

21 December 2022

INQ-16-0 Inspector's Note to APP regarding Pre-Commencement Conditions

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Without prejudice to the Inspector's decision, she notes the appellant's oral agreement to the conditions set out in INQ-06-1. However, in order to be compliant with the requirements of Section 100ZA(5) of the Town and Country Planning Act 1990, she requires written agreement from the appellant that they consent to the pre-commencement conditions set out in the schedule in INQ-06-1 and as amended by the discussion in the round table discussion on conditions.

The Inspector considers conditions 3, 4, 10, 11, and 32 to be pre-commencement conditions. Given that they cover important matters such as construction management, remediation, fire safety, and recycling and waste management during construction, they are all necessary pre-commencement conditions as they need to be addressed in advance of construction commencing.

As agreed during the round table discussion, condition 32 on piling would be amended to read:

No development 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 for condition 32: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. To ensure that the development does not harm groundwater resources in line with the National Planning Policy Framework paragraph 183 and Policy P64 (Contaminated land and hazardous substances) of the Southwark Plan.