

Our ref: 4602\_001-PEF-ZZZ-XXXX-CO-GG-600007

Regeneration & Planning  
Development Management  
London Borough of Camden  
Town Hall, Judd Street  
London  
WC1H 9JE

For the attention of David Fowler

7 February 2024

Dear David,

## O2 Finchley Road – Condition M26 Part A and B Discharge Statement

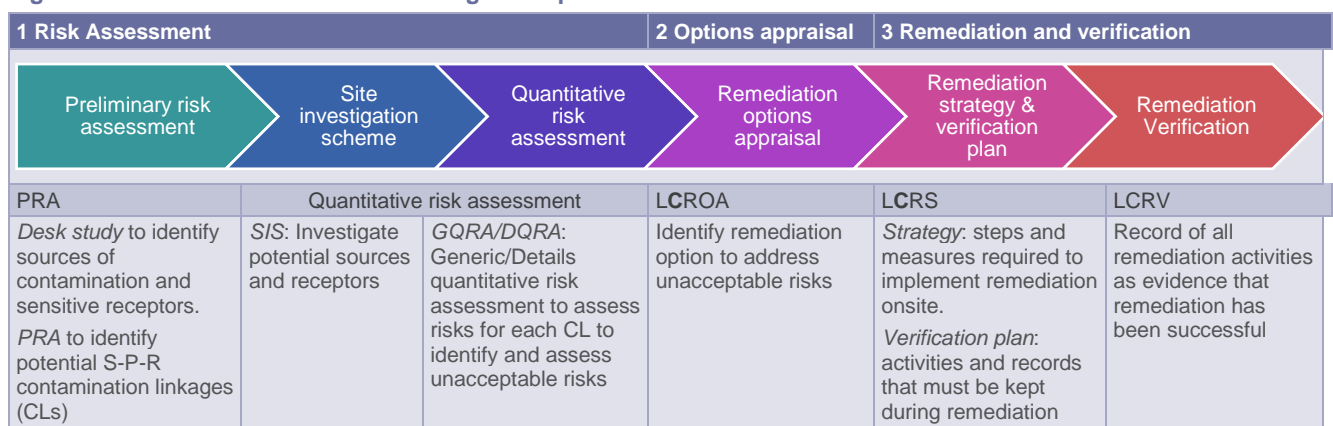
Pell Frischmann have been commissioned to prepare land contamination risk management elements for the O2 Finchley Road development on behalf of LS (Finchley Road) Limited (our *client*).

### Land contamination risk management guidance

We can confirm that our land contamination elements have been undertaken in line with the Environment Agency (EA) Land Contamination Risk Management guidance (LCRM), which sets out the process that should be followed for managing risks from land contamination. LCRM was introduced in October 2020.

LCRM includes three risk-based stages (1) risk assessment, (2) options appraisal, and (3) remediation and verification. The process commences with a Preliminary Risk Assessment (PRA), which defines the scope and extent of effort required for the subsequent LCRM stages. Figure 1 presents Pell Frischmann's simplified summary of the LCRM process.

Figure 1 Land Contamination Risk Management process



### LCRM & Finchley Road

With respect to the EAs land contamination risk management process the following reports have issued to date:

**(1) Preliminary risk assessment (PRA):** A site wide preliminary risk assessment for the development was presented in the Pell Frischmann *Land Contamination Desk Study (report ref. 104878-PEF-ZZ-XX-RP-GG-*

600002, March 2021). The report included a *preliminary* Conceptual Site Model (CSM) summarising *potential* 'source-pathway-receptor' Contaminant Linkages (CLs) for the proposed development.

**(2) Generic Quantitative Risk Assessment (GQRA):** An initial GQRA for *part of the site* was presented in the Pell Frischmann *Land Contamination Risk Assessment Part 1 (LCRA, report ref. 104878-PEF-ZZ-XX-RP-GG-600003, January 2022)*. Quantitative risk assessment typically starts with generic quantitative risk assessment (GQRA), which uses site investigation data, generic assessment criteria and assumptions to assess **if** one or more of the *potential* contaminant linkages identified by the preliminary risk assessment could present unacceptable risk/s that need remediation. A scheme specific site investigation scheme (SIS) was designed and implemented in 2021 to provide data for GQRA. The scope of the SIS was limited to accessible parts of the site, with a follow-up site investigation scheme and supplemental GQRA planned for later in the project programme. The GQRA determined that *remediation would only be required in areas of **proposed soft landscaping** onsite* (i.e. across any parts of the site not covered by hardstanding, such as roads, buildings, paved paths etc), due to viable exposure pathways.

**(3) Remediation strategy:** The remediation options appraisal and remediation strategy for *the site* was presented in the Pell Frischmann *Remediation Strategy (LCRS, report ref. 4602\_001-PEF-XXX-XXX-RP-GG-600004, April 2023)*. The remediation options appraisal identified that a **composite cover system** should be used in the areas of soft landscaping; including two key elements:

1. A 'high visibility' geotextile base layer - laid over the existing Made Ground, and
2. The placement of a suitable thickness of clean cover soils over the geotextile.

### Planning conditions

We note that a land contamination planning condition ref. M26 (with Parts A, B & C) has been issued for the development, included below in *blue italics*. These conditions reference the EIA ground condition chapter, but don't specifically reference the land contamination risk management reports list above.

We trust that the forthcoming commentary will prove valuable with respect to the information available to date, discharge of land contamination planning conditions Parts A and B as appropriate.

*Part A: No development shall commence on any development plot until a site investigation is undertaken for that plot to which it belongs, and the findings are submitted to and approved in writing by the local planning authority. The site investigation should assess all potential risks identified by the desktop study for that plot, should build on the findings of the intrusive works referred to in the EIA Ground Conditions Chapter, should include a generic quantitative risk assessment and a revised conceptual site model. The assessment must encompass an assessment of risks posed by ground gas and vapours. All works must be carried out in compliance with the latest published Land Contamination Risk Management government guidance or superseding guidance (LCRM) and by a competent person.*

A site investigation scheme has been completed for Phase 1 of the development.

With respect to potential ground gas risks across the wider site (including Phase 1):

- The Preliminary Risk Assessment (2021) identified a former historic waste site in a localised part of the site. This record appears within the 'historic landfill records' within the Envirocheck Data; however, there is no evidence that a landfill operated on site. It considered that these records all relate to a former waste transfer station onsite (1960s to 1900s).
- The Generic Quantitative Risk Assessment (2022) included designing and implementing a site investigation scheme across the accessible parts of the site. This included targeted investigation within the footprint of the former waste site (including ground gas monitoring). The GQRA report stated that "no evidence of landfill material or waste deposits were recorded" and the results of the ground gas risk assessment concluded that **ground gas protection measures were not required**.

*Part B: No development shall commence on any development plot until a Remediation Strategy for that plot to which it belongs is submitted to and approved in writing by the local planning authority. This strategy shall detail*

*any required remediation works and shall be designed to mitigate any remaining risks identified in the approved quantitative risk assessment. This document should include a strategy for dealing with previously undiscovered contamination. All works must be carried out in compliance with LCRM and by a competent person.*

A site wide remediation strategy (April 2023) has been prepared for the site. It is currently anticipated that this can be applied to each of the plots. Additional remediation strategies or variations to the remediation strategy will only be required if plot specific site investigations encounter different ground contamination conditions to those already investigated and assessed to date.

Appendix A of the remediation strategy includes an '*Unexpected Contamination Preliminary Guide*' (Pell Frischmann ref. 4602\_001-PEF-XXX-XXX-RP-GG-600006 (April 2023) that sets out a strategy for dealing with previously undiscovered contamination.

*Part C: Within six weeks of the completion of any remediation, a verification report demonstrating that the remediation as outlined in the Remediation Strategy has been completed should be submitted to the local planning authority for approval in writing. This report shall include (but may not be limited to): details of the remediation works carried out, results of any verification sampling, testing or monitoring including the analysis of any imported soil and waste management documentation.*

The remediation strategy includes a verification plan outlining the information that will need to be included in the verification report.

#### Schedule of land contamination risk management reports

The existing Pell Frischmann Land Contamination Risk Management reports that have been prepared to date are listed in the following table for ease of reference.

No	Report title and reference	Report ref.	Company	Date
1	Land Contamination Desk Study	104878-PEF-ZZ-XX-RP-GG-600002	Pell Frischmann	Mar-2021
2	Land Contamination Risk Assessment (Part 1)	104878-PEF-ZZ-XX-RP-GG-600003	Pell Frischmann	Jan-2022
3	Remediation Strategy	4602_001-PEF-XXX-XXX-RP-GG-600004	Pell Frischmann	Apr-2023
4	Remediation strategy. Cover soils: import acceptability procedure	4602_001-PEF-XXX-XXX-RP-GG-600005	Pell Frischmann	Apr-2023
4	Remediation strategy. Unexpected contamination preliminary Guide	4602_001-PEF-XXX-XXX-RP-GG-600006	Pell Frischmann	Apr-2023

We trust the above is acceptable for the London Borough of Camden's requirements to discharge condition M26 Parts A and B, however please do let us know if you have any queries or require any further clarifications.

We look forward to your response in due course.

Yours sincerely

On behalf of **Pell Frischmann**

**Amy Boucher**

Technical Director – Land Contamination and Waste