



Officer Report

Application Number: HGY/2023/1946
Application Type: Approval of details reserved by a condition
Address: Mayfield House, St Anns General Hospital, St Anns Road, Tottenham, London, N15 3TH
Proposal: Partial approval of details (Phase 1A only) pursuant to Conditions 13 (Air Quality and Dust Management), 20 (Borehole Management), 25 (Considerate Constructor) and 43(a) (Public Highway Condition Survey) attached to Planning Permission Ref: HGY/2022/1833 dated 10 July 2023.
Case Officer: John Kaimakamis
Valid Date: 19/07/2023
Applicant: Mr Jomel Allen
Agent: MR Jomel Allen

RECOMMENDATION

Approve

APPROVED DEVELOPMENT

Hybrid Planning Application was granted consent on 10 July 2023 for the following:

- (1) Detailed planning permission for Phase 1A, for: (a) the change of use, conversion and alteration of seven existing hospital buildings for a flexible range of non-residential uses within Use Class E, F1/F2; (b) the demolition of other existing buildings (in accordance with the demolition plan); (c) the erection of new buildings for residential uses (Use Class C3); (d) alterations to the existing access roads and site boundaries to enable the provision of new vehicular, pedestrian and cycle accesses; (e) landscaping including enlargement of the Peace Garden; and, (f) associated car and cycle parking spaces and servicing spaces;
- (2) The demolition of existing buildings and structures in Phases 1B, 2 and 3 (in accordance with the demolition plan); and
- (3) Outline planning permission (with all matters reserved except for access) for Phases 1B, 2 and 3, for: (a) the erection of new buildings for residential development (Use Class C3) and a flexible range of non-residential uses within Use Class E, F1/F2; (b) provision of associated pedestrian and cycle accesses; (c) landscaping including enhancements to the St Ann's Hospital Wood and Tottenham Railsides Site of Importance for Nature Conservation (SINC); and, (d) car and cycle parking spaces and servicing spaces.

It should be noted that the original submission for the approval of details also included information pertaining to Condition 21 (Piling Method Statement), however these details were withdrawn from the submission subsequent to an objection from the Environment Agency seeking further details.

ANALYSIS/ASSESSMENT

Condition 13

Condition 13 reads as follows:

“Air Quality and Dust Management

(a) No development shall take place on the relevant Phase of the development, save for investigative and site preparatory work, until a detailed Air Quality and Dust Management Plan (AQDMP) for that Phase, detailing the management of demolition and construction dust, has been submitted to and approved in writing by the Local Planning Authority. The AQDMP shall be in accordance with the Greater London Authority SPG Dust and Emissions Control (2014) and shall include:

- i) Monitoring locations;*
- ii) Mitigation measures to manage and minimise demolition/construction dust emissions during works;*
- iii) a Dust Risk Assessment.*

(b) Demolition and construction works shall only be carried out in a particular Phase in accordance with an approved AQDMP for that Phase.

Reason: To safeguard residential amenity, protect air quality and the amenity of the locality.”

Pursuant to Condition 13 the applicant has provided the following document: Air Quality and Dust Management Plan (Ref: WIE18513-100-1-2-2) dated February 2023 prepared by Waterman Infrastructure & Environment Ltd. This information was forwarded to the Council's Pollution Officer for review, who commented as follows:

“Having considered the applicant submitted Air Quality and Dust Management Plan with reference WIE18513-100-1-2-2 prepared by Waterman Infrastructure & Environment Ltd., dated February 2023 and taken note of Sections 2 (Site Evaluation), 3 (Dust Risk Assessment), 4 (Site Monitoring and Procedures), 5 (Dust and Emission Mitigation Measures), 6 (Non-Road Mobile Machinery), we would be happy to recommend the partial discharge of Condition 13 of approved planning permission HGY/2022/1833 for Phase 1 ONLY, SUBJECT to the applicant addressing the following underlisted point(s):

- 1. While we take note of Figure 2 showing the proposed dust monitor locations, we are not satisfied with the applicant supplied map and would like to see more conspicuous monitoring locations in relation to the nearby affected sensitive receptors.*
- 2. Opposite the north-east corner of the development a children's playground / play area has been identified (approximately 30m away from development boundary). Has consideration been given to the impact any dust generation will have on these vulnerable receptors? Given the close proximity of vulnerable receptors we would recommend that a third monitor is deployed in the NE corner of the site to ensure sufficient monitoring is taking place close to these sensitive receptors in order to assess any impact at of any dust emissions at this location.*

3. We need explicit confirmation in the report on how the real time monitoring data will be made available to the pollution team for on-going assessment for both the demolition and construction work of the proposed development."

In light of the above referral response, the applicant submitted further information in the form of a response letter for consideration. This in turn was referred to the Council's Pollution Officer, who commented as follows:

"Having considered the submitted Condition 13 Response Letter with reference WIE18513-100-AQDMPResponse, prepared by Waterman Infrastructure & Environment Ltd dated 14th September 2023 and taking note that an additional monitor location will be provided in the NE corner of the site, It is considered that sufficient supporting information has been submitted and we are happy to recommend the partial discharge of Condition 13 of approved planning permission HGY/2022/1833 for Phase 1 ONLY.

However, we would like to request that Figure 2 of the previously submitted Air Quality and Dust Management Plan with reference WIE18513-100-1-2-2 prepared by Waterman Infrastructure & Environment Ltd., dated February 2023 is updated to explicitly indicate the position of the third air quality monitor."

Given the commitment outlined in the response letter, which will form part of any approved documents, this letter should be read in conjunction with the originally submitted report and as such an update to the drawing is not required. As such, it is considered that adequate details have been submitted to discharge Condition 13 for Phase 1A only.

Condition 20

Condition 20 reads as follows:

"Borehole Management

A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes within each Phase shall be submitted to and approved in writing by the local planning authority prior to the commencement of the relevant works. 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'."

Pursuant to Condition 20 the applicant has provided the following document: Borehole Decommissioning Strategy (Ref: L-21914-2.4.2-23-545-RJG) dated 10 July 2023 prepared by IDOM. This information was forwarded to the Environment Agency for review, who commented as follows:

"Upon a review of the Borehole decommissioning strategy, we are able to support the discharge of Condition 20 for Phase 1 of the site."

As such, it is considered that adequate details have been submitted to discharge Condition 20 for Phase 1A only.

Condition 21

Condition 21 reads as follows:

"Piling Method Statement

Piling, deep foundations and other intrusive groundworks using penetrative measures shall not be carried out within each relevant Phase other than with the prior 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 Environment Agency's approach to groundwater protection'."

Pursuant to Condition 21 the applicant has provided the following document: Preliminary Piling Method Statement – Meinhardt Report Ref: N15301-MHT-XX-XX-RP-S-00001 (Rev 01) dated 9th June 2023. This information was forwarded to the Environment Agency for review, who commented as follows:

"Upon a review of the Preliminary Piling Method Statement, we are not able to support the discharge of Condition 21 for Phase 1 of the site.

The submission of just a piling method is not sufficient in order to fully assess the risk to groundwater at the site. Whilst it is noted from the Preliminary Piling Method Statement that piles will be found in the clay, it is unclear at what depth piles will be installed to and whether the piles will approach the base of the clay and the top of deeper, more sensitive, aquifer units.

We would expect submission of a full assessment of risk, including an assessment against the six pollution scenarios outlined in the Environment Agency's Piling into Contaminated Sites guidance. Please also refer to the advice provided in previous correspondence (EA Letter Ref: NE/2022/134751/02 dated 18th October 2022)."

In light of the above referral response, the applicant elected to withdraw Condition 21 from the submission for consideration. As such, planning officers are unable to consider details pertaining to Condition until such time that the relevant information is submitted.

Condition 25

Condition 25 reads as follows:

"Considerate Contractor

Prior to the commencement of works within the relevant Phase, the site or Contractor Company must be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the Local Planning Authority prior to any works being carried out on each Phase.

Reason: To ensure the effective management of construction works to the benefit of local residential and public amenity."

Pursuant to Condition 25 the applicant has provided information pertaining to the registration of the development site under the Considerate Constructors Scheme. As such, it is considered that adequate details have been submitted to discharge Condition 25 for Phase 1A only.

Condition 43(a)

Condition 43(a) reads as follows:

“43 Public Highway

(a) No development shall commence within a Phase until an existing condition survey of the associated public highway has been undertaken in collaboration with the Council’s Highways Maintenance team.

(b) Within one month of the completion of the respective Phase works, including any associated highway works, a final condition survey shall be undertaken of the highway areas identified in collaboration with the Council’s Highways Maintenance team.

Reason: To ensure the construction works do not result in the deterioration of the condition of the public highway.”

Pursuant to Condition 43(a) the applicant has provided information pertaining to a public road condition survey of St. Ann’s Rd. Further, correspondence between the Council’s Highways Maintenance Team Manager and the applicant has been submitted confirming the condition survey is acceptable. As such, it is considered that adequate details have been submitted to discharge Condition 43(a) for Phase 1A only.

RECOMMENDATION

GRANT PARTIAL DISCHARGE OF CONDITIONS 13, 20, 25 and 43(a)

PARTIAL APPROVAL OF DETAILS (PHASE 1A ONLY) RESERVED BY CONDITIONS 13, 20, 25 and 43(a) ATTACHED TO HGY/2022/1833.

As shown on approved drawings/documents:

Condition 13

- Air Quality and Dust Management Plan (Ref: WIE18513-100-1-2-2) dated February 2023 prepared by Waterman Infrastructure & Environment Ltd.
- Condition 13 Response Letter (Ref: WIE18513-100-AQDMPResponse) dated 14 September 2023 prepared by Waterman Infrastructure & Environment Ltd

Condition 20

- Borehole Decommissioning Strategy (Ref: L-21914-2.4.2-23-545-RJG) dated 10 July 2023 prepared by IDOM

Condition 25

- CCS Site Registration Information

Condition 43(a)

- X026 St Ann’s – Road Condition Survey prepared by Hill (including the seven (7) videos referenced in the document)

- Condition survey extent for highways

Informatives:

The applicant is informed that conditions 13, 20, 25 and 43(a) have only been discharged in part in that they relate to Phase 1a Only. These Conditions will be required to be submitted again for the later phases.