

18 September 2024

**London Borough of Richmond upon Thames**  
**Planning Policy Team**  
**Civic Centre**  
**44 York Street**  
**Twickenham**  
**TW1 3BZ**

**Dear Officers**

**Discharge of Conditions | Learning Centre, Royal Botanic Gardens, Kew**

On behalf of Royal Botanic Garden, Kew (RBGK), we enclose an application to discharge 2no. conditions associated with the planning permission (ref: 23/0410/FUL), which approved the demolition of the existing 'White Peaks' structure and its replacement with a new part two, part single storey building and associated hard and soft landscaping, to provide a new Learning Centre at the Royal Botanic Gardens, Kew. Specifically, this application seeks to discharge the following:

- **Condition 'U0176315'** (Potentially contaminated sites)
- **Condition 'U0176319'** (Archaeology)

This application has been submitted via the planning portal (ref: PP-13418405). An application form is submitted, together with the relevant information to support the discharge of the conditions (as identified below). The relevant application fee of £215 (inc. £70 Planning Portal admin fee) has also been submitted.

**Application background**

Planning permission for this development was granted by LB Richmond Upon Thames (LBRuT) on April 16, 2024. The project will deliver a new Learning Centre for all ages at Kew Gardens. The Learning Centre will take account of the most recent developments in learning to ensure it is an inspirational and inclusive, space appealing to a much broader audience than the current space available at Kew. It will be more flexible than the existing space, able to accommodate a range of users with different styles of learning.

On a practical level it will enable new and exciting formats for learning to be developed (in line with the newest developments in education), increase flexibility for inside and outside learning, and provide space for specialist equipment to be introduced to learning programmes. It will also facilitate Kew in meeting its safeguarding commitments.

The description of development associated with PP 23/0410/FUL is: *“Demolition of the existing 'White Peaks' development and replacement with a new part two, part single-storey building and associated hard and soft landscaping, to provide a new Learning Centre at the Royal Botanic Gardens, Kew.”*

**Details of the conditions**

This current application seeks to discharge the following condition associated with the above decision:

- **Condition 'U0176315'** (Potentially contaminated sites)
- **Condition 'U0176319'** (Archaeology)

**Potentially contaminated sites | Condition U0176315 states that:**

1. *No development shall take place until:*

a) a desk study detailing the history of the site, hazardous materials, substances used together with details of a site investigation strategy based on the information revealed in the desk study has been submitted to and approved in writing by the local planning authority

b) an intrusive site investigation has been carried out comprising: sampling of soil, soil vapour, ground gas, surface water and groundwater to the satisfaction of the local planning authority. Such work to be carried out by suitably qualified and accredited geo-environmental consultants in accordance with the current U.K. requirements for sampling and testing.

c) written reports of i) the findings of the above site investigation and ii) a risk assessment for sensitive receptors together with a detailed remediation strategy designed to mitigate the risk posed by the identified contamination to sensitive receptors have been submitted to and approved in writing by the local planning authority. Note: some demolition work, if required, could be allowed beforehand for enabling the above requirement (1b), subject to the agreement of the Local Planning Authority.

2. None of the dwellings/buildings hereby approved shall be occupied until:

a) the remediation works approved as part of the remediation strategy have been carried out in full and in compliance with the approved strategy. If during the remediation or development work new areas of contamination are encountered, which have not been previously identified, then the additional contamination should be fully assessed in accordance with condition [1(b, c)] above and an adequate remediation scheme shall be submitted to and approved in writing by the local planning authority and fully implemented thereafter.

b) a verification report, produced on completion of the remediation work, has been submitted to and approved in writing by the local planning authority. Such report to include i) details of the remediation works carried out and ii) results of verification sampling, testing and monitoring and iii) all waste management documentation showing the classification of waste, its treatment, movement and disposal in order to demonstrate compliance with the approved remediation strategy.

**REASON:** To protect future users of the site and the environment.

The submitted Phase I and II Geo-Environmental Site Investigation Report by Pick Everard is sufficient to discharge parts 1a, 1b and 1c of the condition. Part 2 will be discharged at a future date once the remediation strategy has been carried out in full. The Report determines that the greatest risks from land contamination are considered to be low/ moderate risks to construction workers. Ground gas is also considered to pose low/ moderate risks to future site users. All other risks are considered to be low or very low at this stage.

The assessment was conducted in general accordance with industry guidance including DEFRA/EA Guidance Land Contamination: Risk Management (LCRM) and BS10175: Investigation of Potentially Contaminated Sites – Code of Practice.

**Archaeology |** Condition U0176319 states:

No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

- a) The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- b) Where appropriate, details of a programme for delivering related positive public benefits
- c) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

**REASON:** *To safeguard the archaeological interest on this site.*

A WSI has been produced by Compass Archaeology. The field and post-excavation work will be carried out in accordance with Historic England guidelines (in particular, *GLAAS: Guidelines for Archaeological Projects in Greater London 2015*). Works will also conform to the standards of the Chartered Institute for Archaeologists (*Standard for archaeological field evaluation* and *Universal guidance for archaeological field evaluation*, both December 2023). Overall management of the project will be undertaken by a full Member of the Institute.

The Client and the representative of Historic England GLAAS will be kept advised of the progress of the fieldwork, and in particular of any significant findings. If significant remains are exposed further measures will be agreed upon and implemented as appropriate. These may include additional archaeological work or specialist consultation/ work off-site, as well as preservation of remains *in situ*.

If you have any questions on any of the enclosed information, please contact [henry@theplanninglab.com](mailto:henry@theplanninglab.com).

Yours faithfully

**The Planning Lab**