

Holly Squires

From: Elisabeth Lucas <Elisabeth.Lucas@blackboxplanning.co.uk>
Sent: 31 January 2023 13:39
To: Samuel Uff
Cc: Luke Challenger
Subject: RE: Discharge of Conditions validation query - Iceland Conditions
Attachments: Terms of Reference v2 100123.pdf

Afternoon Sam,

Please see attached the revised Terms of Reference with the changes as requested. In resolution of a separate issue, I understand contractors are currently undertaking the NRMM registration and we will shortly have a document to submit against this condition, could you please ensure it is kept in for consideration.

Kind regards,

Elisabeth Lucas
Assistant Planner
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Company No: 11444297



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From: Samuel Uff <Samuel.Uff@haringey.gov.uk>
Sent: Monday, January 30, 2023 12:22 PM
To: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>
Cc: Elisabeth Lucas <Elisabeth.Lucas@blackboxplanning.co.uk>
Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Hi Luke,

Sorry, I thought I'd replied on this. remediation is being reviewed, which seems the big one.

2022/2611 - Liaison group info was sent to colleague, but no response. Seems okay on the face of it, but I wanted to check if we needed any public health involvement. I imagine the CCG / NHS should suffice though. Do you want to finalise that and I will write up for review by management for the end of the week. Let's agree EoT for 3rd February.

2022/2613 - Were you going to submit for the NRMM registration? If not, probably best to withdraw that one.

Thanks

Sam

From: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>
Sent: 23 January 2023 17:20
To: Samuel Uff <Samuel.Uff@haringey.gov.uk>
Cc: Elisabeth Lucas <Elisabeth.Lucas@blackboxplanning.co.uk>
Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Dear Sam

Please see attached a Remediation Method Statement referring to parts conditions no.15 and 42.

How is progress with the other standing conditions?

Kind regards

Luke Challenger MRTPI
Associate
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From: Samuel Uff <Samuel.Uff@haringey.gov.uk>
Sent: 17 January 2023 14:27
To: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>
Cc: Elisabeth Lucas <Elisabeth.Lucas@blackboxplanning.co.uk>
Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Hi Luke,

If you have that instructed then we can wait on it. Will require re-consultation with our consultee.

I have meetings all day so will leave with you as to whether you think that will meet the requirement for pre-commencement and then just submit again for the extra bits.

Thanks
Sam

From: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>
Sent: 17 January 2023 10:00
To: Samuel Uff <Samuel.Uff@haringey.gov.uk>
Cc: Elisabeth Lucas <Elisabeth.Lucas@blackboxplanning.co.uk>
Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Morning Sam

We have instructed a remediation strategy to address 15(part 2) and 42(part 3). 42(part 4) is reliant on a verification plan. We are expecting to issue this within the next week or so. However, would your suggested informative confirm that these additional details are not required prior to commencement?

Conditions 16 and 43 are pre-occupation so are not within the current submission tranche.

Condition 44 is included for consideration under application HGY/2022/2615. In the Contamination Officer's latest response (11.01.23) I couldn't see any commentary on details submitted relevant to this condition. Are they seeking further info?

Kind regards

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From: Samuel Uff <Samuel.Uff@haringey.gov.uk>
Sent: 16 January 2023 19:22
To: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>
Cc: Elisabeth Lucas <Elisabeth.Lucas@blackboxplanning.co.uk>
Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Hi Luke,

So what are we going for regarding description of development for contamination? Partial discharge of condition 15 and parts 1 & 2 of condition 42 and no reference to 16, 43 or 44? I can put an informative saying 15B and parts 3&4 of 42 require further details, if you are happy with that.

Have you signed up for NRMM? That condition was not validated as there was no detail of signing up. All you need to do to satisfy that is signup and then keep updated. We don't need to be kept updated after the sign up has taken place.

15. Contamination (1)

Using the information from the CGL contamination report a site investigation shall be designed for the site. This shall be submitted to, and approved in writing by the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:-

1. a risk assessment to be undertaken,
2. refinement of the Conceptual Model, and
3. the development of a Method Statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

B) If the updated risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation and the potential effects set out in the Environmental Statement dated December 2016, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning

Authority prior to that remediation being carried out on site.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety.

16. Contamination (2)

Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety.

42. Contamination remediation

Prior to each phase of development approved by this planning permission no development (save for demolition) shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:

- all previous uses;
- proposed uses (e.g. piling and foundations, re-landscaping)
- potential contaminants associated with those uses;
- a conceptual model of the site indicating sources, pathways and receptors; and
- potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) 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.

4. 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 (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components will require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution.

43. Phased remediation reporting

Prior to each phase of development being brought into use, a verification report demonstrating the 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 the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete.

44. Contamination monitoring and mediation plan

The relevant phase of development hereby approved may not commence (save for demolition) until a monitoring and maintenance plan in respect of contamination for the relevant phase, including a timetable of monitoring and submission of reports to the Local Planning Authority, has been 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.

Reason: To ensure that the site does not pose any further risk to human health or the water environment and to ensure proposed intrusive ground works (e.g. piling) do not cause a detrimental impact to the groundwater and are suitably mitigated.

From: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>
Sent: 13 January 2023 14:03
To: Samuel Uff <Samuel.Uff@haringey.gov.uk>
Cc: Elisabeth Lucas <Elisabeth.Lucas@blackboxplanning.co.uk>
Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Hi Sam

Okay, thanks.

The EoT to 18/01/23 is agreed.

Kind regards

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From: Samuel Uff <Samuel.Uff@haringey.gov.uk>
Sent: 13 January 2023 13:58
To: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>
Cc: Elisabeth Lucas <Elisabeth.Lucas@blackboxplanning.co.uk>
Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Hi Luke,

The joys of the new system! I'll see if we need them but maybe management signed off without.

Could you confirm an EoT for all conditions for 18/01 and I can attach this email confirmation if need be.

Liaison I have someone checking. The contamination seems reasonable. I'll try and write up today and advise if anything comes up.

Thanks
Sam

From: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>
Sent: 13 January 2023 13:39
To: Samuel Uff <Samuel.Uff@haringey.gov.uk>
Cc: Elisabeth Lucas <Elisabeth.Lucas@blackboxplanning.co.uk>
Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Hi Sam

Yes, I've seen the Decision Notices for 14, 20 and 47. Thanks for these.

I've looked through my emails but cannot see any EoT requests. If you let me know what EoT you are proposing I'll review. I don't see an issue in principle with agreeing these.

On your query regarding the partial discharge of conditions 15 and 42, I have reviewed the outstanding elements of each condition and had taken the view that they were not required to be discharged prior to commencement of development, are you able to confirm with reference to my below points?:

- 15(b) (the remaining part of the condition) requires a Method Statement to be agreed by the LPA prior to that remediation being carried out i.e. the trigger point is prior to the remediation being carried out as opposed to prior to commencement of development.
- 42(3) and (4) (the remaining part of the condition) - 42(3) requires remediation based on the Site Investigation Report which, itself simply recommends certain measures to be observed during groundworks to mitigate impacts of asbestos contamination i.e. there are no specific trigger points. 42(4) requires a verification plan which presumably cannot be completed until the remediation works are complete.

The only other pre-commencement conditions (phase 1 only) that appear outstanding are:

- Condition 11 (Crossrail safeguarding)
- Condition 13 (Business and Liaison Group terms of reference) – did you have any comment on the proposed updates I issued which were aimed at addressing your requests for addition detail?
- Condition 15 (contamination)
- Condition 17 (mobile machinery registration) we are awaiting details from the contractor.
- Condition 44 (monitoring/mediation)

Many thanks

Luke Challenger MRTPI

Associate

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From: Samuel Uff <Samuel.Uff@haringey.gov.uk>

Sent: 12 January 2023 18:20

To: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>

Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Hi Luke,

Sorry, hectic day. Did you see the EoT requests? Annoying that each has to be done individually now. I have the liaison stuff to review.

Good news on pollution response below:

We are satisfied with the partial discharge of ONLY condition 15 (A) on the (site contamination risk assessment and investigation) and 42 (1) and (2) (Additional Contamination - risk assessment and investigation) for the Phase 1 of the approved planning permission HGY/2017/2886.

The applicant will need to provide us a remediation strategy and verification plan as it relates to both conditions before we can recommend the discharge of the remaining outstanding condition as it relates ONLY to phase 1 of the proposed development.

We strongly advise the applicant that, no work must be carried out on any part of the remaining phases of the site until the necessary risk assessment, site investigation, remediation and verification has been conducted.

We will need that remediation and verification strategy for the final part. Is that something that you can provide now?

Thanks
Sam

From: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>
Sent: 12 January 2023 09:35
To: Samuel Uff <Samuel.Uff@haringey.gov.uk>
Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Hi Sam

I've tried to call through but haven't been able to reach you. Are you around for a brief conversation on the latest with the various conditions?

Many thanks

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From: Samuel Uff <Samuel.Uff@haringey.gov.uk>
Sent: 10 January 2023 09:42
To: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>
Cc: Robbie McNaughton <Robbie.McNaughton@haringey.gov.uk>; John McRory <John.McRory@haringey.gov.uk>
Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Hi Luke,

I have combined them and advised that it has been edited but he has been on leave so not had a response yet.

Thanks
Sam

From: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>
Sent: 10 January 2023 09:31
To: Samuel Uff <Samuel.Uff@haringey.gov.uk>

Cc: Robbie McNaugher <Robbie.McNaugher@haringey.gov.uk>; John McRory <John.McRory@haringey.gov.uk>
Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Morning Sam

Did you get a response from the Consultee on your query below:

"I have emailed the consultee and advised if he can combine 44 (Contamination monitoring and mediation plan) in his comment and get something to us asap so that you have time to comment and respond if need be."

We need to ensure cond 44 is also being covered.

Kind regards

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Morning Sam

Have we had a response from

From: Samuel Uff <Samuel.Uff@haringey.gov.uk>
Sent: 14 December 2022 15:45
To: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>; John McRory <John.McRory@haringey.gov.uk>
Cc: Robbie McNaugher <Robbie.McNaugher@haringey.gov.uk>
Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Hi Luke,

We haven't had formal consultation response. It is a bit of a tricky one given the unconventional additional condition. I have emailed the consultee and advised if he can combine 44 (Contamination monitoring and mediation plan) in his comment and get something to us asap so that you have time to comment and respond if need be.

Not to be a broken record, but this is exactly the sort of reason that we look to have PPAs on conditions for Majors. We are all invested in them being done in time but officers have very high caseloads and we are approaching a period where the office will be in minimal use / people will be on leave. It might be worth looking at that again or at least having a one off fee paid meeting with the consultee.

Thanks
Sam

From: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>
Sent: 13 December 2022 18:37
To: John McRory <John.McRory@haringey.gov.uk>; Samuel Uff <Samuel.Uff@haringey.gov.uk>

Cc: Robbie McNaugher <Robbie.McNaugher@haringey.gov.uk>

Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Hi John

Of course, I appreciate there is a long email chain so please do ask.

As far as I understand conditions 44 and 16 was not formally validated / allocated a reference number. If the Environmental Health Officer has not responded yet presumably condition 44 can be added to the application description so they can review the submitted material against that as well?

Sam had also raised a query regarding boreholes and piling i.e. whether boreholes will require piling to be undertaken. His email dated 6.12.22 stated *"I am chasing Thames Water on the boreholes so that I can determine whether we need the further information. As previously advised, I would recommend that these issues be front loaded so that there are no issues as the commencement dates starts."*

In response to this I attach a letter from BEK confirming relevant details. This effectively says that boreholes (at shallow excavations – max depth of 5m) will not require piling. Such piling would only be required for 'deeper Cable Percussion' boreholes to an estimated depth of 20m bgl.

The initial ground investigation works undertaken (as detailed in the letter from BEK 10th June 2022) detail that the investigation (which has been undertaken and reported in the Site Investigation & Contamination Assessment) consisted of drilling 5 Window Sample Boreholes to a maximum depth of 5m with gas/groundwater monitoring probes installed in 3 locations.

In relation to conditions 47, 48 and 10, our interpretation of these is that they require approval of details relevant to boreholes / piling before such activities take place (as opposed to purely being prior to commencement of development in general). Please can you confirm?

Many thanks

Luke Challenger MRTPI

Associate

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From: John McRory <John.McRory@haringey.gov.uk>

Sent: 13 December 2022 18:22

To: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>; Samuel Uff <Samuel.Uff@haringey.gov.uk>

Cc: Robbie McNaugher <Robbie.McNaugher@haringey.gov.uk>

Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Luke

Thanks

Yes – it would make sense to group them.

Cond 44 hasn't been grouped with conds 15 and 42 – I notice on your application form you listed a number of conditions but these will have been separated to help with discharging the applications.

So do you have the reference no. for cond 44? I need to check who we have consulted.

Having looked at the file we haven't yet received anything from environmental health.

Sorry if I am covering old ground but there is a long email string to catch up on so it easier to just ask!

Thanks

John

John McRory (MRTPI)
Team Leader - Major Applications - Development Management

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Please note the above opinion represents informal officer level advice only and made without prejudice to all current and future formal decisions on any planning applications.



From: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>

Sent: 13 December 2022 17:55

To: Samuel Uff <Samuel.Uff@haringey.gov.uk>

Cc: John McRory <John.McRory@haringey.gov.uk>; Robbie McNaugher <Robbie.McNaugher@haringey.gov.uk>

Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Hi Sam

Thanks for your email, I hope all is well.

John / Robbie – I am not sure which of you will be picking this up in Sam's absence or how familiar you are with the scheme but condition no.44 states:

44. Contamination monitoring and mediation plan

The relevant phase of development hereby approved may not commence (save for demolition) until a monitoring and maintenance plan in respect of contamination for the relevant phase, including a timetable of monitoring and submission of reports to the Local Planning Authority, has been 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.

We have submitted a Site Investigation & Contamination Assessment to discharge conditions 15 and 42 (LPA ref: HGY/2022/2615). This sets out at section 5 recommendations to deal with potential presence of asbestos in the made ground and that all groundworks should be carried out in accordance with an Asbestos Management Plan.

If it were considered by the LPA that such detail is sufficient for the discharging of condition 44 then it would make sense to include this under HGY/2022/2615. We had listed condition 44 on the discharge of condition application form to be discharged. Have you had responses to this application from your contaminated land team/Environmental Health Officer? Do you have their contact details so we can discuss this directly?

This would ensure all pre-commencement conditions are dealt with prior to our intention to lawfully commence phase 1 prior to the 22nd February expiry of planning permission HGY/2017/2886.

Kind regards

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From: Samuel Uff <Samuel.Uff@haringey.gov.uk>
Sent: 12 December 2022 20:40
To: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>
Cc: John McRory <John.McRory@haringey.gov.uk>; Robbie McNaughton <Robbie.McNaughton@haringey.gov.uk>
Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Hi Luke,

I am on Paternity now, which was unexpectedly early. I won't be back until the new year.

Is this not for remediation? I flagged it at validation stage and said it would normally be submitted after the relevant first part has been discharged. We discussed in email trail below.

44 – Further contamination mitigation - **Do you consider these to be irrelevant? If so you may wish to apply to have them removed. I agree with your suggestion in your email from 9:41 this morning suggesting this is grouped with condition 16 hopefully this resolves the issue?**

It sounds like we suggested grouping with 16 and doing these after the first part is cleared.

Thanks
Sam

From: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>
Sent: 12 December 2022 17:20
To: Samuel Uff <Samuel.Uff@haringey.gov.uk>
Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Sam

Following our previous discussions on condition 44 would you be able advise of the status of this and what application ref it is being consulted under? Given its content should it not be signed off alongside conditions 15 and 42 (ref: HGY/2022/2615)?

Kind regards

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From: Samuel Uff <Samuel.Uff@haringey.gov.uk>
Sent: 07 December 2022 11:14
To: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>
Cc: Elisabeth Lucas <Elisabeth.Lucas@blackboxplanning.co.uk>; [REDACTED]; John McRory <John.McRory@haringey.gov.uk>; [REDACTED]
Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Hi Luke,

They sent a generic response saying that we could consider this, which I have responded to explaining that they imposed the conditions. I will chase up this week and see where they are with it.

NRMM register should be undertaken as well.

So what would you consider sufficient to be implementation? You only have until February.

Thanks
Sam

From: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>
Sent: 07 December 2022 10:20
To: Samuel Uff <Samuel.Uff@haringey.gov.uk>
Cc: Elisabeth Lucas <Elisabeth.Lucas@blackboxplanning.co.uk>; [REDACTED]; John McRory <John.McRory@haringey.gov.uk>; [REDACTED]
Subject: Re: Discharge of Conditions validation query - Iceland Conditions

Morning Sam,

I've queried the borehole question with the project engineer. He set out the differences between boreholes and piling:

"Boreholes are a ground investigation tool used to characterise the ground conditions. Deeper boreholes (up to 20m) are required to provide sufficient information so piling contractors can specify the type of piles required to support the building."

When are you expecting to hear back from Thames Water?

Re: conditions 11, 14 and 20, thanks for the update, we agree an EoT to cover this element.

Condition 13 (liaison group) - we will come back to you on this.

We note that the implementation will have to be looked at in phases to ensure works not relating to 'above ground' elements can progress to allow lawful implementation. It is recognised that further conditions would have to be discharged to allow other phases of construction e.g. above ground. Thanks for your suggestion of a conditions tracker, we would be happy to look at this if you consider it will allow clarify on the relevant conditions to be discharged at relevant phases?

Kind regards

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From: Samuel Uff <Samuel.Uff@haringey.gov.uk>
Sent: Tuesday, 6 December 2022, 19:58
To: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>
Cc: Elisabeth Lucas <Elisabeth.Lucas@blackboxplanning.co.uk>; [REDACTED]; John McRory <John.McRory@haringey.gov.uk>; [REDACTED]
Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Hi Luke,

I am chasing Thames Water on the boreholes so that I can determine whether we need the further information. As previously advised, I would recommend that these issues be front loaded so that there are no issues as the commencement dates starts.

I have drafted up conditions 11 (CR) 14 (site levels) and 20 (air quality). I can pass these through this week with an agreed Extension of Time for 09/12/2022.

I have been going through the Liaison Group for condition 13, which seems a bit light on detail. Where I have been involved in these previously there has been an external company on board to run the meetings and ensure that they are conducted in accordance with the condition requirements. Also that there be representation from all Ward Members and Cabinet Member at least at inception, as well as end users (in this case most likely just someone from NHS / CCG). The Parkside Malvern Residents Association should also be engaged. These could be streamlined with agreement as the scheme develops. I attach a copy of the details provided for another application for details I am working on.

I've picked out a few conditions that require details submitted prior to above ground works of relevant phase. What are your plans in terms of commencing development in terms of retaining the permission? Will above ground works not be required for the development to be considered to have commenced?

Might be worth setting up a condition tracker so that we can keep track of all these and what stage they require delivery.

Above ground works of relevant phase required for:

- 3. Materials
- 9. Design code for public realm
- 17. NRMM – Proof of registration (18 requires this to be updated)
- 29. SUDS
- 30. Landscaping
- 41. Revised car park layout
- 51. CHP Feasibility
- 52. Fire Statement

Thanks
Sam

From: Samuel Uff
Sent: 24 November 2022 12:35
To: 'Luke Challenger' <Luke.Challenger@blackboxplanning.co.uk>
Cc: Elisabeth Lucas <Elisabeth.Lucas@blackboxplanning.co.uk>; [REDACTED]; John McRory <John.McRory@haringey.gov.uk>; [REDACTED]
Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Hi Luke,

Sorry, I was on a call. Will the boreholes not require some form of piling? How will the borehole be undertaken without piling?

These were Thames Water conditions so I need to discuss with them but strikes me that 48 that requires any borehole a scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes be required prior to those works being undertaken. I would expect to see that alongside this application.

Yes, I should be able to get some submitted details cleared when I have a moment. Worth you double checking that all "prior to relevant stage / commencements" have been included.

Thanks
Sam

From: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>
Sent: 24 November 2022 12:11
To: Samuel Uff <Samuel.Uff@haringey.gov.uk>
Cc: Elisabeth Lucas <Elisabeth.Lucas@blackboxplanning.co.uk>; [REDACTED]; John McRory <John.McRory@haringey.gov.uk>; [REDACTED]
Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Afternoon Sam

I've tried to call as thought it easier to run through some of the point below over the phone. However I set out comments below.

When are you envisaging Thames Water to issue a response to the application? I note you suspect they may be requesting further information.

Condition 47 – the trigger point for this appears to be prior to carrying out piling or deep foundation designs or investigative boreholes. This 'requires written consent' by the LPA prior to undertaking such works. In respect of boreholes such written consent would be given by virtue of discharging condition 48. There are no other information requirements under condition 47 (in respect of boreholes) which are not under condition 48. Therefore, I would interpret the discharging of condition 48 to satisfy the borehole element of condition 47. Would you agree with this?

I appreciate that condition 47 secures other elements for approval prior to such works being carried out e.g. piling, so this will need to be subject to a separate DoC application prior to such works taking place. Similarly condition 10 requires details of piling to be approved prior to such piling taking place. It would however allow other elements of work commencing development to take place prior to piling being carried out. Again, I request your confirmation of this.

In relation to the other conditions, are you able to advise if these can be signed off? For example, I'd imagine confirmation of site levels if fairly uncontentious and regarding Crossrail 2 safeguarding, the Crossrail Manager has previously provided correspondence – have they also formally responded to the application?

Many thanks

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From: Samuel Uff <Samuel.Uff@haringey.gov.uk>
Sent: 23 November 2022 12:18
To: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>
Cc: Elisabeth Lucas <Elisabeth.Lucas@blackboxplanning.co.uk>; [REDACTED] John McRory <John.McRory@haringey.gov.uk>; [REDACTED]
Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Hi Luke,

I would advise review of the decision notice and make sure that all pre-commencement / pre-commencement of relevant phase will have been complied with.

There was some discussion at validation stage about what was required for the borehole testing. I have consulted Thames Water but am wary that there will likely be more detail required. If I were to determine this then I cannot say with any certainty that the issue of not harming the groundwater resources has been addressed.

I've pasted the condition 47 below and note that there were two other borehole conditions. Conditions 10 and 48 also seem to be related to water and seem to require details to be reviewed by Thames Water. It does seem as though more is required. .

47. No penetrative construction methods (boreholes, piling etc) unless permitted by LPA
No piling and deep foundation designs, investigation boreholes, ground source heating and cooling systems using penetrative methods shall be carried out on site 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 the proposed intrusive ground works does **not harm groundwater** resources in line with paragraph 109 of the National Planning Policy Framework and The Environment Agency's approach to groundwater protection March 2017 Version 1.0

Condition 10 regarding piling method statement and 48 for management of boreholes.

10. Piling Method Statement

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To ensure the piling does not impact on any infrastructure.

48. Management of boreholes

Prior to the commencement of the relevant phase (save for demolition) hereby approved 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 109 of the National Planning Policy Framework and Position Statement A8 of the Environment Agency's Groundwater Protection: Principles and Practice.

Thanks
Sam

From: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>

Sent: 07 October 2022 10:06

To: Samuel Uff <Samuel.Uff@haringey.gov.uk>

Cc: Elisabeth Lucas <Elisabeth.Lucas@blackboxplanning.co.uk>; [REDACTED]; John McRory <John.McRory@haringey.gov.uk>; Robbie McNaugher <Robbie.McNaugher@haringey.gov.uk>; [REDACTED]; [REDACTED]>

Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Morning Sam,

Thanks for your below email and your subsequent one from 9:41 this morning.

I set out responses in the below email in **red text**.

Kind regards

Luke Challenger MRTPI

Associate

Black Box Planning Ltd

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From: Samuel Uff <Samuel.Uff@haringey.gov.uk>

Sent: 05 October 2022 19:37

To: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>

Cc: Elisabeth Lucas <Elisabeth.Lucas@blackboxplanning.co.uk>; [REDACTED]; John McRory <John.McRory@haringey.gov.uk>; Robbie McNaugher <Robbie.McNaugher@haringey.gov.uk>; [REDACTED]

Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Hi Luke,

Few points on the validation.

11 – CR2 Safeguarding – this requires consultation internally and with TfL. You refer to discussions but there is no detail of consultation. Can you provide details of any discussion so that these can be picked up by officers. Who have you been discussing the submission with at CR? Please see attached, the contact was Michael Johnson (Safeguarding Manager Crossrail 2)

13 – Community liaison group – Seems sufficient for validation. Noted.

14 – Site levels – topographical plan submitted. I will check what is required for this with colleagues. Noted.

15 – Contamination – this will need to be reviewed ahead of 16A and B. – Phase 1 only submitted. Should suffice for validation but description will make clear that it is partial discharge for Phase 1 only. Noted.

16 – Contamination remediation – this will be dependent on the remediation methodology outlined and agreed. Would normally only be submitted following 16. Do you want me to validate this before 15 discharged? Noting your email from 9:41 this morning stating that this condition cannot be validated I think this should be okay given that it is not a pre-commencement condition (it is pre-occupation) and hence will not prevent implementation of the planning permission. Can you confirm my understanding of this?

17 – NRMM – Can this not be done now with known machinery and added to as and when? What are we approving otherwise? We note that the wording of the condition does not require the LPA to approve the registration of relevant construction machinery but rather evidence of registration submitted. This condition was referenced in the submission to provide comfort to the LPA that all relevant pre-commencement conditions are being addressed.

20 – Air Quality – Report submitted. Seems sufficient for validation. Noted.

42 – Further contamination – Do you consider these to be irrelevant? If so you may wish to apply to have them removed. I agree with your suggestion in your email from 9:41 this morning suggesting this is grouped with condition 15 hopefully this resolves the issue?

44 – Further contamination mitigation - Do you consider these to be irrelevant? If so you may wish to apply to have them removed. I agree with your suggestion in your email from 9:41 this morning suggesting this is grouped with condition 16 hopefully this resolves the issue?

47 - Boreholes / piling – It's a bit of an unusual wording of condition. So do you think it just requires the methodology for the boreholes? Will make clear that it is partial discharge for Phase 1 only. The letter dated 10.06.22 from BEK sets out the methodology for the boreholes which tallies with the condition wording of having 'approved details' for boreholes.

Thanks

Sam

From: Samuel Uff

Sent: 03 October 2022 18:03

To: 'Luke Challenger' <Luke.Challenger@blackboxplanning.co.uk>

Cc: Elisabeth Lucas <Elisabeth.Lucas@blackboxplanning.co.uk>; [REDACTED]; John McRory <John.McRory@haringey.gov.uk>; Robbie McNaugher <Robbie.McNaugher@haringey.gov.uk>; [REDACTED]>

Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Hi Luke,

It is fine to say you won't do a PPA, but on that basis we will assess what is submitted and make a decision. I would prefer being able to allocate time to help you with this. I will validate asap regardless and hopefully everything is there and we get this resolved within your timeframe.

Thanks
Sam

From: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>

Sent: 03 October 2022 17:12

To: Samuel Uff <Samuel.Uff@haringey.gov.uk>

Cc: Elisabeth Lucas <Elisabeth.Lucas@blackboxplanning.co.uk>; [REDACTED]; John McRory <John.McRory@haringey.gov.uk>; Robbie McNaugher <Robbie.McNaugher@haringey.gov.uk>; [REDACTED]>

Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Hi Sam

I have spoken with my client on this and they are unable to proceed under a PPA route unfortunately. That being said, even taking into account the date you received the application (i.e. w/c 26 Sept) there would still be a period in excess of the 8-week statutory determination period to have the application determined by December this year.

Are you able to provide an update on the validation timeframes?

Kind regards

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From: Samuel Uff <Samuel.Uff@haringey.gov.uk>

Sent: 29 September 2022 10:37

To: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>

Cc: Elisabeth Lucas <Elisabeth.Lucas@blackboxplanning.co.uk>; [REDACTED]; John McRory <John.McRory@haringey.gov.uk>; Robbie McNaugher <Robbie.McNaugher@haringey.gov.uk>

Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Hi Luke / Liz,

I have just picked this up and am reviewing but you have 10 conditions on there that we have had no discussion on and can involve a lot of back and forth. We have recently had Major schemes where we have had discussions prior to submission and have still had a PPA for 1k per condition.

You have submitted the following:

- 11 – CR2 Safeguarding – this requires consultation internally and with TfL.
- 13 – Community liaison group
- 14 – Site levels
- 15 – Contamination – this will need to be reviewed ahead of 16A and B.
- 16 – Contamination remediation – this will be dependent on the remediation methodology outlined and agreed. Would normally only be submitted following 16.
- 17 – NRMM
- 20 – Air Quality
- 42 – Further contamination
- 44 – Further contamination mitigation
- 47 - Boreholes / piling

If you need these tied up before December then I'd advise you sign up for a PPA for these conditions that you need discharged so that we can allocate resources and ensure you have the best opportunity of getting these considered as soon as possible.

These were submitted 21 days ago but I only received them this week. As part of the PPA for these, I would be willing to work with you on fast tracking any validation of future submissions if you just email me and advise. We can also arrange a tracker for the conditions to ensure all are being managed accordingly.

Ultimately this is going to be far more efficient than risking these not being allocated sufficient time to be cleared in the next 10 or so weeks and having to re-apply for the whole development.

Thanks
Sam

From: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>
Sent: 29 September 2022 09:39
To: Samuel Uff <Samuel.Uff@haringey.gov.uk>
Cc: Elisabeth Lucas <Elisabeth.Lucas@blackboxplanning.co.uk>; [REDACTED]
Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Morning Sam

Following my colleague Liz's email below we can advise that the this initial discharge of condition application submission is aimed at ensuring the first stages of work can begin on site to lawfully implement the planning permission. I note your suggestion that a PPA would be beneficial if many conditions are being submitted together and this may be a helpful approach in future stages of the project where further conditions sets will need to be submitted.

However, this initial submission is fairly limited in the information it covers. For example, the TfL Crossrail2 Safeguarding Manager has already been consulted informally by Furness Partnership so this should hopefully be a straight forward condition to cover off. I would envisaged the main inputs likely from the Council are on the various contamination conditions as others are more straight forward (e.g. site levels and the Terms of Reference for community engagement. Therefore, I'd hope we can deal with this under a standard DoC application in the timeframes allowed. We need to tie these up before December to allow implementation.

It would be useful to understand from yourself the cost and procedures for a PPA for future tranches of condition discharge if you are able to provide this information?

Hopefully this is an agreeable strategy for you?

Many thanks

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From: Elisabeth Lucas <Elisabeth.Lucas@blackboxplanning.co.uk>
Sent: 27 September 2022 15:50
To: Samuel Uff <Samuel.Uff@haringey.gov.uk>
Cc: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>
Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Hi Sam,

Many thanks for your email.

Whilst we are submitting a few conditions for the Iceland site this will be the last supporting document we will be submitting for this application, but I will be sure to submit any additional reports required to you with any subsequent applications in due course.

In terms of PPA could you detail what this would involve in terms of timeframes and fees so that Luke can liaise with the applicant on this?

Kind regards

Liz Lucas
Graduate Planner
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From: Samuel Uff <Samuel.Uff@haringey.gov.uk>
Sent: 27 September 2022 15:32
To: Planning Support <PlanningSupport@haringey.gov.uk>; Elisabeth Lucas <Elisabeth.Lucas@blackboxplanning.co.uk>
Cc: John McRory <John.McRory@haringey.gov.uk>
Subject: RE: Discharge of Conditions validation query - Iceland Conditions

Hi Liz,

I have this now but got caught up in the allocation backlog. Best to drop me, James or John (Majors Team Manager) when you are submitting so we can look at this early for you.

If you are submitting a few conditions for this site (Iceland as we refer to) then it might be worth considering a PPA so that we can offer you that service of allocating resources. Otherwise they can drag on a bit.

I did discuss this with Luke previously and would encourage as a means to getting these resolved asap.

Thanks
Sam

From: Planning Support <PlanningSupport@haringey.gov.uk>
Sent: 27 September 2022 13:56
To: 'Elisabeth Lucas' <Elisabeth.Lucas@blackboxplanning.co.uk>
Cc: Samuel Uff <Samuel.Uff@haringey.gov.uk>
Subject: RE: Discharge of Conditions validation query

Good afternoon Liz,

Many thanks for your email – I've added this file to the application folder for you. The application has been allocated to Samuel Uff (cc'd for his reference) who will progress it for you as soon as his workloads allow – I am sure he will be happy to update you further.

Kind regards,

James.

James Argles
Development Management Support Team
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CLICK HERE to see our revised
Community Infrastructure Levy (CIL)

From: Elisabeth Lucas <Elisabeth.Lucas@blackboxplanning.co.uk>

Sent: 27 September 2022 09:01

To: Planning Support <PlanningSupport@haringey.gov.uk>

Subject: RE: Discharge of Conditions validation query

Dear James,

Thank you for your update last week.

I am writing today to submit an additional report relevant to the Discharge of Conditions application (PP ref: PP-11529258). As the application is yet to be validated and we do not yet have a case officer I was hoping you could assist in getting this uploaded. The report (ref: Ref BEK-22083-1) is of relevance to conditions 15, 16, 44 and 47.

Many thanks for your assistance.

Liz Lucas

Graduate Planner

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From: Planning Support <PlanningSupport@haringey.gov.uk>

Sent: 22 September 2022 13:06

To: Elisabeth Lucas <Elisabeth.Lucas@blackboxplanning.co.uk>; Planning DTO <PlanningDTO@haringey.gov.uk>

Subject: RE: Discharge of Conditions validation query

Dear Liz,

Many thanks for your email. The application is currently in pre-validation assessment with our Planning Team and will be progressed as soon as that initial process is completed and as soon as workloads allow. At present, this second stage is being reached in weeks 3 – 4 of the 8-week determination period.

Kind regards,

James.

James Argles
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From: Elisabeth Lucas <Elisabeth.Lucas@blackboxplanning.co.uk>
Sent: 22 September 2022 11:29
To: Planning DTO <PlanningDTO@haringey.gov.uk>
Cc: Planning Support <PlanningSupport@haringey.gov.uk>
Subject: Discharge of Conditions validation query

Dear Sirs,

I was supplied these details by the planning department concerning a validation query for a Discharge of Conditions application I submitted on behalf of my client 2 weeks ago, with the Planning Portal reference PP-11529258.

The application concerns HGY/2017/2886, I would greatly appreciate an updated timeline in which the application may be validated so I can subsequently inform my client.

Many thanks for your help,

Kind regards,

Liz Lucas

Graduate Planner

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