

Valerie Okeiyi
London Borough of Haringey
Development Control
639 High Road
London
N17 8BD

Our ref: NE/2024/137208/02
Your ref: HGY/2023/2584
Date: 1 August 2024

Dear Valerie

13 Bedford Road, Wood Green, London, N22 7AU

Demolition of the existing building and the erection of a new mixed-use development up to five storeys high with commercial uses (Use Class E) at ground level, 12no. self-contained flats (Use Class C3) to upper levels and plant room at basement level. Provision of cycle parking, refuse, recycling and storage. Lift overrun, plant enclosure and pv panels at roof level

Thank you for consulting us on the above application, on 15 July 2024. As part of the consultation, we have reviewed the following documents:

- 'Phase 1 Contaminated Land Assessment', dated February 2024, prepared by GeoSmart (ref: 79540.00.01R1).
- 'Phase 1 Contaminated Land Assessment – Part 1', dated July 2023, prepared by GeoSmart (ref: 79540R1).
- 'Sitecheck Assess' for 13 Bedford Road, London, N22 7AU, dated 12 March 2023, prepared by Landmark (ref: 308421318).

Environment Agency position

The proposed development will be acceptable if the following **conditions** are included on the planning permission's decision notice. Without these conditions we would object to the proposal in line with paragraph 180 of the National Planning Policy Framework (NPPF) because it cannot be guaranteed that the development will not be put at unacceptable risk from or be adversely affected by unacceptable levels of water pollution.

Condition 1- Remediation strategy and verification plan

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing, by the local planning authority. This strategy will include the following components:

1. A site investigation scheme, based on Preliminary Risk Assessment (PRA) contained in the document 'Phase 1 Contaminated Land Assessment', dated February 2024, prepared by GeoSmart (ref: 79540.00.01R1) to provide

information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

2. The results of the site investigation and the detailed risk assessment referred to in site investigation 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.
3. 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 (site investigation) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason

To ensure that the development does not contribute to, and is not put at, unacceptable risk from adversely affected unacceptable levels of water pollution in line with paragraphs 180 and 189 of the NPPF.

Condition 2 - Unexpected contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason

To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 180 of the NPPF.

Condition 3 - Piling and deep foundations

Piling, deep foundations, or other intrusive groundworks (investigation boreholes, tunnel shafts, ground source heating and cooling systems) using penetrative methods shall not be carried out 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 development does not harm groundwater resources in line with the [Environment Agency's approach to groundwater protection](#) and in line with paragraph 180 of the NPPF because it cannot be guaranteed that the development will not present unacceptable risks to groundwater resources.

Groundwater is present in several different aquifer units beneath the site separated by low permeability deposits. The shallowest groundwater bearing horizon is also, relatively, the most contaminated and piling could create preferential pathways allowing for contaminants to migrate towards the deeper, more sensitive, aquifer units. A foundation works risk assessment will be required, prepared with reference to the guidance presented in [Piling into Contaminated Sites](#) (Environment Agency, 2002).

Condition 4 - Verification Report

Prior to any part of the permitted 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 the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 180 of the NPPF.

Advice to Local Planning Authority

Risk of contamination

The proposed development site is currently used as a garage and MOT centre, with associated car parking area. The site was previously used of as a petrol station c. 25 years ago.

The current and previous use of the site presents a possible risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is within source protection zone 1 for a public groundwater abstraction.

The information submitted to support this application demonstrates that it will be possible to manage the risks posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken. We believe that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the local planning authority.

Competent persons

The proposed development will be acceptable if a planning condition is included requiring the submission of a remediation strategy, carried out by a competent person in line with paragraph 189 of the NPPF. The Planning Practice Guidance defines a "Competent Person (to prepare site investigation information): A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation."(<http://planningguidance.planningportal.gov.uk/blog/policy/achieving-sustainable-development/annex-2-glossary/>)"

The control of emissions from Non-Road Going Mobile Machinery (NRMM) at major residential, commercial or industrial sites

Where development involves the use of any non-road going mobile machinery with a net rated power of 37kW and up to 560kW, that is used during site preparation, construction, demolition, and/ or operation, at that site, we strongly recommend that the machinery used shall meet or exceed the latest emissions standards set out in Regulation (EU) 2016/1628 (as amended). This shall apply to the point that the machinery arrives on site, regardless of it being hired or purchased, unless agreed in writing with the Local Planning Authority.

This is particularly important for major residential, commercial, or industrial development located in or within 2km of an Air Quality Management Area for oxides of Nitrogen (NOx), and or particulate matter that has an aerodynamic diameter of 10 or 2.5 microns (PM10 and PM2.5). Use of low emission technology will improve or maintain air quality

and support LPAs and developers in improving and maintaining local air quality standards and support their net zero objectives.

We also advise, the item(s) of machinery must also be registered (where a register is available) for inspection by the appropriate Competent Authority (CA), which is usually the local authority.

The requirement to include this may already be required by a policy in the local plan or strategic spatial strategy document. The Environment Agency can also require this same standard to be applied to sites which it regulates. To avoid dual regulation this informative should only be applied to the site preparation, construction, and demolition phases at sites that may require an environmental permit.

Non-Road Mobile Machinery includes items of plant such as bucket loaders, forklift trucks, excavators, 360 grab, mobile cranes, machine lifts, generators, static pumps, piling rigs etc. The Applicant should be able to state or confirm the use of such machinery in their application to which this then can be applied.

Advice to applicant

Water Resources

Increased water efficiency in new developments potentially enables more growth to be realised without an increased availability of water resources. Developers can highlight responsible water use as a positive corporate social responsibility message that will boost the commercial appeal of the development. For the homeowner/tenant, lower water usage also reduces water and energy bills.

We endorse the use of water efficiency measures in all developments, particularly in those that are new. Use of technology that ensures efficient use of natural resources could support the environmental benefits of future proposals and could help attract investment to the area. Therefore, water efficient technology, fixtures and fittings should be all considered as an integral part of new developments and/or refurbishments. The technology used to achieve improved water efficiency (e.g. efficient fittings, greywater recycling, etc) is also an attractive feature for many prospective building owners and tenants.

Residential developments

The supply of water in the area is under serious water stress (as identified in our report: [Water stressed areas – 2021 classification](#)). All residential developments must therefore achieve the higher water consumption efficiency standard of 110 litres per person per day, as set out within [the Building Regulations &c. \(Amendment\) Regulations 2015](#). This standard **or higher** may already be a requirement of the local planning authority.

Pre Application Advice

Regarding future applications, if you would like us to review a revised technical report prior to a formal submission, outside of a statutory consultation, and/or meet to discuss our position, this will be chargeable in line with our planning advice service. If you wish to request a document review or meeting, please contact our team email address at HNLsustainableplaces@environment-agency.gov.uk.

Further information on our charged planning advice service is available at: <https://www.gov.uk/government/publications/planning-advice-environment-agency-standard-terms-and-conditions>.

Final comments

Thank you for contacting us regarding the above application. Our comments are based on our available records and the information submitted to us. Please quote our reference number in any future correspondence. Please provide us with a copy of the decision notice for our records. This would be greatly appreciated.

Yours sincerely,

Harry Scott
Sustainable Places Planning Advisor

On behalf of,

Demitry Lyons
Sustainable Places Planning Advisor

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