

Joseph Whitworth  
London Borough of Kensington & Chelsea  
Development Control  
Town Hall  
Hornton Street  
London  
W8 7NX

**Our ref:** NE/2018/129158/01  
**Your ref:** PP/18/05313  
**Date:** 20 September 2018

Dear Joseph,

**Heythrop College, 23-24 Kensington Square, London W8 5HH**

**Description of development: reinstatement of three townhouses (Class C3), (part of 23 and 24 Kensington Square); refurbishment of college building (part of 23 Kensington Square) and use as an extra care facility (Class C2). Demolition of all other buildings on site. Erection of deck over adjacent London underground line and construction of 5 buildings (ranging between 1 and 8 storeys in height) for use as an extra care facility including units, communal facilities and services areas, community hall and on-site affordable housing and associated access parking, servicing and landscaping.)**

Thank you for consulting us on the above application which we received on 7 September 2018.

Thank you for consulting the Environment Agency on the above planning application. Whilst we have **no objections** to the development, we have the following comments.

We are currently operating with a significantly reduced resource in our Groundwater and Contaminated Land Team in the Hertfordshire and North London Area. This has regrettably affected our ability to respond to Local Planning Authorities for some planning consultations. We are not providing specific advice on the risks to controlled waters for this site as we need to concentrate our local resources on the highest risk proposals.

We recommend, however, that the requirements of the [National Planning Policy Framework](#) and [National Planning Policy Guidance](#) (NPPG) are still followed. This means that all risks to groundwater and surface waters from contamination need to be identified so that appropriate remedial action can be taken. This should be in addition to the risk to human health that your Environmental Health Department will be looking at.

We expect reports and Risk Assessments to be prepared in line with our [Groundwater Protection](#) advice (previously known as GP3), and [CLR11](#) (Model Procedures for the Management of Land Contamination).

Cont/d..

In order to protect groundwater quality from further deterioration:

- No infiltration based sustainable drainage systems should be constructed on land affected by contamination as contaminants can remobilise and cause groundwater pollution.
- Piling or any other foundation designs using penetrative methods should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution.
- Decommission of investigative boreholes to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 170 of the National Planning Policy Framework.

The applicant should refer to the following sources of information and advice in dealing with land affected by contamination, especially with respect to protection of the groundwater beneath the site:

- From [www.gov.uk](http://www.gov.uk):
  - [The Environment Agency's approach to groundwater protection](#) (2018)
  - Our [Technical Guidance Pages](#), which includes links to CLR11 (Model Procedures for the Management of Land Contamination) and GPLC (Environment Agency's Guiding Principles for Land Contamination) in the 'overarching documents' section
  - Use [MCERTS](#) accredited methods for testing contaminated soils at the site
- From the [National Planning Practice Guidance](#):
  - [Land affected by contamination](#)
- [British Standards](#) when investigating potentially contaminated sites and groundwater:
  - BS5930:2015 Code of practice for site investigations;
  - BS 10175:2011+A1:2013 Code of practice for investigation of potentially contaminated sites;
  - BS ISO 5667-22:2010 Water quality. Sampling. Guidance on the design and installation of groundwater monitoring points;
  - BS ISO 5667-11:2009 Water quality. Sampling. Guidance on sampling of groundwaters (A minimum of 3 groundwater monitoring boreholes are required to establish the groundwater levels, flow patterns and groundwater quality.)

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person. The competent person would normally be expected to be a chartered member of an appropriate body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.

You may wish to consider using the [National Quality Mark Scheme for Land Contamination Management](#) which involves the use of competent persons to ensure that land contamination risks are appropriately managed.

## **Final Comments**

Thank you again for consulting us on the above application. Our comments are based on our available records and the information as submitted to us. Please quote our reference number in any future correspondence.

If you have any queries, please do not hesitate to contact us.

Yours sincerely,

**Miss Alison Finlay**  
**Sustainable Places | Planning Advisor**

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