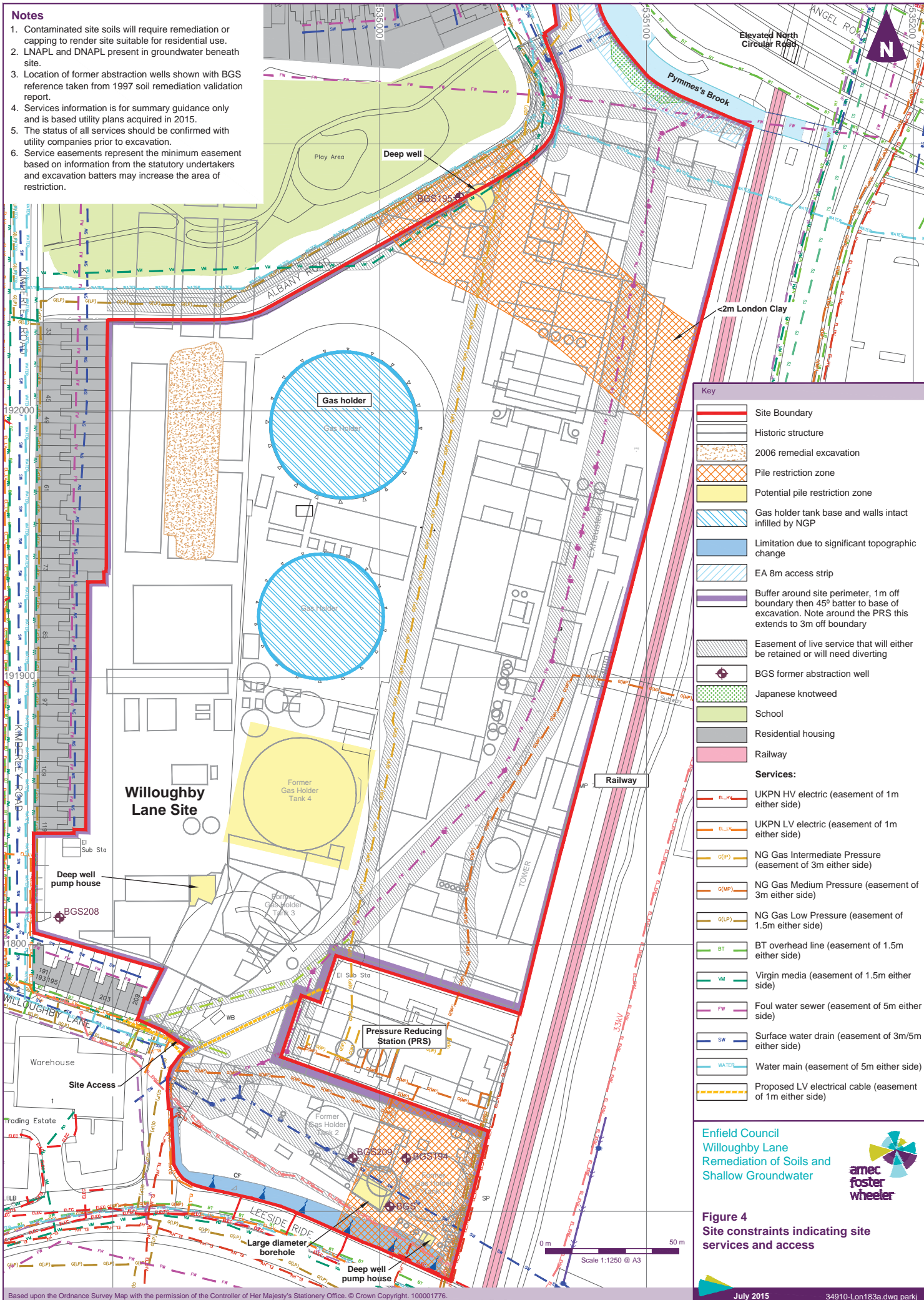
11 All areas of scrub or similar vegetation where birds may nest, and which are to be cleared as part of this application, are to be cleared outside the bird breeding season (mid-February – mid-September inclusive) or if clearance during the bird-nesting season cannot be avoided, a suitably qualified ecologist shall survey the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance will proceed until all young have fledged the nest.

Reason: To ensure that wildlife is not adversely affected by the proposed development in line with local and national policy and wildlife legislation.

12 C51 Time limited permission

Notes

1. Contaminated site soils will require remediation or capping to render site suitable for residential use.
2. LNAPL and DNAPL present in groundwater beneath site.
3. Location of former abstraction wells shown with BGS reference taken from 1997 soil remediation validation report.
4. Services information is for summary guidance only and is based on utility plans acquired in 2015.
5. The status of all services should be confirmed with utility companies prior to excavation.
6. Service easements represent the minimum easement based on information from the statutory undertakers and excavation batters may increase the area of restriction.



Enfield Council
Willoughby Lane
Remediation of Soils and
Shallow Groundwater



Figure 4
Site constraints indicating site
services and access